

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Ex Parte No. 711 (Sub-No.1)

Reciprocal Switching

**PETITION FOR AN EXTENSION OF TIME OF
THE ASSOCIATION OF AMERICAN RAILROADS**

**ENTERED
Office of Proceedings
August 10, 2016
Part of
Public Record**

In a Notice of Proposed Rulemaking served July 27, 2016, the Surface Transportation Board (“Board”) proposed new rules to govern the availability of reciprocal switching. These rules, if adopted, would constitute what is likely the most significant change in freight railroad regulation since passage of the Staggers Rail Act of 1980.¹ The proposed rules could fundamentally alter how freight railroads operate and involve the Board in regulating individual traffic movements to a degree that has not existed for decades. To allow for the development of a full record, the Association of American Railroads (“AAR”) respectfully requests that the Board adopt a revised procedural schedule as set forth below.

The compressed procedural schedule established by the Board in its July 27 Notice would not provide interested parties sufficient time to prepare comprehensive comments necessary to develop a complete record in a proceeding of extraordinary importance nor allow them to evaluate and respond to the comments of other parties. The current schedule allows only 61 days for preparation of opening comments and 29 days for reply. The comment period for this proceeding would overlap with the comment periods in a number of other significant

¹ Pub. L. 96-448, 94 Stat. 1895 (1980).

proceedings currently before the Board.² In addition, the Board has indicated that it may initiate proceedings in a number of additional significant matters later this year.

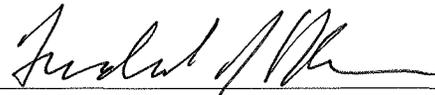
To provide sufficient time for AAR and its members to fully participate in this proceeding, AAR requests that the Board adopt the following revised procedural schedule:

October 26, 2016	Opening Comments due
January 13, 2017	Reply Comments due
January 13, 2017	Requests for ex parte meetings with Board members due
January 30, 2017	Ex parte meetings with Board members begin

The extended reply period is necessary to provide a full 60 days to evaluate opening comments and prepare reply comments while at the same time allowing for the Thanksgiving and end-of-the-year holidays. In addition, by providing a gap between the filing of reply comments and the beginning of ex parte meetings with Board members, the proposed schedule allows both the Board and interested parties the opportunity to evaluate reply comments prior to any ex parte meetings.

² See, e.g., *Review of the General Purpose Costing System*, EP 431 (Sub-No. 4) (STB served Aug. 4, 2016); *Expediting Rate Cases*, EP 733 (STB served June 15, 2016); and *Rules Relating to Board-Initiated Investigations*, EP 731 (STB served June 6, 2016).

Respectfully submitted,



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