



ASSOCIATION OF AMERICAN RAILROADS

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Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423

ENTERED
Office of Proceedings
May 27, 2016
Part of
Public Record

Re: EP 731, *Rules Relating to Board-Initiated Investigations*

Dear Ms. Brown:

On May 16, 2016, the Surface Transportation Board (“Board”) issued a notice of proposed rulemaking in the above captioned proceeding. The notice proposed to establish rules governing investigations conducted on the Board’s own initiative pursuant to Section 12 of the Surface Transportation Board Reauthorization Act of 2015, Pub. L. 114-110, 129 Stat. 2228 (2015) (“STB Reauthorization Act”). Comments on the proposed rules are due on June 15, 2016 and replies are due on July 15, 2016.

This proceeding presents issues of great significance, both in the potential impacts to the Association of American Railroad’s (“AAR’s”) member railroads and in the important constitutional principles of due process that are implicated by the proposed rules. Such important issues warrant considered, substantive comments and the Board and the public would benefit from a more complete record. In light of these issues and the fact that comments in this proceeding are due two days after comments are due in EP 730, *Revision to Arbitration Procedures*, the AAR respectfully requests an approximately 30-day extension of time to the schedule to provide comments and replies. Specifically, the AAR asks that comments be due on July 15, 2016 and replies be due on August 12, 2016.

In making this request, the AAR is mindful of the Board’s obligation under the STB Reauthorization Act to issue final rules by December 18, 2016. The modest extension requested here will allow the Board over four months to issue final rules in compliance with that deadline.

The AAR has contacted counsel for the American Chemistry Council, the Fertilizer Institute, the National Grain and Feed Association, the National Industrial Transportation

League, and the Western Coal Traffic League and has been authorized to inform the Board that those organizations have no objection to the AAR's request.

Sincerely,



Timothy J. Strafford
Counsel for the Association
of American Railroads