

STB EX PARTE NO. 542

REGULATIONS GOVERNING FEES FOR SERVICE
PERFORMED IN CONNECTION WITH LICENSING
AND RELATED SERVICES--1996 UPDATE

Decided September 11, 1996

This decision stays the effective date for Fee Item (60), Labor arbitration proceedings and Fee Item (61) Appeals to a decision and petitions to revoke a transaction pursuant to 49 U.S.C. 10502(d) until the Board issues a decision on the merits of a related petition to reopen.

BY THE BOARD:

In *Regulations Governing Fees For Service*, 1 S.T.B. 179 (1996), and published at 61 Fed. Reg. 42,190 (1996), the Surface Transportation Board (Board) issued final rules that contain its 1996 user fee schedule. Those rules are scheduled to become effective on September 16, 1996.

On August 26, 1996, Joseph Szabo, the Illinois Legislative Director for the United Transportation Union (Mr. Szabo), filed a petition for stay requesting that the Board stay the establishment of the new \$7,600 filing fee for Fee Item (60), Labor arbitration proceedings, and the new \$150 filing fee for Fee Item (61), Appeals to a Surface Transportation Board decision and petitions to revoke an exemption pursuant to 49 U.S.C. 10502(d), pending the disposition of his petition to reopen the August 14, 1996 decision. In letters filed August 26, 1996, the United Transportation Union and the Brotherhood of Locomotive Engineers also objected to the establishment of these two fees and supported Mr. Szabo's petition for stay. On September 3, 1996, Mr. Szabo filed his petition to reopen this proceeding.

I am granting a "housekeeping" stay of the effective date of Fee Items (60) and (61) so that the Board will have sufficient time to consider the issues raised

in the related petition to reopen.¹ All other fee items will go into effect as scheduled.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The effective date for Fee Item (60), Labor arbitration proceedings and Fee Item (61) Appeals to a Surface Transportation Board decision and petitions to revoke a transaction pursuant to 49 U.S.C. 10502(d), is stayed until the Board issues a decision on the merits of the related petition to reopen.

2. This decision is effective on September 13, 1996.

By the Board, Linda J. Morgan, Chairman.

¹ The Board intends to act on that petition by October 1, 1996.