



SURFACE TRANSPORTATION BOARD

FOR RELEASE

04/08/2019 (Monday)
No. 19-5
www.stb.gov

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STB ANNOUNCES DETAILS FOR OVERSIGHT HEARING ON DEMMURAGE AND ACCESSORIAL CHARGES

The Surface Transportation Board announced today details for the agency's upcoming public hearing on railroad demurrage and accessorial charges to be held on Wednesday, May 22, 2019, beginning at 9:30 a.m., in the Main Hearing Room (Room 101) of the U.S. International Trade Commission, located at 500 E Street, S.W., Washington, D.C., near the Board's headquarters. The Board will receive information from railroads, shippers, receivers, third-party logistics providers, and other interested parties about their recent experiences with demurrage and accessorial charges, including matters such as reciprocity, commercial fairness, the impact of operational changes on such charges, capacity issues, and effects on network fluidity.

Since the last quarter of 2018, the Board has been closely monitoring changes the Class I railroads have made to demurrage and accessorial charges in their tariffs. The letter requests the Board sent to each Class I railroad asking for information on quarterly revenue from demurrage and accessorial charges for 2018 and 2019, the railroad responses to date, and written communications received from shippers and other stakeholders on the issue can be found on the Board's website under **E-LIBRARY / CORRESPONDENCE / NON-DOCKETED PUBLIC CORRESPONDENCE**.

Class I carriers will be directed to appear at the hearing through company officials, and will be required to file certain information with the Board by May 1, 2019, including:

- A list of all material changes to their demurrage and accessorial tariffs since January 1, 2016;
- Total dollar amounts of charges billed and charges collected for all their demurrage and accessorial tariffs for each of the past three calendar years;

- A detailed explanation of the current process by which shippers, receivers, and other parties may dispute demurrage and accessorial charges; and
- A detailed explanation of any system or practice under which credits or debits have been issued in connection with the assessment of demurrage or accessorial changes since January 1, 2016.

All hearing participants are required to submit written testimony by May 8, 2019, and interested persons who will not appear at the hearing may file written submissions by May 8, 2019. All participants and interested persons are encouraged to address the following topics at the hearing, and in their written testimony or submissions:

- Recent experience with demurrage and accessorial charges;
- Impacts on shippers, receivers, third-party logistics providers, and shortline railroads flowing from recent changes in Class I carrier demurrage and accessorial tariffs; changes in Class I carrier enforcement policies; and operational changes implemented by Class I carriers; and
- Perspectives on whether demurrage and accessorial tariffs in effect during the past three years have created balanced and appropriate incentives for both customers and railroads, including views on the extent to which reciprocity should be incorporated.

The Board will direct all Class I carriers to appear at the hearing through knowledgeable company officials, and the agency encourages other interested parties including shippers, receivers, third-party logistics providers, and representatives of shortline railroads to appear as well. Class I carriers will be directed to file information by May 1, 2019. Shippers and other stakeholders will be asked to file with the Board a notice of intent to participate, identifying the party, the proposed speaker, and the time requested no later than April 24, 2019. Written testimony, and written submissions by interested persons who will not appear at the hearing, should be filed by May 8, 2019. Filings will be posted to the Board's website and need not be served on the parties of record.

Live video streaming of the hearing will not be available; however, a hearing transcript will be posted on the Board's website as soon as it is available. The hearing will be open for public observation.

The Board's Notice of Public Hearing in Oversight Hearing on Demurrage and Accessorial Charges, Docket No. EP 754, may be viewed and downloaded [here](#).

POSTED: 04/08/2019 04:21 PM