



# SURFACE TRANSPORTATION BOARD

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## **SURFACE TRANSPORTATION BOARD INVITES ADDITIONAL STAKEHOLDER INPUT ON RATE REVIEW OPTIONS**

The Surface Transportation Board today announced that it will permit informal discussions with stakeholders on the Board's proposed rule in Final Offer Rate Review, Docket No. EP 755 and comments received in that docket regarding arbitration and other rate review options for smaller cases. The Board is waiving the general prohibition on ex parte communications in that docket and will permit informal communications with the Board Members and staff between June 1, 2020, and July 15, 2020.

In September 2019, the Board issued a notice of proposed rulemaking (NPRM) and sought public comment on its proposal of a new procedure, known as Final Offer Rate Review (FORR), for challenging the reasonableness of railroad rates in smaller cases. Under this proposal, the Board would decide a case by selecting either the complainant's or the defendant's final offer, subject to an expedited procedural schedule that adheres to firm deadlines. The comment period concluded on January 10, 2020. After reviewing the record, the Board finds that it would benefit from additional stakeholder input on the FORR proposal and on how best to continue its efforts to establish a new rate review methodology generally. Prompted by comments received, the Board also wishes to explore whether its existing arbitration program could be modified to provide a practical alternative dispute resolution mechanism to address smaller rate disputes.

To schedule a meeting, which will be held via telephone or online conference, parties should contact the Board's Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238. Further instructions for these informal discussions can be found in the decision.

The Board's decision in Final Offer Rate Review, Docket No. EP 755, may be viewed and downloaded [here](#). Information about the Board's arbitration program is available [here](#).

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