



# SURFACE TRANSPORTATION BOARD

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## **STB MODIFIES PROTECTIVE ORDER IN AMTRAK OPERATIONS IN GULF COAST; ORDERS MEDIATION**

The Surface Transportation Board today announced that it will allow certain Amtrak personnel access to select materials designated as “highly confidential,” modifying the protective order in the National Railroad Passenger Corporation’s (Amtrak) application to operate Gulf Coast service.

The Board is allowing certain in-house Amtrak personnel access to materials produced in connection with the 2020 and 2021 Rail Traffic Controller (RTC) studies so that it can fully respond to evidentiary issues raised by the Board in the recent hearing. The Board specifically invited the parties to present additional RTC modeling evidence, and without such access, Amtrak would be at a significant disadvantage. The Board’s decision also extends the deadline for filing supplemental evidence by 30 days, until July 13, 2022.

In addition, to facilitate settlement, the Board in its decision also ordered Board-sponsored mediation in this case. The mediation period will be 30 days, beginning on the date of the first mediation session. The Board will not hold the underlying proceeding in abeyance during the pendency of the mediation. The Board will address other pending requests made by the parties that arose out of the recent hearing in a subsequent decision.

Today’s decision concerns Amtrak’s March 16, 2021, application to the Board, seeking an order requiring CSX Transportation, Inc. (CSX) and Norfolk Southern Railroad (NS) to allow Amtrak to operate additional intercity passenger trains, consisting of two round-trips per day, over the rail lines of CSX and NS between New Orleans, La., and Mobile, Ala. A multi-day hearing on the matter was held in April and May 2022.

“All parties should have the opportunity to fully respond to the evidentiary issues raised at the hearing,” said Chairman Martin J. Oberman. “It is also the Board’s intent to have a full and complete record in such an important matter that affects the public interest.”

Today’s decision in [Application of the National Railroad Passenger Corporation Under 49 U.S.C. § 24308\(e\)—CSX Transportation, Inc., and Norfolk Southern Railway Company](#), Docket No. FD 36496, may be viewed and downloaded [here](#).

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