



SURFACE TRANSPORTATION BOARD

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CHAIRMAN FUCHS TAKES ACTION ON OUTSTANDING PROCEEDINGS

As part of the agency's efforts to increase transparency and accountability, Surface Transportation Board Chairman Patrick Fuchs provided an update today on recent actions to facilitate and expedite the resolution of several outstanding Board proceedings.

- Union Pacific Corporation—Control—Missouri-Kansas-Texas Railroad Company, et al. (FD 30800). The Kansas City Southern Railroad Company petitioned the Board to enforce conditions imposed by the agency when it approved the acquisition of the Missouri-Kansas-Texas Railroad Company. The most recent Board action in this docket was in September 2023. In April, Chairman Fuchs offered a course of action for consideration by the full Board.
- Final Offer Rate Review (EP 755). The Board issued a final rule implementing Final Office Rate Review in December 2022. The United States Court of Appeals for the Eighth Circuit decision vacated the rule in August 2024. In April, Chairman Fuchs offered a draft action for consideration by the full Board, and he expects the Board to issue a decision in May 2025.
- BNSF Railway Company—Petition for Enforcement—Service to Granite Mountain Quarries (FD 32760 (Sub-No. 48)). In February 2024, BNSF Railway Company petitioned the Board to enforce conditions imposed by the agency when approved the merger of Union Pacific Railroad Company and Southern Pacific Rail Corporation. The most recent Board action in this docket was in February 2024. Chairman Fuchs intends to offer a draft action for consideration by the full Board in May 2025.
- BNSF Railway Company—Petition for Clarification—Service to Colorado Materials (FD 32760 (Sub-No. 49)). In February 2024, BNSF Railway Company petitioned the Board to issue an order clarifying that certain shipper facilities are entitled to BNSF service. Chairman Fuchs intends to offer a draft action for consideration by the full Board in May 2025.

- Petition for Rulemaking to Adopt Rules Governing Private Railcar Use by Railroads (EP 768). In July 2021, the North America Freight Car Association, The National Grain and Feed Association, The Chlorine Institute, and The National Oilseed Processors Association filed a petition for rulemaking proposing that the Board adopt regulations governing railroads' use of private freight cars and several specific related issues. The most recent Board action in this docket was in July 2022. Chairman Fuchs intends to offer a draft action for consideration by the full Board in May 2025.
- City of Philadelphia—Petition for a Declaratory Order (FD 36768). In April 2024, the City of Philadelphia petitioned the Board to issue a declaratory order concerning jurisdictional and other matters related to the Philadelphia & Reading Railroad Company. The most recent Board action in this docket was in May 2024. Chairman Fuchs intends to offer a draft action for consideration by the full Board in June 2025.
- Kansas Department of Transportation—Petition for Declaratory Order (FD 36817). In February 2025, the Kansas Department of Transportation and Sunflower Redevelopment, LLC petitioned the Board to issue a declaratory order concerning jurisdictional matters related to a certain segment of rail track (and the underlying easements) in De Soto, Kansas. Chairman Fuchs intends to offer a draft action for consideration by the full Board in May 2025, and he expects the Board to issue a decision within the month.

“The agency continues to make significant progress concluding outstanding proceedings to resolve disputes, facilitate efficient market entry and exit, and ensure a sound national supply chain,” said Chairman Fuchs. “I expect that the Board will continue to increase the speed of adjudications in the coming months.”

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