

**Opening Statement of  
Commissioner Wayne O. Burkes  
For the April 5, 2001 Oral Argument in**

**Ex Parte No. 582 (Sub-No.1),  
Major Rail Consolidation Procedures**

Good morning ladies and gentlemen, and welcome to this oral argument in Ex Parte No. 582 (Sub-No.1), Major Rail Consolidation Procedures.

On January 24, 2000, we initiated a proceeding to obtain public views on the general subject of major rail consolidations. On March 7, 2000, we began a four-day public hearing on the subject. Many felt that we were at a crossroads of the railroad industry and that the time had come for us to evaluate where the industry had been, where the industry was, and where does it go from here. As a result of the comments that we received, we concluded that our current merger rules were not adequate for addressing the broad concerns associated with reviewing proposals that, if approved, could lead to just two large North American transcontinental railroads. Therefore, we instituted this proceeding and placed a 15-month moratorium on major railroad mergers until new merger rules were in place.

In this proceeding, we received comments and replies to our Advance Notice of Proposed Rulemaking (ANPR) served March 31, 2000 and comments, replies and rebuttal comments to our Notice of Proposed Rulemaking (NPR) served October 3, 2000. This oral argument represents the final opportunity for parties to comment on our proposed new rules before they are finalized and issued on June 11, 2001.

The issues before us are important. A good transportation system to move our goods and services is absolutely essential to the economic well being of our nation. As many of you know, the STB's mission is to ensure that competitive, efficient, and safe transportation services are provided to meet the needs of the shippers, the

receivers and the consumers. Hopefully, this proceeding and the issuance of our revised major railroad merger rules will help us fulfill that mission.

I want to thank all of you for your participation in this important proceeding. I appreciate your time and effort and look forward to listening to your remarks. Your comments are important and will receive full consideration from this Board.