

Surface Transportation Board Issues Technical Corrections in "Duke v. Norfolk Southern" Rail Rate-Complaint Case

Surface Transportation Board Chairman Roger Nober announced that the Board issued a decision in the *Duke v. Norfolk Southern Railway Company* (STB Docket No. 42069) rate case to correct computational and technical errors in the original decision that was issued on November 6, 2003. Although the Board originally found that Duke had not proved Norfolk Southern's rates to be unreasonable, the corrections issued today resulted in the rates charged by Norfolk Southern being proved unreasonable. The Board noted that the parties had already indicated that they would petition the Board to reconsider parts of its November 6 decision, so the Board stated that it would not prescribe a reasonable rate until after it had considered those reconsideration petitions. Neither party would be prejudiced by the Board waiting to prescribe a rate because a prescription made after it considered the reconsideration petitions would apply to shipments made during the period in which the Board considered the petitions.

The Board's decision in the case entitled [*Duke Energy Corporation v. Norfolk Southern Railway Company*, STB Docket No. 42069](#), is available for viewing and downloading via the Board's Web site at <http://www.stb.dot.gov>. A printed copy of the Board's decision also is available for a fee by contacting **ASAP Document Solutions, 9332 Annapolis Rd., Suite 103, Lanham, MD 20706, telephone (202) 293-7779**, or via asapmd@verizon.net.

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