

SURFACE TRANSPORTATION BOARD



Regulatory Status – 2017/18 Federal Regulations

(Items in red text indicate a change of status or new item)

January 12, 2018

Key Updates on IANA Policy Issues

Type	Date Posted	Title <i>(As Published in the Federal Register)</i>	Federal Register Page # (Vol. #)	Status
Decision	10/04/17	[Docket No. EP 290 (Sub-No. 4)] Railroad Cost Recovery Procedures – Productivity Adjustment <i>Keywords: Rail, Surface Transportation Board (STB)</i>	<u>46343(82)</u>	STB proposes a second productivity adjustment for average change in railroad productivity for the 2011-2015 period. Comments due 11/13/17.
Notice of Decision	09/11/17	Docket No. EP 552 (Sub-No. 21) Railroad Revenue Adequacy – 2016 Determination <i>Keywords: Surface Transportation Board</i>	<u>42716(82)</u>	STB finds that four Class I railroads were revenue adequate for the year 2016.
Decision	08/07/16	Docket No. EP 558 (Sub-No. 20) Railroad Cost of Capital – 2016 <i>Keywords: Rail; Railroad Regulation (Staggers Act)</i>	<u>Notice</u>	STB found the rail industry's 2016 after-tax cost of capital was 8.88%.
Notice of Regulatory Reform Task Force Listening Session	06/23/17	[Docket No. EP 738] Regulatory Reform Task Force <i>Keywords: Surface Transportation Board (STB)</i>	<u>28617(82)</u>	STB's Regulatory Reform Task Force is holding a meeting on 07/25/17 to review regulations that are burdensome, unnecessary, or outdated.
Notice of vacancies on the Railroad-Shipper Transportation Advisory Council (RSTAC) and solicitation of nominations	12/28/17	[Docket No. EP 526 (Sub-No. 10)] Notice of Railroad-Shipper Transportation Advisory Council Vacancy <i>Keywords: Surface Transportation Board (STB)</i>	<u>61653(82)</u>	STB is soliciting nominations to fill two small shipper, one large shipper, two small railroad, and two large railroad representative vacancies on the RSTAC. Nominations due 01/22/18.
Notice and request for comment	05/31/17	30-Day Notice of Intent To Seek Extension of Approval: Waybill Sample <i>Keywords: Surface Transportation Board (STB); Rail</i>	<u>25043(82)</u>	STB seeks an extension of the Waybill Sample.
Notice and request for comments	05/23/17	60-Day Notice of Intent to Seek Extension of Approval: Information Collection Activities (Report of Fuel Cost, Consumption, and Surcharge Revenue) <i>Keywords: Rail; Surface Transportation Board (STB)</i>	<u>23698(82)</u>	STB is seeking an extension of approval for the collection of the Report of Fuel Cost, Consumption and Surcharge Revenue.
Notice of modifications to annual and quarterly	04/24/17	[Docket No. EP 720 (Sub-No. 1)] Revisions to Railroad Annual Report Form R-1 and Quarterly Operating Reports	<u>18947(82)</u>	Effective 05/24/17, STB is revising certain schedules in the Annual Report for Class I railroads and quarterly operating reports.

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reporting forms		Keywords: Surface Transportation Board (STB); Rail		
Final Action	10/25/17	[Docket No. EP 664 (Sub-No. 3)] Revisions to the Cost-of-Capital Composite Railroad Criteria Keywords: Rail; Railroad Regulation (Staggers Act)	49295(82)	STB updates the screening criteria used to create the "composite railroad" for the Board's annual cost-of-capital determination.
Notice and request for comments	03/08/17	60-Day Notice of Intent to Seek Extension of Approval: Information Collection Activities (Complaints, Petitions for Declaratory Orders, and Petitions for Relief Not Otherwise Specified) Keywords: Rail; Surface Transportation Board	13039(82)	STB is seeking extension of approval of three information collection activities, including complaints, petitions for declaratory orders, and petitions for relief not otherwise specified.
Letter	09/29/16	Petition for Rulemaking to Adopt Revised Competitive Switching Rules Keywords: Surface Transportation Board (STB); Rail	Letter	Rail stakeholders write to Congress to express concern over STB's reciprocal switching rules.
Notice of proposed rulemaking	08/03/16		51149(81)	STB proposes to allow a party to obtain a reciprocal switching prescription if it is reasonable and in the public interest or else is necessary for competitive rail service.
Notice of proposed rulemaking	03/28/16	[Docket No. EP 704 (Sub-No. 1)] Review of Commodity, Boxcar, and Trailer-on-Flatcar/Container-on-Flatcar (TOFC/COFC) Exemptions Keywords: Surface Transportation Board (STB)	17125(81)	STB is seeking public comment on its proposal to revoke certain existing class exemptions.
Revisions to Arbitration Procedures	12/28/17	Surface Transportation Board Reauthorization Act of 2015 Keywords: Surface Transportation Board	61653(82)	STB is seeking names of new arbitrators who wished to be placed on the arbitration roster, as required by the STB Reauthorization Act.
Final Rule	11/29/17		Decision	STB is modifying its rate case procedures to expedite the rate review process. Effective 12/30/17.
Decision	2/23/17		Decision	STB adopts its roster of arbitrators who will help resolve rail rate and practice complaints through the new arbitration process, as required by the STB

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Final rules	12/14/16		<u>90229(81)</u>	Reauthorization Act. STB publishes final rules for investigations conducted on the Board's own initiative in accordance with the STB Reauthorization Act of 2015. Rules are effective 01/12/17.
Final rules	10/6/16		<u>69410(81)</u>	STB adopts changes to its arbitration procedures in accordance with the STB Reauthorization Act of 2015. Effective 10/30/16.
Letter	09/27/16		<u>Letter</u>	AAR writes to Congress to express concerns over STB's expansion of their regulatory reach through proposed rulemakings.
Notice	01/27/17	United States Rail Service Issues-Performance Data Reporting <i>Keywords: Rail, STB</i>	<u>Notice</u>	STB postpones effective date of final rail service performance metrics rule until 03/21/17, with first reports to be filed by Class I railroads on 03/29/17.
Final Rule	12/05/16		<u>Final Rule</u>	STB is adopting a final rule to require all Class I railroads to report certain rail service performance metrics on a weekly, semiannual, and occasional basis.
Final Rule	02/17/16	Information Required in Notices and Petitions Containing Interchange Commitments <i>Keywords: Railroad Regulations (Staggers Act); Surface Transportation Board (STB)</i>	<u>8000(81)</u>	STB is inserting language that was inadvertently omitted when the previous Final Rule was published in 2013.
Final Rule	09/05/13		<u>54589(78)</u>	The Board adopts the Proposed Rulemaking as its Final Rule, with minor modifications that reduce the amount of information required. Effective 10/05/13.