

SURFACE TRANSPORTATION BOARD



Regulatory Status – 2023/24 Federal Regulations

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

December 20, 2024

Key Updates on IANA Policy Issues

Type	Date Posted	Title <i>(As Published in the Federal Register)</i>	Federal Register Page # (Vol. #)	Status
Letter	12/02/24	Rail Cost Adjustment Factor <i>Keywords: Surface Transportation Board; Rail</i>	<u>Update</u>	AAR responds to STB letter questioning quality of data submitted to inform the Rail Cost Adjustment Factor.
Letter	11/26/24		<u>Update</u>	STB sends letter to AAR questioning quality of data submitted to inform the Rail Cost Adjustment Factor.
Notice of Decision	09/09/24	[Docket No. EP 552 (Sub-No. 28)] Railroad Revenue Adequacy—2023 Determination <i>Keywords: Surface Transportation Board</i>	<u>73178(89)</u>	STB finds that three Class I railroads were revenue adequate for 2023.
Decision	08/23/24	Docket No. EP 711 (Sub-No. 2) Reciprocal Switching for Inadequate Service <i>Keywords: Rail</i>	<u>Decision</u>	STB extends commencement of Class I performance standard reporting requirements to 09/25/24.
Final Rule	4/30/24		<u>38646(89)</u>	STB issues final rule establishing paths for a reciprocal switching agreement due to inadequate service, effective 09/04/24.
Lawsuit	08/20/24	[Docket No. EP 738] Regulatory Reform Task Force <i>Keywords: Surface Transportation Board (STB)</i>	<u>Decision</u>	U.S. Court of Appeals for the 8th Circuit grants petition for review by UP and AAR; vacates STB Final Offer Rate Review rule.
Final Rule	12/19/22		<u>299(88)</u>	STB issues final rule forming the Final Offer Rate Review process for rate reasonableness proceedings, effective 03/06/23.
Decision	08/06/24	[Docket No. EP 558 (Sub-No. 27)] Railroad Cost of Capital—2023 <i>Keywords: Rail</i>	<u>Decision</u>	STB determines railroad cost of capital was 9.87% for 2023.
Update	05/23/24	[Docket No. EP 748] Indexing the Annual Operating Revenues of Railroads <i>Keywords: Surface Transportation Board; Rail</i>	<u>45729(89)</u>	STB publishes annual deflator factor and inflation-adjusted railroad revenue thresholds for 2023.

Type	Date Posted	Title <i>(As Published in the Federal Register)</i>	Federal Register Page # (Vol. #)	Status
Decision	01/31/24	[Docket No. EP 770] Urgent Issues in Freight Rail Service <i>Keywords: Rail</i>	<u>Decision</u>	STB extends reporting requirements for Class I carriers until 12/31/24 and updates requirements for four carriers.
Decision	05/06/22		<u>Decision</u>	STB requires all Class I to submit reports on rail service, performance, and employment; 4 carriers must also submit service recovery plans.
Final Rule	01/24/24	[Docket No. EP 762] Revisions To Regulations For Expedited Relief For Service Emergencies <i>Keywords: Rail</i>	<u>4564(89)</u>	STB adopts final rule to modify emergency service regulations and provide immediate relief for shippers, effective 02/23/24.
Decision	01/24/24	Railroad Cost Recovery Procedures – Productivity Adjustment <i>Keywords: Surface Transportation Board</i>	<u>4648(89)</u>	STB proposes 1.011 (1.1% per year) as the measure of average change in railroad productivity for the 2018-2022 period, a decrease of 1.6% from the average for the 2017-2021 period.