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SEC

SERVICE DATE - LATE RELEASE JUNE 29, 2004

## SURFACE TRANSPORTATION BOARD

### NOTICE

STB Ex Parte No. 646

### RAIL RATE CHALLENGES IN SMALL CASES

AGENCY: Surface Transportation Board.

ACTION: Notice of Public Hearing.

SUMMARY: The Surface Transportation Board will hold a public hearing on Wednesday, July 21, 2004, at its offices in Washington, DC, to provide interested persons an opportunity to express their views on the subject of Board processing of rail rate challenges that are not suitable for handling under the Board's constrained market pricing procedures. Persons wishing to speak at the hearing should notify the Board in writing.

DATES: The public hearing will take place on Wednesday, July 21, 2004. Any person wishing to speak at the hearing should file with the Board a written notice of intent to participate, and should indicate a requested time allotment, as soon as possible but no later than July 9, 2004. Each speaker should also file with the Board his/her written testimony by July 16, 2004.

ADDRESSES: All notices of intent to participate and testimony may be submitted **either** via the Board's e-filing format **or** in the traditional paper format. Any person using e-filing should comply with the instructions found on the Board's "www.stb.dot.gov" website, at the "E-FILING" link. Any person submitting a filing in the traditional paper format should send an original and 10 paper copies of the filing (referring to STB Ex Parte No. 646) to: Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001.

FOR FURTHER INFORMATION, CONTACT: Joseph H. Dettmar, (202) 565-1609.  
[Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at: (800) 877-8339.]

SUPPLEMENTARY INFORMATION: The Board will hold a public hearing to provide a forum for the expression of views by rail shippers, railroads, and other interested persons, regarding rail rate challenges in small cases to be considered by the Board. This hearing will provide a forum for the oral discussion of any proposals that interested persons might wish to offer for handling small cases involving a challenge to the reasonableness of rates charged by a rail carrier. The Board is also interested in participants' views on how "small rate cases" should be defined or identified.

Date Of Hearing. The hearing will begin at 10:00 a.m. on Wednesday, July 21, 2004, in the 7th floor hearing room at the Board's headquarters in Washington, DC, and will continue, with short breaks if necessary, until every person scheduled to speak has been heard.

Notice Of Intent To Participate. Any person wishing to speak at the hearing should file a notice of intent to participate and a requested time allotment, as soon as possible but no later than July 9, 2004.

Testimony. Each speaker should file written testimony with the Board by July 16, 2004.

Board Releases and Live Audio Available Via The Internet. Decisions and notices of the Board, including this notice, are available on the Board's website at "www.stb.dot.gov." This hearing will be available on the Board's website by live audio streaming. To access the hearing, click on the "Live Audio" link under "Information Center" at the left side of the home page beginning at 10:00 a.m. on July 21, 2004.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

Dated: June 29, 2004.

Vernon A. Williams  
Secretary