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SEC

SERVICE DATE – AUGUST 27, 2008

SURFACE TRANSPORTATION BOARD

DECISION

STB Ex Parte No. 679

ASSOCIATION OF AMERICAN RAILROADS – PETITION REGARDING  
METHODOLOGY FOR DETERMINING RAILROAD REVENUE ADEQUACY

Decided: August 26, 2008

By a petition filed on May 1, 2008, the Association of American Railroads (AAR) asks the Board to institute a rulemaking proceeding to consider its proposal to change the methodology that the Board uses to value rail-related assets in the annual revenue adequacy determination. AAR proposes that the Board no longer use a depreciated original cost valuation and instead use a replacement cost valuation based on the methodology developed by AAR. BNSF Railway Company filed comments on the same day in support of the petition. The Edison Electric Institute and the Western Coal Traffic League replied in opposition to AAR's petition.

Under 49 CFR 1110.2(e), the Board should grant or deny a petition to institute a rulemaking proceeding within 120 days of its filing, which in this case would be by August 29, 2008. Due to the complexity of the materials submitted by the parties and the importance of this subject, the Board will extend that deadline 60 days until October 28, 2008, to ensure that it is given due consideration.

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

It is ordered:

1. The Board's deadline for granting or denying AAR's petition to institute a rulemaking proceeding is extended 60 days, until October 28, 2008.
2. This decision is effective on its date of service.

By the Board, Anne K. Quinlan, Acting Secretary.

Anne K. Quinlan  
Acting Secretary