



Office of the Chairman

Surface Transportation Board
Washington, D.C. 20423-0001

February 1, 2016

The Honorable John Thune
Chairman
Senate Committee on Science,
Commerce & Transportation
511 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Bill Nelson
Ranking Member
Senate Committee on Science,
Commerce & Transportation
716 Hart Senate Office Building
Washington, DC 20510

The Honorable Susan Collins
Chairman
Senate Subcommittee on Appropriations –
Transportation, Housing and Urban
Development, and Related Agencies
413 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Jack Reed
Ranking Member
Senate Subcommittee on Appropriations –
Transportation, Housing and Urban
Development, and Related Agencies
728 Hart Senate Office Building
Washington, DC 20510

Dear Senators Thune, Nelson, Collins and Reed,

I am writing to provide information pertaining to the Surface Transportation Board's implementation of Public Law 114-110, *Surface Transportation Board Reauthorization Act of 2015*. In addition to becoming reauthorized for the first time since the agency's inception 20 years ago, we are now fully independent with five seats on the Board and investigative authority. As you know, the passage of this reauthorization significantly impacts the functions of the agency and requires the reporting of certain information concerning our rate case processes, as well as open regulatory proceedings and formal and informal complaints. With this letter, please find a status chart of the major actions that the Board is undertaking to execute these requirements. I will send you monthly updates until all relevant provisions of the Reauthorization Act are completed.

I thank you for your thoughtful oversight and interest in the Board, and look forward to meeting with you in the near future to discuss the action items in this chart and answer any questions that you might have about this or any other matter before the Board.

Sincerely,

Daniel R. Elliott III

STB Reauthorization Act of 2015, P.L. 114-110 / STB Action Items January 2016

Action Required	Section of Law	Description	Deadline	Status
Annual Report	6	Report in Annual Report on each investigation initiated	Dec-16	Complete in Dec. 2016
Quarterly Rate Case Review Metrics Reports	6	Post on website quarterly reports of rate cases pending or completed during the previous quarter	3/31/2016	Ongoing
Formal Service Complaints	6	1. Establish and maintain formal complaint database.	ASAP	Complete (CASE System)
		2. Create report	ASAP	Ongoing
		3. Post to website	3/31/2016	Creating landing pages
Informal Service Complaints	6	1. Establish and maintain informal complaint database.	ASAP	Complete (RCPA database)
		2. Create report	ASAP	Ongoing
		3. Post to website	3/31/2016	Creating landing pages
Rate Case Expedition Proceeding	11	Assess procedures to expedite litigation in courts to potentially apply to expedition of STB rate cases	6/17/2016	Considering approaches for building record
Maintain Simplified Rate Case Processes	11	Make available other rate case methods where SAC is too costly given the value of the case	N/A	Complete (3B, Simplified SAC); study may suggest other procedures to add
Rate Review Timelines	11	Implement new rate review timelines	Immediately	Rewriting regulations to reflect changes in process; also considering options for accelerating SAC cases to ensure new deadline is reached
Investigative Authority Rulemaking	12	Issue rules on STB-initiated investigations after public notice and comment	12/18/2016	Analysis of options underway
Arbitration Rulemaking	13	Promulgate regs to establish a voluntary and binding arbitration process for rate and practice complaints	12/18/2016	Analysis of options underway to amend existing voluntary arbitration process
Rate Case Methodology Report	15	Report to Congress on sufficiency of STB rate case methodologies and alternatives	12/18/2016	Ongoing
Unfinished Regulatory Proceedings Quarterly Reports	15	Report to Congress on progress of pending proceedings	2/18/2016	Report being prepared