

RAILROAD-SHIPPER TRANSPORTATION ADVISORY COUNCIL
Washington DC

**MINUTES OF NOVEMBER 8, 2006 MEETING OF THE
RAILROAD-SHIPPER TRANSPORTATION ADVISORY COUNCIL**

The Railroad Shipper Transportation Advisory Council (the "Council"), pursuant to notice, held a meeting on November 8, 2006, in the Hearing Room of the Surface Transportation Board, 1925 K Street, NW, Washington DC. The meeting was called to order at 8am.

The following members were present: Robert Pugh, Georgia Pacific; Connie Thede, Muscatine Power & Water; Eric Butler, Union Pacific Railroad; Owen Zidar, Kansas City Southern Railway; Reilly McCarren, Arkansas and Missouri Railroad; D. J. Kratzberg, Exxon Mobil, Dean Piacente, CSX Transportation, Larry Parsons, Wheeling and Lake Erie Railway; Roger Fray, West Central Cooperative; Bruce Ridley, Packaging Corporation of America; Terry Voss, Ag. Processing; Charles Nottingham, Chairman, Surface Transportation Board, Francis P. Mulvey, Vice Chairman, Surface Transportation Board; Douglas Buttrey, Commissioner Surface Transportation Board; Rick Webb, Watco Companies, attended via phone. Charles Marshall, Genesee and Wyoming, Bill Matheson, Schneider National; William Gelston, Federal Railroad Administration, James Brunkenhoefer, United Transportation Union; were absent.

I. Council welcomed and received opening remarks and comments by Chairman Nottingham

II. Financial Report was reviewed and approved

III. Council Business

- July 12th meeting minutes were approved for placement on the STB website.
- Continued discussion on RSTAC Guidelines.
 - Additional definition of guidelines will be provided by next meeting.
 - Questions arose regarding the guidelines and Code 726 and voting members and if we had enough small shippers and small railroads for a majority vote since large shippers and large railroads do not have voting rights. We have four small shippers and four small railroads and need nine voting members. Need to clarify the definition of large versus small shipper and determine if the Public Member has voting authority. Chairman Nottingham offered assistance from STB staff to clarify this issue and will work with Chair to resolve so that the RSTAC Guidelines document can be completed. In addition, determined that only voting members can be officers.
- 2007 Officers nominated and approved.
 - Rick Webb—Vice Chair
 - Reilly McCarran—Secretary
 - Connie Thede—Chair
- 2006 Annual Report will be prepared and sent out to members for review and distribution in January.

Issues/Activities:

- Position Paper was reviewed for further modifications and will be completed and distributed in January 2007. RSTAC members discussed the most beneficial and effective approaches for releasing this

document, including the possibility of delivering up on the Hill while in town for their first meeting in 2007. Decision will be made on that issue before the next meeting.

Position Paper Potentials for 2007: A number of issues were discussed that RSTAC may want to consider to take a position on during 2007.

IV. General Discussion

- AAR Shippers Meeting details were discussed. RSTAC sent out letters to shipper organizations to encourage participation but attendance was down from prior year. It was felt that the submission of questions before the meeting was helpful. Although there were additional efforts by railroads to provide shippers with time to discuss their concerns with break out sessions after the initial meeting, there were not many shippers who participated. RSTAC discussed if there were anything that we could do to enhance shipper input if there were another meeting next year.
- Rail Service Discussions - Merchandise Carload business—issues include car supply, investment expectation, truck competition and future demands on rail transportation.
- Additional topics reviewed included the short line tax credit continuation, hazmat liability, shipper metrics, car condition, clearer interpretation of new laws, legislative bills, Class I interchange improvements, capacity utilization, trackage rights and the short line railroads, and how RSTAC can assist in the customer/railroad relationship issues through additional communications, knowledge and education..

V: Next Meeting – Tentatively scheduled to be held on January 31 and February 1, 2007.