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SERVICE DATE – SEPTEMBER 5, 2024

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. EP 775

GROWTH IN THE FREIGHT RAIL INDUSTRY

Decided: September 5, 2024

By notice served on July 15, 2024, the Board announced that it will hold a public hearing on September 16 and 17, 2024, to gather information about recent trends and strategies for growth in the freight rail industry. The hearing will be held in the Hearing Room of the Board's headquarters, located at 395 E Street, S.W., Washington, DC 20423-0001, **and will begin each day at 9:00 a.m. ET.** Please note that the 9:00 a.m. start time is a change from previous announcements.

The schedule of appearances and the time provided for each speaker are set forth in the Appendix to this decision. On September 16, the Board will hear comment from the speakers on Panels I through VI. On September 17, the Board will hear comment from the speakers on Panels VII through XII. The hearing will be available for public viewing on YouTube.

Instructions for Attendance at Hearing

All persons attending the hearing must use the main entrance to the Board's headquarters, located at 395 E Street, S.W., Washington, DC 20423-0001. There will be no reserved seating. The building will be open to the public at 8:00 a.m. There is public parking in the building. The two closest Metro stops are Federal Center S.W. (3rd and D Streets, S.W., serving the Blue, Orange, and Silver Lines) and L'Enfant Plaza (6th and D Streets, S.W., serving the Yellow, Green, Blue, Orange, and Silver Lines).

Upon arrival, check in at the security desk in the main lobby. Be prepared to produce valid photographic identification (driver's license or local, state, or federal government identification); sign in at the security desk; submit to an inspection of all briefcases, handbags, etc.; and pass through a metal detector. Persons who exit the building during the hearing will be subject to these security procedures again if they choose to re-enter the building. Speakers must check in with the clerk at the front of the Hearing Room.

To allow the Board sufficient time to engage with each panel, the Board cannot provide specific times for when each panel will be called. Accordingly, panelists will be responsible for monitoring the progress of the hearing and ensuring they are available when it is time for their panel.

Any panelist who wishes to make a visual presentation at the hearing shall email a copy of the presentation to the Board at **Hearings@stb.gov** no later than September 12, 2024. The presentations will be loaded onto a Board laptop for use at the hearing.

Laptops and recorders may be used in the Hearing Room, and Wi-Fi will be available.¹ Cell phones may be used quietly in the corridor outside the Hearing Room or in the building's main lobby.

Members of the media should contact Michael Booth in the Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-1760 if they plan to attend the hearing.

The Hearing Room complies with the Americans with Disabilities Act. If you require an accommodation under the Americans with Disabilities Act, please call (202) 245-0245 by the close of business on September 12, 2024.

The hearing will be available for public viewing at <https://www.youtube.com/channel/UCgd2FPpKSpQZ57p771aafNg/live>. A link to the hearing can also be accessed through the Board's website at www.stb.gov, under "Quick Links" on the homepage, by clicking on "WATCH HEARINGS HERE." The hearing will be recorded, and the link to the recording will be available on the Board's website at www.stb.gov, under the tab "News & Communications," by clicking on "Meetings & Hearings." Additionally, a transcript will be created and will be made available as soon as possible on the Board's website, under the tab "News & Communications," by clicking on "Transcripts & Statements."

For further information regarding the hearing, contact Jonathon Binet at (202) 245-0368.

It is ordered:

1. A hearing will be held in the Hearing Room of the Board's headquarters, located at 395 E Street, S.W., Washington, DC 20423-0001, on September 16 and 17, 2024, beginning each day at 9:00 a.m. ET.

2. Any panelist who wishes to make a visual presentation at the hearing shall email a copy of the presentation to **Hearings@stb.gov** no later than September 12, 2024.

3. Time for presenting at the hearing is allotted as reflected in the Appendix to this decision.

4. This decision is effective on its service date.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

¹ The password will be available in the Hearing Room.

APPENDIX
SCHEDULE OF APPEARANCES

<u>Party</u>	<u>Time Allotted</u>
<u>Day 1 – September 16, 2024</u>	
Panel I	
Oliver Wyman	20 minutes
<ul style="list-style-type: none"> • Adriene B. Bailey, Head of North American Rail Practice 	
Loop Capital	20 minutes
<ul style="list-style-type: none"> • Rick Paterson, Managing Director 	
Hum Industrial Technology, Inc.	15 minutes
<ul style="list-style-type: none"> • Byron Porter, Chief Executive Officer 	
Wolfe Research	7 minutes
<ul style="list-style-type: none"> • Scott Group, Senior Analyst, Airfreight and Surface Transportation 	
Panel II	
Canadian Pacific Kansas City Limited, on behalf of its U.S. Rail Carrier Subsidiaries	10 minutes
<ul style="list-style-type: none"> • John Brooks, Executive Vice President and Chief Marketing Officer 	
Union Pacific Railroad Company	10 minutes
<ul style="list-style-type: none"> • Kenny G. Rocker, Executive Vice President, Marketing and Sales 	
Panel III	
Transportation Trades Department, AFL-CIO	5 minutes
<ul style="list-style-type: none"> • Greg Regan, President 	
Brotherhood of Locomotive Engineers and Trainmen	10 minutes
<ul style="list-style-type: none"> • Mark L. Wallace, Teamsters Rail Conference and National First Vice President BLET 	
Brotherhood of Railroad Signalmen, Transport Workers Union of America, International Brotherhood of Boilermakers, National Conference of Firemen and Oilers/32BJ SEIU, Brotherhood of Maintenance of Way Employees Division/IBT, International Association of Machinists and Aerospace Workers District #19, and	20 minutes

International Association of Sheet Metal, Air, Rail and Transportation Workers/Mechanical Division

- Richard S. Edelman of Mooney, Green, Saindon, Murphy and Welch, P.C.

Panel IV

BNSF Railway Company 20 minutes

- Tom Williams, Executive Vice President
- Jill Mulligan, Executive Vice President and Chief Legal Officer

Grand Trunk Corporation, on behalf of the U.S. Rail 20 minutes

Operating Subsidiaries of Canadian National Railway Company (CN)

- Derek Taylor, CN Executive Vice-President and Chief Field Operations Officer
- Patrick Lortie, CN Senior Vice-President and Chief Strategy Officer
- Kathryn J. Gainey, CN Head of Global Regulatory Affairs
- Allison Davis of Sidley Austin LLP

Panel V

American Short Line and Regional Railroad Association 60 minutes

- Henry Posner III, Chairman, Iowa Interstate Railroad
- Kennan H. Beard III, President and Chief Executive Officer, Sierra Northern Railway
- Marlon Taylor, President, New York and Atlantic Railway
- Shannon Drown, Vice President, Commercial and Industrial Development, R.J. Corman Railroad Company
- Kimberly C. Thompson, Vice President, Sales and Marketing, Genesee and Wyoming Railroad Services, Inc.
- Sarah G. Yurasko, Senior Vice President, Law and General Counsel, American Short Line and Regional Railroad Association

Panel VI

Railway Supply Institute 5 minutes

- Patricia Long, President

Hoffman Supply Chain Advisors 5 minutes

- David C. Hoffman

Solutionary Rail 5 minutes

- Bill Moyer, Executive Director

CNJ Rail Corporation and Railroad Restorations, Inc. 5 minutes

- Eric Strohmeyer

Day 2 – September 17, 2024**Panel VII**

National Industrial Transportation League	10 minutes
<ul style="list-style-type: none"> • Monica Freeman, Chair of National Industrial Transportation League’s Rail Transportation Committee and Director of Rail Transportation at CHS, Inc. 	
National Grain and Feed Association	15 minutes
<ul style="list-style-type: none"> • Michael Seyfert, President and Chief Executive Officer 	
Private Railcar Food and Beverage Association	15 minutes
<ul style="list-style-type: none"> • Identification of officer representative is forthcoming. • Daniel R. Elliott of GKG Law, P.C. 	

Panel VIII

Freight Rail Customer Alliance and National Coal Transportation Association	7 minutes
<ul style="list-style-type: none"> • Emily F. Regis, President of Freight Rail Customer Alliance and National Coal Transportation Association • Robert D. Rosenberg of Slover & Loftus LLP 	
National Mining Association	7 minutes
<ul style="list-style-type: none"> • Katie Mills, Associate General Counsel 	
American Fuel and Petrochemical Manufacturers	10 minutes
<ul style="list-style-type: none"> • Rob Benedict, Vice President, Petrochemicals and Midstream 	
Growth Energy	5 minutes
<ul style="list-style-type: none"> • Chris Bliley, Senior Vice President of Regulatory Affairs 	
OptiFuel Systems	10 minutes
<ul style="list-style-type: none"> • Cynthia Heinz 	

Panel IX

CSX Transportation, Inc.	30 minutes
<ul style="list-style-type: none"> • Joseph R. Hinrichs, President and Chief Executive Officer • Kevin Boone, Executive Vice President and Chief Commercial Officer 	
Norfolk Southern Railway Company	30 minutes
<ul style="list-style-type: none"> • Alan Shaw, President and Chief Executive Officer 	

Panel X

American Chemistry Council 10 minutes

- Jeffrey Sloan, Senior Director of Regulatory and Scientific Affairs

Alliance for Chemical Distribution 10 minutes

- Richard Erstad, Vice President, General Counsel, and Secretary of Hawkins, Inc.

The Fertilizer Institute 10 minutes

- Ryan Bowley, Vice President, Government Affairs

Panel XI

Association of American Railroads 20 minutes

- Ian Jefferies, President and Chief Executive Officer
- Rand Ghayad, Ph.D., Chief Economist and Senior Vice President, Policy and Economics

Panel XII

Parallel Systems 5 minutes

- Marty Schlenker, Head of Strategy

Highroad Consulting, Ltd. 5 minutes

- Sandra J. Dearden, President and Chief Executive Officer