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SERVICE DATE – SEPTEMBER 21, 2021

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. EP 767

FIRST-MILE / LAST-MILE SERVICE

Decided: September 21, 2021

By decision served September 2, 2021 (the Decision), the Board is seeking comments on issues regarding first-mile / last-mile (FMLM) service, which refers to the movement of railcars between a local railroad serving yard and a shipper or receiver facility. The Board seeks information on possible FMLM service issues, the design of potential metrics to measure such service, and the burdens or trade-offs associated with any suggestions raised by commenters, as well as several specific questions. Interested persons were invited to file comments by October 18, 2021, with replies due by November 16, 2021.

On September 7, 2021, the American Chemistry Council and The Fertilizer Institute (Movants) filed a motion to extend the due dates for comments and replies to December 17, 2021, and February 17, 2022, respectively. Movants note that the Decision solicits extensive and detailed information from stakeholders and assert that the additional time is needed to gather information from their member companies, compile and analyze the material, and prepare substantive comments. (Mot. 2.)

On September 13, 2021, the Association of American Railroads (AAR) filed a reply in support of the requested extension of time, stating that the additional time would facilitate the development of a robust record in response to the Board's inquiries. (AAR Reply 1.) On September 17, 2021, the American Short Line and Regional Railroad Association (ASLRRA) also filed a reply in support of the extension, stating that it would aid ASLRRA's ability to meaningfully address the questions posed in the Decision. (ASLRRA Reply 2.)

The motion to extend the due dates for comments and replies concerning issues referenced in the Decision is reasonable and will be granted. Accordingly, the comment and reply deadlines will be extended to December 17, 2021, and February 17, 2022, respectively.

It is ordered:

1. The motion to extend the deadlines for comments and replies is granted. Comments are due by December 17, 2021, and replies are due by February 17, 2022.

2. This decision is effective on its service date.

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