



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

December 19, 2019

The Honorable Tammy Baldwin
United States Senate
709 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Baldwin:

Thank you for your letter requesting that the Surface Transportation Board (Board) reconsider its August 29, 2019 decision in Rail Fuel Surcharges (Safe Harbor), Docket No. EP 661 (Sub-No. 2), which terminated the proceeding because the Board could not reach a majority decision. We appreciate knowing your concerns.

As you know, on September 18, 2019, the Western Coal Traffic League, American Public Power Association, Edison Electric Institute, Freight Rail Customer Alliance, and National Rural Electric Cooperative Association (collectively, the Allied Shippers) filed a petition for reconsideration of the Board's August decision. While we cannot comment on the merits of the petition because it is currently pending, please be assured that it is under careful review. Your letter, along with this response, will be entered into the docket.

Again, thank you for taking the time to inform us of your continued interest in this matter. If you or your staff have any questions, please contact us or Lucille Marvin, the Board's Director of the Office of Public Assistance, Governmental Affairs, and Compliance, at (202) 245-0238.

Sincerely,

Ann Begeman
Chairman

Patrick Fuchs
Vice Chairman

Martin Oberman
Board Member