

On September 21, 2020, the Board received replies to the petition from CSXT and the Western Coal Traffic League (WCTL), and a joint reply from the American Chemistry Council, Corn Refiners Association, American Fuel & Petrochemical Manufacturers, the National Industrial Transportation League, the Chlorine Institute, and the Fertilizer Institute (collectively, Joint Shippers). CSXT supports the petition, while WCTL and Joint Shippers oppose it. On October 13, 2020, Joint Carriers responded to WCTL's and Joint Shippers' arguments against their petition.

After initiating the proceeding, the Board received opening comments on May 17, 2021, from the Association of American Railroads (AAR), Dow, Inc., Industrial Minerals Association, Joint Carriers, Joint Shippers, Olin Corporation, the United States Department of Agriculture (USDA), and jointly from WCTL and Seminole Electric Cooperative, Inc. (Seminole Electric), and replies on August 16, 2021, from AAR, Joint Carriers, Joint Shippers, and jointly from WCTL and Seminole Electric.

### Discussion and Conclusions

The Board appreciates the effort undertaken by stakeholders in these exploratory dockets to provide additional information and arguments for the Board's consideration. While the Board continues to explore ideas related to revenue adequacy, at this time, the Board has determined that the public interest would be better served by the Board devoting its limited resources to other reform and potential rulemaking matters. For example, the agency recently initiated a reform initiative aimed at streamlining its processes and procedures, including those used in rate, service, and other cases. *See* Press Release, STB, STB Gathers More Than 100 Ideas from Legal Practitioners to Streamline Board Processes, No. 25–22 (STB posted June 10, 2025). The Board is also undertaking a review of its regulations implementing environmental laws, including the National Environmental Policy Act (42 U.S.C. 4321–4370m-11), conducting a comprehensive review of its regulations and policies related to competition, and considering issues related to class exemptions and preemption.

The Board's docket prioritization is guided in part by the fact that revenue adequacy issues have been raised in individual matters. *See, e.g., Consumers Energy Co. v. CXS Transp., Inc.*, NOR 42142, slip op. at 2 (STB served June 15, 2015). For example, at present, the ideas proposed by Joint Carriers regarding

benchmarking railroad return on investment and cost of capital to companies in the S&P 500 could be offered by a carrier (or a complainant) in a rate reasonableness dispute. As such, the Board is discontinuing the proceedings in Docket No. EP 722 and Docket No. EP 766 in the interest of administrative efficiency.<sup>2</sup> This action, however, does not foreclose the possibility of the Board exploring revenue adequacy issues in the future in a new docket.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

#### *It is ordered:*

1. Docket No. EP 722 and Docket No. EP 766 are discontinued.
2. This decision is effective on its date of service.

By the Board, Board Members Fuchs, Hedlund, Primus, and Schultz.

Decided: July 7, 2025.

**Tammy Lowery,**  
*Clearance Clerk.*

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### SURFACE TRANSPORTATION BOARD

#### Release of Waybill Data

The Surface Transportation Board has received a request from Princeton University, (WB25–38-07/09/2025) for permission to use select data from the Board's 1984–2025 masked Carload Waybill Samples. A copy of this request may be obtained from the Board's website under docket no. WB25–27.

The waybill sample contains confidential railroad and shipper data; therefore, if any parties object to these requests, they should file their objections with the Director of the Board's Office of Economics within 14 calendar days of the date of this notice. The rules for release of waybill data are codified at 49 CFR 1244.9.

<sup>2</sup> Under the Board's practice, information-gathering proceedings are automatically discontinued once the record closes. *Rev. of the Surface Transp. Bd.'s Gen. Costing Sys.*, EP 431 (Sub-No. 3) et al., slip op. at 3 (STB served Jan. 19, 2010). Therefore, another revenue adequacy-related docket, *Hearing on Revenue Adequacy*, Docket No. EP 761, was discontinued as of February 13, 2020. While Docket No. EP 722 could also have been considered discontinued that day (*see R.R. Revenue Adequacy*, EP 722 et al., slip op. at 1 (STB served Dec. 17, 2019) (setting February 13, 2020, as the deadline to submit evidence on the record)), there continued to be activity in and related to that docket after February 13, 2020. *See In re: W. Coal Traffic League*, 108 F.4th 905 (D.C. Cir. 2024). Accordingly, the Board is discontinuing Docket No. EP 722 in this decision.

Any inquiries on this request should be directed to [waybill@stb.gov](mailto:waybill@stb.gov).

**Kenyatta Clay,**  
*Clearance Clerk.*

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### SURFACE TRANSPORTATION BOARD

[Docket No. AB 55 (Sub-No. 819X)]

#### **CSX Transportation, Inc.— Abandonment Exemption—in Philadelphia County, Pa.**

CSX Transportation, Inc. (CSXT), has filed a verified notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments* to abandon an approximately 0.69-mile rail line extending between milepost BCE 1.41 and milepost BCE 2.1, on its Northern Region, Philadelphia Subdivision, Delaware Industrial Track in Philadelphia County, Pa. (the Line).<sup>1</sup> The Line traverses U.S. Postal ZIP Code 19148.

CSXT has certified that: (1) no local rail traffic has moved over the Line during the past two years; (2) because the Line is not a “through line,” there is no overhead traffic that would need to be rerouted; (3) no formal complaint filed by a user of rail service on the Line (or by a state or local government on behalf of such user) regarding cessation of service over the Line is pending with either the Surface Transportation Board (Board) or any U.S. District Court or has been decided in favor of a complainant within the two-year period; and (4) the requirements at 49 CFR 1105.7(b) and 1105.8(c) (notice of environmental and historic reports), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to government agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial

<sup>1</sup> CSXT initially submitted its verified notice on April 4, 2025. On April 11, 2025, CSXT filed a letter asking the Board to hold the proceeding in abeyance because it had inadvertently omitted the ZIP code in its newspaper publication of its notice of intent to abandon and needed time to correct that error. CSXT's request was granted on April 14, 2025, and on June 24, 2025, CSXT submitted supplemental information related to correcting the error. Because CSXT supplemented its verified notice on June 24, 2025, that date is deemed the filing date of the verified notice.