

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. EP 706

REPORTING REQUIREMENTS FOR
POSITIVE TRAIN CONTROL EXPENSES AND INVESTMENTS

Digest:¹ The Board denies as moot a petition by the Association of American Railroads to reopen this proceeding.

Decided: September 25, 2025

On August 26, 2024, the Association of American Railroads (AAR) petitioned the Board to reopen this proceeding and terminate the supplemental Positive Train Control (PTC)² reporting requirements that the Board adopted in this docket. No comments on AAR's petition were filed. In this decision, the Board denies the petition as moot in light of its concurrently issued notice of proposed rulemaking, Updating Class I Rail Carrier Reporting Requirements (NPRM), EP 787 (STB served September 30, 2025), in which the Board proposes to eliminate the supplemental PTC reporting requirement and proposes other changes to Class I reporting requirements.

BACKGROUND

In 2013, following notice and comment, the Board issued final rules containing supplemental reporting requirements related to PTC investments made by Class I rail carriers, as part of their annual "R-1" reports filed with the Board.³ Reporting Requirements for Positive Train Control Expenses & Invs., EP 706 (STB served Aug. 14, 2013). R-1 reports contain information about finances and operating statistics for each Class I railroad, including information about costs and expenses associated with the installation and operation of PTC. See 49 U.S.C. § 11145(b)(1); 49 C.F.R. § 1241.11(a).

¹ The digest constitutes no part of the decision of the Board but has been prepared for the convenience of the reader. It may not be cited to or relied upon as precedent. See Pol'y Statement on Plain Language Digs. in Decisions, EP 696 (STB served Sept. 2, 2010).

² PTC is a system designed to prevent, among other things, train-to-train collisions, over-speed derailments, incursions into established work zone limits, and the movement of a train through a switch left in the wrong position. 49 U.S.C. § 20157(i)(5).

³ For a more comprehensive history of Docket No. EP 706, see NPRM, EP 787, slip op. at 2-3.

AAR argues that the Board should terminate the supplemental reporting requirement, noting that when the Board adopted its existing rules more than a decade ago, PTC-related capital costs were significant, (AAR Pet. 1), and that now “the vast majority of costs associated with implementing PTC have been dispensed with,” (*id.* at 4). AAR therefore argues that “there is little utility in the continuation of the reporting requirements.” (*Id.*)

DISCUSSION AND CONCLUSIONS

The Board takes notice of AAR’s arguments and will consider the issues raised by AAR, along with other Class I reporting proposals, in Docket No. EP 787. In the interest of efficiency, the Board today is issuing the NPRM in Docket No. EP 787 on its own motion, as permitted by 49 C.F.R. § 1110.2(a). The petition to reopen in this docket, therefore, will be denied as moot.

It is ordered:

1. AAR’s petition to reopen is denied as moot.
2. This decision is effective on its service date.

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