



**Legislation**

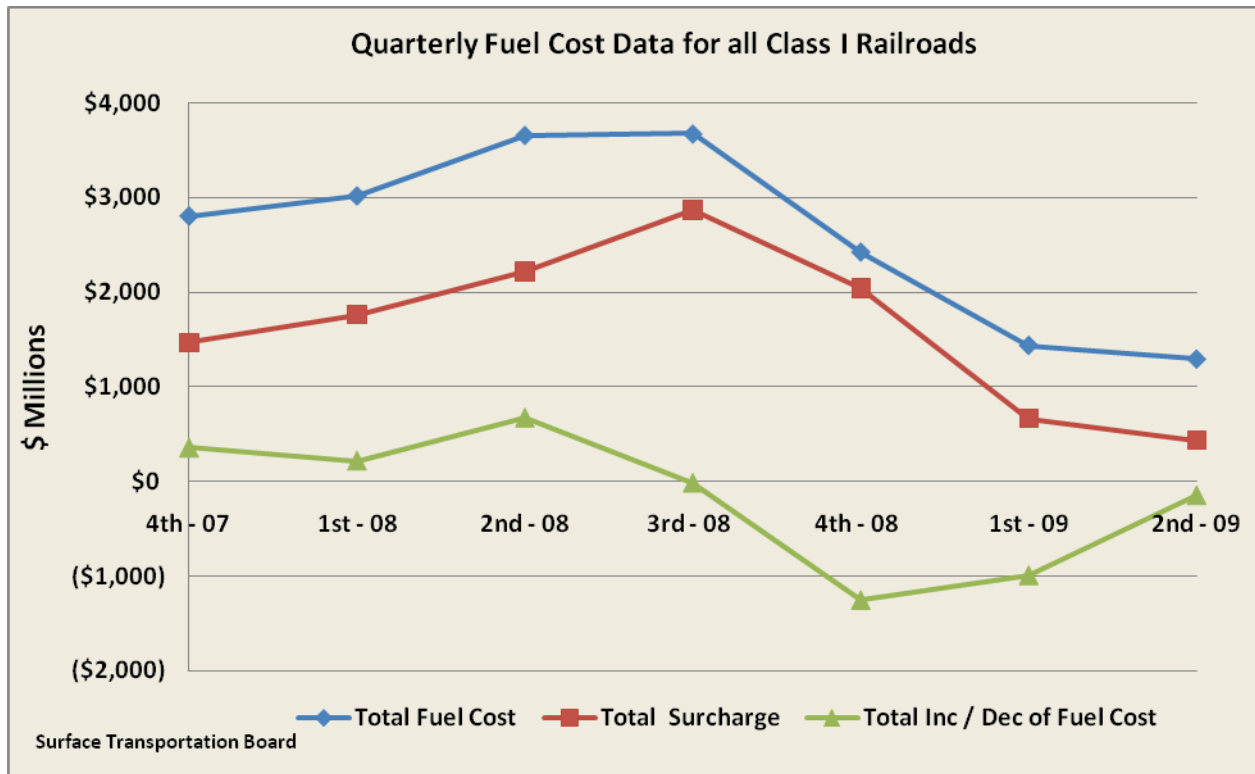
August 14, 2009

**Rail Reform Bill** – The Senate Commerce, Science, and Transportation Committee staff met separately with railroad representatives and shipper advocates during the first week of August. The committee is seeking final input from the stakeholders as they draft rail reform legislation, which they plan to have ready for consideration by the committee in early September. During the meetings, the staff reported that Chairman Rockefeller (D-WV) remains committed to passing this legislation before the end of the year.

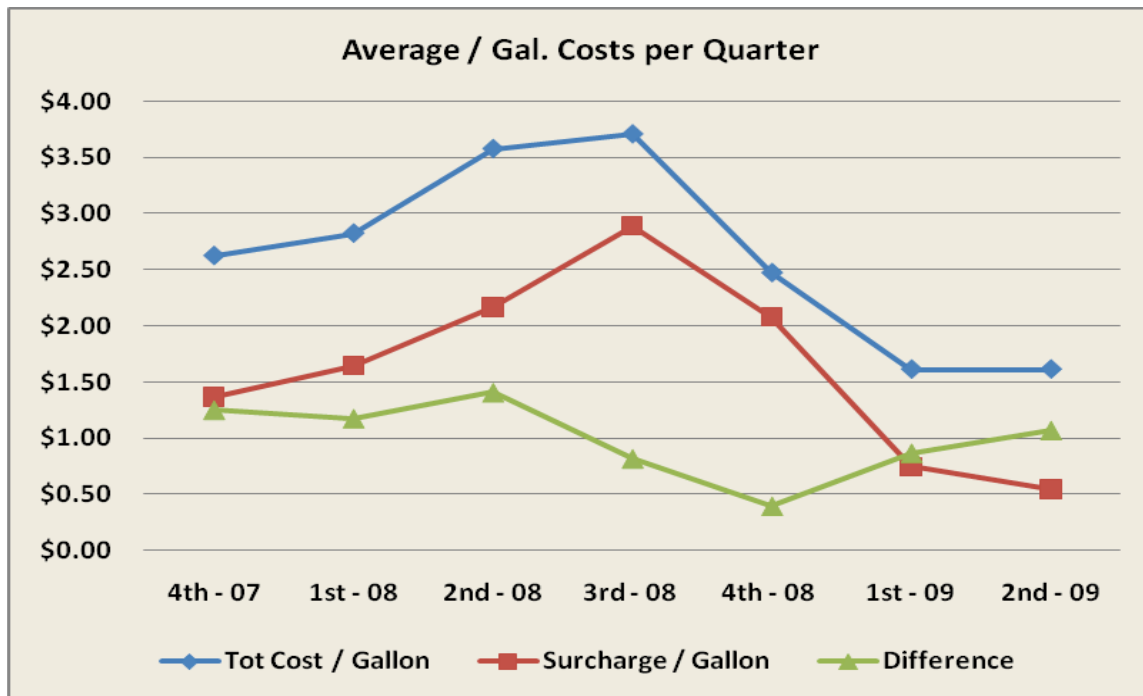
**Surface Transportation Board**

The Senate confirmed Dan Elliot to be chairman of the STB by unanimous consent, along with about 60 other nominees, prior to leaving for the summer recess on August 7<sup>th</sup>. Senate Commerce, Science, and Transportation Committee Chairman Rockefeller (D-WV) and Ranking Member Hutchison (R-TX), who had placed a hold on the nomination after the United Transportation Union president had made statements suggesting that the Union’s PAC contributions had been responsible for the appointment, allowed the nomination through after receiving a written apology and retraction of the remarks.

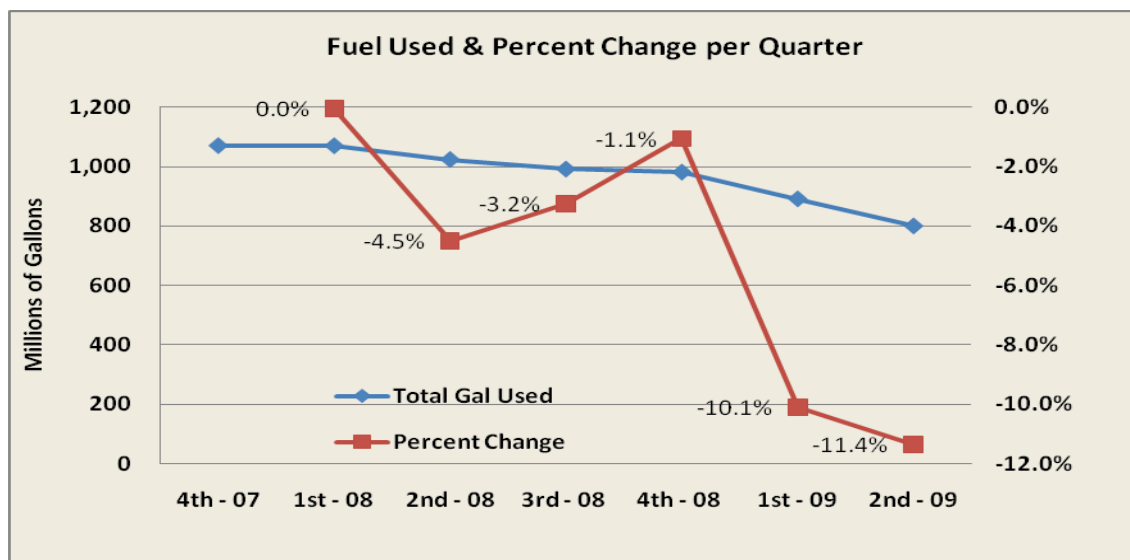
**2<sup>nd</sup> Quarter Rail Fuel Surcharges Reported August 1**– Total fuel costs continued to decline for the Class 1 Railroads for the quarter ending June 30<sup>th</sup>, down \$146 million, as did the fuel surcharges levied, which declined by \$230 million:



The average cost of diesel for the Class I Railroads remained steady at \$1.61 per gallon during the 2<sup>nd</sup> quarter. Fuel surcharges dropped 21 cents to \$0.54 per gallon, scoring another new low since the fuel surcharge quarterly report began in 2007. The difference between the cost and the surcharge increased 48 cents, from 87 cents per gallon to \$1.07:



Total fuel use continued declining during the 2<sup>nd</sup> quarter, dropping another 11.4 %, from 891 million to 800 million gallons, as the slowdown in the economy continues to reduce rail traffic:



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