

SURFACE TRANSPORTATION BOARD**[Docket No. EP 730 (Sub-No. 1)]****Revisions to Arbitration Procedures**

Under Section 13 of the Surface Transportation Board Reauthorization Act of 2015 (STB Reauthorization Act), codified at 49 U.S.C. 11708, Congress directed the Board to “promulgate regulations to establish a voluntary and binding arbitration process to resolve rail rate and practice complaints” that are subject to the Board’s jurisdiction. In May 2016, the Board issued a Notice of Proposed Rulemaking proposing to modify its existing regulations at 49 CFR pt. 1108 and § 1115.8 to conform to the requirements of the STB Reauthorization Act. *Revisions to Arbitration Procedures*, EP 730 (STB served May 12, 2016). Section 11708(f) provides that, unless parties otherwise agree, an arbitrator or panel of arbitrators shall be selected from a roster maintained by the Board. Accordingly, the Board’s rules establish a process for creating and maintaining a roster of arbitrators. See *Revisions to Arbitration Procedures (Final Rule)*, EP 730, slip op. at 3–4 (STB served Oct. 11, 2016).

By decision served December 2, 2016, the Board sought applications from all interested persons who wished to be considered for inclusion on the initial roster. The Board assessed each applicant’s qualifications to identify individuals who can ably serve as arbitrators based on the criteria established by the Board in its *Final Rule* at 49 CFR 1108.6(b). By decision served February 23, 2017, the Board adopted and issued its roster of arbitrators. The roster is published on the Board’s website at <https://www.stb.gov/stb/litigationalternatives/CurrentArbitration.html> (a link to the current arbitrator roster is located in the section titled, “Arbitration Procedures”).

Section 1108.6(b) requires that the Board update the roster of arbitrators every year. Accordingly, the Board is now requesting the names and qualifications of new arbitrators who wish to be placed on the roster. Arbitrators who wish to remain on the roster must notify the Board of their continued availability and confirm that the biographical information on file with the Board remains accurate and if not, provide any necessary updates. Arbitrators who do not confirm their continued availability will be removed from the roster. This decision will be served on all current arbitrators.

Any person who wishes to be added to the roster should file an application describing his or her experience with

rail transportation and economic regulation, as well as professional or business experience, including agriculture, in the private sector. Each applicant should also describe his or her training in dispute resolution and/or experience in arbitration or other forms of dispute resolution, including the number of years of experience. Lastly, the applicant should provide his or her contact information and fees.

All comments—including filings from new applicants, updates to existing arbitrator information, and confirmations of continued availability—should be submitted by January 22, 2018.¹ The Board will assess each new applicant’s qualifications to determine which individuals can ably serve as arbitrators based on the criteria established under section 1108.6(b). The Board will then establish an updated roster of arbitrators by no-objection vote. The roster will include a brief biographical sketch of each arbitrator, including information such as background, area(s) of expertise, arbitration experience, and geographical location, as well as contact information and fees. The roster will be published on the Board’s website.

It is ordered:

1. Applications from persons interested in being added to the Board’s roster of arbitrators and confirmations of continued availability (with updates, if any, to existing arbitrator information) from persons currently on the arbitration roster, are due by January 22, 2018.

2. This decision will be served on all current arbitrators and published in the **Federal Register**.

3. This decision is effective on the date of service.

Decided: December 21, 2017.

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

Jeffrey Herzig,

Clearance Clerk.

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SURFACE TRANSPORTATION BOARD**[Docket No. EP 526 (Sub-No. 10)]****Notice of Railroad-Shipper Transportation Advisory Council Vacancies**

AGENCY: Surface Transportation Board (Board).

¹ Persons who have informally indicated an interest in being included on the arbitrator roster (e.g., correspondence to Board members) should submit a comment pursuant to this decision.

ACTION: Notice of vacancies on the Railroad-Shipper Transportation Advisory Council (RSTAC) and solicitation of nominations.

SUMMARY: The Board hereby gives notice of vacancies on RSTAC for two small shipper representatives, one large shipper representative, two small railroad representatives, and two large railroad representatives. The Board seeks suggestions for candidates to fill these vacancies.

DATES: Nominations are due on January 22, 2018.

ADDRESSES: Suggestions may be submitted either via the Board’s e-filing format or in the traditional paper format. Any person using e-filing should attach a document and otherwise comply with the instructions at the E-FILING link on the Board’s website, at <http://www.stb.gov>. Any person submitting a filing in the traditional paper format should send an original and 10 copies to: Surface Transportation Board, Attn: Docket No. EP 526 (Sub-No. 10), 395 E Street SW, Washington, DC 20423–0001 (if sending via express company or private courier, please use zip code 20024). Please note that submissions will be available to the public at the Board’s offices and posted on the Board’s website under Docket No. EP 526 (Sub-No. 10).

FOR FURTHER INFORMATION CONTACT: Katherine Bourdon at 202–245–0285. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1–800–877–8339.

SUPPLEMENTARY INFORMATION: The Board, created in 1996 to take over many of the functions previously performed by the Interstate Commerce Commission, exercises broad authority over transportation by rail carriers, including regulation of railroad rates and service (49 U.S.C. 10701–47, 11101–24), the construction, acquisition, operation, and abandonment of rail lines (49 U.S.C. 10901–07), as well as railroad line sales, consolidations, mergers, and common control arrangements (49 U.S.C. 10902, 11323–27).

RSTAC was established upon the enactment of the ICC Termination Act of 1995 (ICCTA) on December 29, 1995, to advise the Board’s Chairman, the Secretary of Transportation, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives with respect to rail transportation policy issues RSTAC considers significant. RSTAC focuses on