



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

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Office of the General Counsel

Meeting under Section 5, STB Reauthorization Act

Office of Proceedings

September 23, 2020

May 26, 2020

Part of

Public Record

Present: Members Begeman, Oberman, and Fuchs
Staff Nathaniel Bawcombe, William Brennan, Anika Cooper, Rachel Campbell, Allison Davis, Ellen Erichsen, Amanda Gorski, Kim Hillenbrand, Craig Keats, Lisa Novins, Kristen Nunnally, Robert Plum, Valerie Quinn, Janie Sheng, Charles Vance, Julie Waddell, Scott Zimmerman

Topic: Docket No. NOR 42168, Twin City Metals, Inc. v. KET, LLC

Summary of the Matters Discussed, Prepared by General Counsel Craig Keats:

At this meeting, staff briefed Board Members on certain issues related to a complaint filed by Twin City Metals, Inc. (TCM) against KET, LLC, a Class III rail carrier. The complaint asserts that KET has refused to provide rail service to TCM and that KET illegally removed pieces of TCM's track that connected to the interstate rail network in violation of 49 U.S.C. §§ 11101(a), 10702(2), 11103, and 10744. TCM also requests partial revocation of the exemption from regulation for iron and steel scrap at 49 C.F.R. § 1039.11 for the rail service disputes at issue.

Staff and Board Members discussed the following issues:

1. The background of the dispute.
2. KET's motion for a stay pending resolution of the revocation request.
3. Mediation possibilities.