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The Honorable Martin J. Oberman,
Chairman Surface Transportation Board
395 E Street SW
Washington, D C 20423

Dear Chairman Oberman and Members of the Surface Transportation Board,

I write today to share serious concerns about harms Texas will experience if the Surface Transportation Board approves a proposed rule on forced reciprocal switching (EP 711). I want to make sure you are aware of my views on this matter prior to the Board's March public hearing.

Contrary to the assertions of interest groups promoting this unnecessary new federal regulatory scheme, while the proposal may provide some immediate benefit to a few favored shippers, I believe it would be extremely damaging to rail-served communities and businesses in Texas and all across the nation over the long term.

Forcing railroads to open their tracks to competitors at potentially below-market rates and without any demonstration of competitive abuse would have broad negative impacts on train operations. Because our freight rail system is comprised of a complex, integrated network, these disruptions will reverberate throughout the system. The resulting harms to rail efficiency and productivity would also undermine the ability of railroads to earn enough capital to continue historically high levels of reinvestment in the rail network, thus further imperiling rail service for most shippers and communities.

Freight railroads are vital to our state's economy and industrial advancement. Texas is by far the largest freight railroading state by track mileage, with 54 railroads moving over 320 million tons of cargo annually.

Railroads, which move 35% of all U.S. exports, connect ports across the Texas Gulf Coast allowing American goods access to international markets. Of the eight international connections between the U.S. and Mexico, six are located in Texas including the five busiest (El Paso, Del Rio, Eagle Pass, Laredo, and Brownsville), making Texas the center of rail-based trade between our two countries.

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Houston and Dallas-Fort Worth are two of the largest railroad nexuses in the country with dozens of railyards, intermodal facilities, and rail-transportation investments. Hubs like San Antonio, Amarillo, Austin, Temple, El Paso, and Abilene play a key role in the state's rail network while giving manufacturers, oil and gas, and agricultural operations many transportation options. Of Texas' 254 counties, 208 feature rail access-giving local communities, rural economic operations, and industrial parks access that few other states enjoy.

Additionally, these freight rail routes support passenger service across the state. It's worth noting that Amtrak has opposed forced switching in the past for its potential disruption to the multimodal network that moves both people and freight. This system also helps reduce congestion and pollution by taking vehicles off of our already overcrowded highways.

Throughout the COVID-19 pandemic and in the face of continuing supply chain upheaval, railroads have proven to be uniquely nimble, resilient partners in America's interconnected transportation network. What has set railroads apart is their consistently high level of investment in infrastructure, technology, and operations, coupled with continuous innovation to meet the evolving needs of customers and compete in a changing transportation landscape.

Forced switching would undermine railroad efficiency and investment, exacerbate current supply chain challenges, and threaten the long-term health and sustainability of the rail network. I would urge you to reject this proposed new rule.

Sincerely,



David Blackburn

County Judge

xc: Members of the Texas Congressional Delegation