



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

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May 23, 2022

The Honorable Jim Costa
2081 Rayburn House Office Building
Washington, DC 20515

The Honorable Jimmy Panetta
406 Cannon House Office Building
Washington, DC 20515

Dear Representative Costa and Representative Panetta,

Thank you for your recent letter regarding the critical freight rail service problems facing U.S. grain shippers. I appreciate hearing your views on the current service challenges and share your concerns about the disturbing impact it is having on animal health and welfare, California's food production, and increased customer costs.

As you are aware, on April 22, 2022, the Board issued a proposed rule to improve its process to provide relief in times of emergency and to ease the burden on rail users seeking such relief. I expect the Board will take further action on that proposed rule after close of the comment period on June 6, 2022. The Board also held a public hearing addressing rail service problems on April 26 and 27, 2022 in [Urgent Issues in Freight Rail Service](#), Docket No. EP 770. During the hearing, the Board heard extensive testimony on severe rail service issues reported by a wide range of witnesses including agricultural, energy, and other shippers, as well as government officials, rail labor, and rail experts.

As a result of this testimony, on May 6, 2022, the Board issued a decision requiring all Class I railroads to submit several specific reports on rail service, performance, and employment. In addition, the Board is requiring BNSF, CSX, NS, and UP to submit service recovery plans, progress reports, historical data, and participate in biweekly conference calls with Board staff. The first submission of weekly performance data was made on May 18, 2022, while service recovery plans were submitted on May 20, 2022. These reporting measures are meant to inform the Board's assessment of further actions that may be warranted to address the acute service issues facing the rail industry and to promote industry-wide transparency, accountability, and improvements in rail service.

A copy of your letter and this response has been placed in the public docket in EP 770. If you or your staff have any questions, please contact Ms. Janie Sheng, Acting Director of the Board's Office of Public Assistance, Governmental Affairs, and Compliance, at 202-245-0238.

Sincerely,

A handwritten signature in black ink, reading "Martin J. Oberman". The signature is written in a cursive, flowing style.

Martin J. Oberman
Chairman