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Freight Rail Customer Alliance

Decent 19, 2022

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Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E. Street, S.W.
Washington, D.C. 20423

Re: FD 36397, *Wisconsin Central, Ltd.—Petition for Declaratory
Order—Interchange with Soo Line Railroad Company*

Dear Ms. Brown,

The Freight Rail Customer Alliance (“FRCA”) appreciates the opportunity to comment on the issues presented in the decision that the Surface Transportation Board (“Board” or “STB”) served in the above-captioned Proceeding on October 19, 2022.

For the most part, the railroads appear able to avoid disputes arising under 49 U.S.C. § 10742 with respect to facilities for the interchange of traffic. Where the Board is forced to intervene, the Board should use its authority and discretion to facilitate interchange, and allocate any associated costs, in a manner that benefits shippers, other customers, and consumers, and promotes the public interest, through efficient, low-cost, nondiscriminatory, expeditious, and safe interchanges that further and do not detract from the quality of service. Least-cost, most-efficient interchanges should be the norm. In that regard, “within its power to provide” need not, on its face, be restricted to segments over which the carrier has exclusive control. Furthermore, all of the Class I railroads are significant beneficiaries of consolidation, and they should not be allowed to resort to balkanization to the detriment of their customers and the public.

Cynthia T Brown, Chief
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Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Ann Warner". The signature is written in a cursive, flowing style.

Ann Warner
Spokesperson, Freight Rail Customer Alliance
Ann Warner LLC
300 New Jersey Avenue, Suite #900
Washington, D.C. 20001

cc: Parties of Record