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**BEFORE THE SURFACE TRANSPORTATION BOARD**

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**Docket No. EP 711 (Sub-No. 2)**

**RECIPROCAL SWITCHING FOR INADEQUATE SERVICE**  
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**REPLY COMMENTS OF CARGILL, INCORPORATED**

Cargill, Incorporated ("Cargill") hereby submits these reply comments in response to the Notice of Proposed Rulemaking ("NPRM") served by the Surface Transportation Board ("STB" or "Board") in the above-captioned proceeding September 7, 2023. Cargill is a member of the National Industrial Transportation League (the "League") and fully supports the opening comments jointly submitted by the League, the American Chemistry Council, and The Fertilizer Institute ("Coalition Associations") on November 7, 2023 in this proceeding. Cargill comments separately for the purpose of emphasizing the issue of greatest concern to it.

Cargill, Incorporated ("Cargill") is an international provider of food, agricultural, financial, and industrial products, and services. Cargill's over 160,000 employees across 70 countries work relentlessly to achieve our purpose of nourishing the world in a safe, responsible, and sustainable way. Cargill appreciates the opportunity to provide comments to the Surface Transportation Board (STB) and for its attention to this long-standing rulemaking proceeding regarding open/reciprocal switch access. Cargill participates in the global supply chain to source, store, trade, process and distribute various grains, oilseeds, and other products to the U.S. domestic, import, and export markets. In a given year, Cargill will use rail to transport over 300,000 carloads throughout the U.S. Various types of products include grain, oilseeds, processed grains, biofuel, fertilizer, animal feed, and other commodities or finished goods.

We commend the STB for taking an initial step with 711-2 to employ reciprocal switching as an option to help remedy a portion of the significant rail service inadequacies; however, Cargill believes



this sub-docket should be the initial step in what Board Member Primus has described as a “crawl, walk, run” approach to implementing the full statutory scope of reciprocal switching.

The scope of the NPRM is much narrower than the scope sought by The NITL in its Petition for Rulemaking in Ex Parte No. 711 and in the Board’s notice of proposed rulemaking in Sub-Docket No. 1. Both proposals sought to implement the full scope of § 11102(c) by enhancing rail competition through reciprocal switching. It is through such competition that Cargill remains convinced that the rail service inadequacies can be most effectively addressed. Moreover, greater rail competition also fosters reasonable rates, balanced commercial terms, greater innovation, increased efficiency, and the potential to open up more markets to the American farmers in the interior.

The Board need not, and should not, reinvent the wheel as it considers how to do this. Sub-Docket No. 1 already lays a strong foundation. Therefore, as the Board gains experience with the current more narrowly tailored proposal in this 711-2 sub docket, it should revisit the proposals in Sub-Docket No. 1, which is a result that also would advance the “practicable and in the public interest” prong of § 11102(c) in a broader context as intended by Congress.

In conclusion, Cargill supports the Board’s objectives in the NPRM to prescribe reciprocal switching to address inadequate rail service under the “public interest” standard in 49 U.S.C. § 11102(c), and Cargill is hopeful that the Board will soon opt to implement reciprocal switching under the “necessary to provide competitive rail service” standard in the same statute. Cargill looks forward to the Board issuing a final ruling of **EP 711 (Sub-No. 2)** and progressing to consideration of standards for implementing the full scope of reciprocal switching under the statute “to provide competitive rail service.”

Respectfully submitted,

*Brock Lautenschlager* 12/20/2023  
Brock Lautenschlager  
North America Rail Leader  
Cargill, Incorporated  
15407 McGinty Rd W  
Wayzata, MN 55391  
Attn: Mail Station 78

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