



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

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Office of Chief Counsel
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Public Record

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The Honorable Mark Messmer
1208 Longworth House Office Building
Washington, DC 20515

Dear Representative Messmer,

Thank you for your recent letter regarding the Railway Supply Institute's (RSI) Petition to Reopen filed in Joint Petition for Exemption of Arbitration Rule from Application of 49 U.S.C. § 10706 and Motion to Dismiss, Docket No. EP 334 (Sub-No. 8A). I appreciate hearing your views regarding the Association of American Railroads' (AAR) authority to set car hire rules under the Board's car hire regulations and the impacts on competitive boxcar pricing, non-railroad car ownership, modal shifts in freight, and the livelihoods of 58 individuals in your district.

As you know, the Board held RSI's petition in abeyance to allow AAR's Equipment Assets Committee (EAC) to conduct a review of Rule 25, the subject of RSI's petition. On November 24, 2025, and December 10, 2025, AAR and RSI, respectively, informed the Board that the EAC review had concluded, and that agreement had not been reached on all of RSI's requests. While this proceeding currently remains in abeyance, I expect to offer a draft decision for consideration by the full Board later this month.

Because this proceeding is pending, I cannot comment further; however, I thank you for sharing your views about the importance of boxcar supply to the freight rail network. A copy of your letter and this reply have been placed in the docket on the Board's website. If you or your staff have any questions, please contact Ms. Janie Sheng, Director of the Board's Office of Public Assistance, Governmental Affairs, and Compliance, at 202-245-0238.

Sincerely,

Patrick J. Fuchs
Chairman