



Surface Transport Board Hearing Brunk's Concerns With The NS Tariffs

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The NS Elkhart, IN yard (EY) has delivered Brunk its railcars for 25 years and we were never charged a fee of any kind, receiving some 600 RCs per year

The tariffs were available for years but NS but never enforced them, yet NS provided the details to Brunk in essence only 45 days prior to the implementation

Though market conditions dictate buying and selling surges by the shippers and their customers, we as a consignee bear the burden of the tariffs

We had to abruptly allocate storage space to our customers (who were uninformed by NS) thus risking our business by limiting their purchasing potential

We had to evaluate 4 track lease options and negotiate the terms of the multi-year lease which added cost and complexity to our transportation business

The winning lessor Elkhart & Western RR needed time (in the middle of winter) to excavate and lay a gravel road for our tractor trailers to pick up transloads

Our customers needed time to change their ERP systems including the new address for EWR (that NS itself couldn't figure out)

Charging \$60/day for private car storage and \$100/day for "discretionary" Customer Caused Congestion (CCC) is just too high – it is simply price gouging

A 24 hr "grace" period for RCs arriving at EY before delivery is not enough considering our size/complexity – it should be 48 hours before storage fees accrue

In the future, monopoly railroads need to give more notification (e.g. 1 year) for changes like this requiring new track leases and other long lead times items

By March 1, the EY yard was literally empty of all cars including ours while NS's PSR "operation clean sheet" goals at EY were accomplished 2 years early

NS said on numerous occasions that they would "go to bat" for Brunk with "management" in seeking a delay of the new tariffs until April 1 so that our new track, our company, and our customers were ready. Instead, they invoiced us \$66,000 in mostly CCC charges – all while claiming its "not about the money"!

This is a financial killer for us that we can't pay and considering that NS has forever to reap the benefits we ask the STB to step in and deny NS this money