



Freight Rail
Customer Alliance

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Cynthia T. Brown, Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0001

Re: Docket No. EP 724 (Sub-No. 4), *United States
Rail Service Issues--Performance Data Reporting*

Dear Ms. Brown:

The Freight Rail Customer Alliance (“FRCA”) is submitting these comments in response to the notice that the Board served in the above-captioned proceeding on December 16, 2015. FRCA is joining in the separate comments filed by the Western Coal Traffic League and others, but submits these additional brief comments regarding three matters.

First, the notes of the ex parte meeting with FRCA prepared by the Board provide an incomplete summary of FRCA’s comments regarding coal stockpile data. FRCA did not suggest that the Board should, or could, require utilities to submit coal stockpile data.¹

Surface Transportation Board (STB) staff inquired whether there is a standard coal stockpile target. FRCA responded that there is not and elaborated that stockpile targets can and do vary based on a range of factors including but not limited to: length of the coal haul, cycle time history with the railroad(s) and cycle time projections, size and dispatch ranking of the generating plant, relative delivered cost of fuels, purchased power, sales opportunity, and season. Regulators may also express concerns or offer guidance regarding the stockpile level. When evaluating this data, it is important to understand the assumptions behind a target that differ from one generating plant or utility to the next. Given these unique differences and assumptions, FRCA did not suggest that this data be made public. Rather, FRCA recommended that customers should have the ability to submit data regarding their own stockpiles to the Board if they so desired, and that such data should be kept confidential, unless otherwise indicated by the individual customer.

¹ FRCA has discussed the incompleteness of this aspect of the summary with Board staff, which recommended that FRCA use these supplemental comments to clarify the record.



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Within this context, stockpile data could be very useful to the Board in assessing the adequacy of railroad service and its allocation during times of stress. FRCA does not support requiring customers to file such data with the Board, although FRCA notes that data on utility fuel deliveries is available from the Energy Information Administration.

Second, FRCA strongly believes that the performance reporting measurements should be made permanent, and is disturbed by railroad statements that mandatory reporting is not needed or that voluntary measures are somehow sufficient. Rail-dependent shippers depend on rail service, and the adequacy of that service is vital to those shippers, their industries, and the economy as a whole. Mandatory reporting to a government agency carries an assurance of accuracy and urgency that is not achieved with reporting that is voluntary and thus discretionary. In addition, the Board cannot discharge its oversight responsibilities if it lacks reliable data regarding railroad performance.

In light of the billions of dollars of revenues that the railroads receive annually from shippers, it is not unreasonable to require that the railroads provide meaningful data about the level of service and performance that they are providing in return. The reporting burden under consideration is extremely modest compared to, for example, the information that the electric utility industry is required to provide and document regarding its reliability.

Third, FRCA encourages the Board to impart transparency and uniformity when reporting and displaying data while providing a streamlined process for stakeholders when accessing data.

Respectfully submitted,

Ann Warner
Executive Director