



Member of the Board

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

July 3, 2017

The Honorable Mario Diaz-Balart  
Chairman  
House Appropriations Subcommittee on  
Transportation, Housing and Urban  
Development, and Related Agencies  
440 Cannon House Office Building  
Washington, DC 20515

The Honorable David E. Price  
Ranking Member  
House Appropriations Subcommittee on  
Transportation, Housing and Urban  
Development, and Related Agencies  
2108 Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Diaz-Balart and Ranking Member Price:

On behalf of the Surface Transportation Board (STB or Board), I am pleased to provide the Board's second quarter 2017 reports in accordance with the Surface Transportation Board Reauthorization Act of 2015 (STB Reauthorization Act or Act). I also want to provide an update on several matters that may be of interest to you.

The Board is continuing its efforts to fulfill the requirements of the STB Reauthorization Act. As I mentioned in my April 3, 2017 letter, the Board had just issued a notice of proposed rulemaking (NPRM) in Expediting Rate Cases, Docket No. EP 733, pursuant to Section 11 of the Act, which requires the agency to consider how procedures for expediting court litigation might be applied to rate cases. The comment period for the NPRM closed on June 14, and the Board expects to issue a decision no later than November 2017.

Two regulatory proceedings were finalized in June, as projected in the April 3, 2017 quarterly report on Pending STB Regulatory Proceedings. In Offers of Financial Assistance (OFA), Docket No. EP 729, the Board issued a final rule updating twenty-year-old regulations to improve OFA procedures and protect the OFA process against abuse. This final rule was served on June 29, 2017, and will become effective after 30 days. In Publication Requirements for Agricultural Products, Docket No. EP 528 (Sub No. 1), the Board issued a final rule updating the publication requirements of pricing and service terms for the transportation of agricultural products and fertilizer. The amended regulations require Class I carriers to post these terms on their websites, reflecting the fact that railroads often use their company websites to provide information to customers and the public. This final rule was served on June 30, 2017, and will also become effective after 30 days. Finally, I had hoped that the Board would take action on Expanding Access to Rate Relief, Docket No. EP 665 (Sub-No. 2), recognizing that the January 3, 2017 quarterly report on Pending STB Regulatory Proceedings provided June 2017 as the next date for Board action. Although a consensus was not reached for a June action, please be assured that improving the rate review processes for all shippers, including grain shippers who believe that the current processes are not useable to test the reasonableness of rail rates for their commodities, remains a priority.

Board action on our large docket of cases, including one pending rate case, is proceeding well. You may recall that the Board initiated a process in March establishing target deadlines for each pending case, as soon as possible after the record closes. The Board's four months of experience with this initiative have been very positive, and I commend my colleagues and Board staff for their collective efforts to help resolve cases as quickly as possible. While it remains appropriate for the Board's larger regulatory proceedings to be considered by a full complement of members before taking major action (the Board is currently comprised of two Democrats and one Republican, and there are two vacancies), stakeholders and members are nevertheless continuing to hold ex parte meetings on Competitive Switching Rules, Docket No. EP 711 (Sub-No. 1).

I want to inform you about one annual proceeding that has been delayed far longer than the Board anticipated, Railroad Cost Recovery Procedures—Productivity Adjustment, Docket No. EP 290 (Sub-No. 4). This proceeding involves the calculation of changes in railroad productivity, which is normally a routine matter. However, this year's productivity adjustment (for the 2011-2015 five-year period) has been affected by a change in the way distances are measured in the Board's 2015 Waybill Sample, which is processed for the Board under a contract between the Federal Railroad Administration and a federal contractor, Railinc Corp. Efforts to resolve technical issues are ongoing, and I anticipate that the Board will provide timing information to our stakeholders later this month. Once a final 2015 waybill is available, it may be appropriate for the Board to hold a technical conference to further address the matter with stakeholders. Resolution of the waybill issue is a high priority for the Board, as it not only impacts our stakeholders who use the waybill, but it also delays other work by the Board.

Finally, the Board has established a Regulatory Reform Task Force (Task Force) to comply with the spirit of the Presidential Executive Order on Enforcing the Regulatory Reform Agenda, EO 13,777. The Task Force is working to identify rules and practices that are burdensome, unnecessary, or outdated, and to recommend how they should be modified. The Task Force will host a public listening session on July 25, 2017, to hear stakeholders' views on streamlining the agency's regulations. The listening session will begin at 10:00 a.m. in the Board's Hearing Room. The session will be on-the-record, and a transcript will be available to the public following the session.

Again, thank you for your strong interest in the Board and its work. If you have any questions, I can be reached at 202-245-0204.

Sincerely,



Ann Begeman  
Acting Chairman

Enclosures

# Report on Pending STB Regulatory Proceedings – July 3, 2017

## Table of Contents

<b>Title of Proceeding</b>	<b>Page #</b>
1. Review of the General Purpose Costing System.....	2
2. Rail Fuel Surcharges (Safe Harbor) .....	3
3. Expanding Access to Rate Relief .....	4
4. Review of Commodity, Boxcar, and TOFC/COFC Exemptions .....	5
5. Reciprocal Switching .....	6
6. Railroad Revenue Adequacy .....	7
7. Offers of Financial Assistance .....	8
8. Expediting Rate Cases.....	9
9. Publication Requirements for Agricultural Products .....	10
10. Revisions to the Cost-of-Capital Composite Railroad Criteria .....	11

**Surface Transportation Board**

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<b>1. Review of the General Purpose Costing System</b>
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**Popular Title:** Review of the General Purpose Costing System

**RIN 2140-AB14**

**Stage:** Proposed Rule

**Previous Stage:** NPRM: Publication Date 02/04/2013; End of Comment Period 09/05/2013; SNPRM served 08/04/2016 (published in Fed. Reg. 08/10/2016); End of Comment Period 11/07/2016.

**Abstract:** The Board proposes certain changes to its general purpose costing system—the Uniform Railroad Costing System (URCS). Specifically, the Board proposes in a Supplemental Notice of Proposed Rulemaking to modify certain inputs into Phase II of URCS and to modify certain cost calculations in Phase III of URCS in order to eliminate the “make-whole adjustment” in Phase III. The Board proposes certain other related changes to URCS, including proposals for locomotive unit-miles and train miles allocations, that would result in more appropriate rail movement costs.

**Effects:**

Paperwork Reduction Act

**Prompting action:** Board Initiative

**Legal Deadline:** None

**Rulemaking Project Initiated:** 02/04/2013

**Docket Number:** EP 431 (Sub-No. 4)

**Dates for Next Action:**

<b>Milestone</b>	<b>Scheduled Date</b>	<b>New Projected Date</b>	<b>Actual Date</b>
Service Date	05/2017	11/2017	N/A

**Explanation for any delay:** The Board will need additional time to work on this proposal given the complexity of the issues involved.

**Federal Register Citation for Next Action:** N/A

**Surface Transportation Board**

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**2. Rail Fuel Surcharges (Safe Harbor)**

**Popular Title:** Rail Fuel Surcharges (Safe Harbor)

**RIN 2140-AB17**

**Stage:** Pre-Rule

**Previous Stage:** ANPRM: Publication Date 05/29/2014; End of Comment Period 10/15/2014.

**Abstract:** The Board is giving shippers, rail carriers, and other interested parties the opportunity to comment on the Board’s “safe harbor” standard, which allows carriers to rely on a Board-approved fuel index to measure changes in fuel prices for purposes of their fuel surcharge programs.

**Effects:**

None

**Prompting action:** Board Initiative

**Legal Deadline:** None

**Rulemaking Project Initiated:** 05/29/2014

**Docket Number:** EP 661 (Sub-No. 2)

**Dates for Next Action:**

<b>Milestone</b>	<b>Scheduled Date</b>	<b>New Projected Date</b>	<b>Actual Date</b>
Service Date	09/2016	TBD	N/A

**Explanation for any delay:** The new projected date was modified in the January 2017 report, explaining that the Board is in a time of transition with potential changes to the Board’s membership due to the changeover in administration. The new projected target date remains TBD.

**Federal Register Citation for Next Action:** N/A

**Surface Transportation Board**

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**3. Expanding Access to Rate Relief**

**Popular Title:** Expanding Access to Rate Relief

**RIN 2140-AB16**

**Stage:** Pre-Rule

**Previous Stage:** ANPRM served 08/31/2016; End of Comment Period 12/19/2016.

**Abstract:** The Board is considering procedures that could comprise a new rate reasonableness methodology for use in very small disputes, which would be available to shippers of agricultural products and all other commodities.

**Effects:**

None

**Prompting action:** Board Initiative

**Legal Deadline:** None

**Rulemaking Project Initiated:** 08/31/2016

**Docket Number:** EP 665 (Sub-No. 2)

**Dates for Next Action:**

Milestone	Scheduled Date	New Projected Date	Actual Date
Service Date	06/2017	TBD	N/A

**Explanation for any delay:** The 06/2017 date for next action was established in the January 2017 report. The Board did not reach a consensus on a June Board action.

**Federal Register Citation for Next Action:** N/A

**Surface Transportation Board**

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**4. Review of Commodity, Boxcar, and TOFC/COFC Exemptions**

**Popular Title:** Review of Commodity, Boxcar, and TOFC/COFC Exemptions

**RIN 2140-AB29**

**Stage:** Proposed Rule

**Previous Stage:** NPRM served 03/23/2016; Order granting the Association of American Railroads' request for extension of time served 05/06/2016; Comment period closed 08/26/2016.

**Abstract:** In this proceeding, the Board proposes to revoke the existing class exemptions under 49 C.F.R. Part 1039 for (1) crushed or broken stone or rip rap; (2) hydraulic cement; and (3) coke produced from coal, primary iron or steel products, and iron or steel scrap, wastes or tailings.

**Effects:**

Regulatory Flexibility Act

**Prompting action:** Board Initiative

**Legal Deadline:** None

**Rulemaking Project Initiated:** 03/23/2016

**Docket Number:** EP 704 (Sub-No. 1)

**Dates for Next Action:**

<b>Milestone</b>	<b>Scheduled Date</b>	<b>New Projected Date</b>	<b>Actual Date</b>
Service Date	01/2017	TBD	N/A

**Explanation for any delay:** The new projected date was modified in the January 2017 report, explaining that the Board is in a time of transition with potential changes to the Board's membership due to the changeover in administration. The new projected target date remains TBD.

**Federal Register Citation for Next Action:** N/A

## Surface Transportation Board

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### 5. Reciprocal Switching

**Popular Title:** Competitive Switching Rules

**RIN 2140-AB10**

**Stage:** Proposed Rule

**Previous Stage:** NPRM served 07/27/2016.

**Abstract:** The Board proposes regulations which would allow a party to seek a reciprocal switching prescription that is either practicable and in the public interest or necessary to provide competitive rail service, in accordance with 49 U.S.C. § 11102(c)(1).

**Effects:**

None

**Prompting action:** Petition from the National Industrial Transportation League.

**Legal Deadline:** None

**Rulemaking Project Initiated:** 07/27/2016

**Docket Number:** EP 711 (Sub-No. 1)

**Dates for Notice of Proposed Rulemaking:**

Milestone	Scheduled Date	New Projected Date	Actual Date
<b>NPRM Service Date</b>	06/2016	07/2016	07/27/2016
<b>Comment Period Ends</b>	09/26/2016	10/26/2016	N/A
<b>Reply Period Ends</b>	10/10/2016	01/13/2017	N/A
<b>Ex Parte Meetings</b>	Beginning 01/30/2017	N/A	N/A

**Explanation for any delay:** N/A

**Federal Register Citation for NPRM:** 81 Fed. Reg. 51,149 (Aug. 3, 2016)



Surface Transportation Board

6. Railroad Revenue Adequacy

**Popular Title:** Revenue Adequacy

**RIN 2140-AB19**

**Stage:** Pre-Rule

**Previous Stage:** Notice 04/02/2014; End of Comment Period 11/04/2014; Hearing 07/22/2015 and 07/23/2015.

**Abstract:** The Board is exploring its methodology for determining railroad revenue adequacy, as well as the revenue adequacy component used in judging the reasonableness of rail freight rates.

**Effects:**

None

**Prompting action:** Board Initiative

**Legal Deadline:** None

**Rulemaking Project Initiated:** 04/02/2014

**Docket Number:** EP 722

**Dates for Next Action:**

Milestone	Scheduled Date	New Projected Date	Actual Date
Service Date	10/2016	TBD	N/A

**Explanation for any delay:** The new projected target date was modified in the April 2017 report, changing it from June 2017 to TBD, in recognition of a new Administration and expected changes to the Board’s membership. The new projected target date remains TBD.

**Federal Register Citation for Next Action:** N/A

## Surface Transportation Board

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### 7. Offers of Financial Assistance

**Popular Title:** Offers of Financial Assistance

**RIN 2140-AB27**

**Stage:** Final Rule

**Previous Stage:** ANPRM issued 12/11/2015; End of Comment Period 03/14/2016; NPRM served 09/30/2016; Final Rule served 6/29/2017.

**Abstract:** The Board updated its rules pertaining to offers of financial assistance under 49 U.S.C. § 10904 to improve that process and protect it against abuse.

**Effects:**

None

**Prompting action:** Board Initiative

**Legal Deadline:** None

**Rulemaking Project Initiated:** 12/11/2015

**Docket Number:** EP 729

**Dates for Final Rule:**

Milestone	Scheduled Date	New Projected Date	Actual Date
Service date	06/2017	N/A	06/29/2017

**Explanation for any delay:** N/A

**Federal Register Citation for Final Rule:** Not yet available

## Surface Transportation Board

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### 8. Expediting Rate Cases

**Popular Title:** Expediting Rate Cases

**RIN # 2140-AB33**

**Stage:** Proposed Rule

**Previous Stage:** ANPRM served 06/15/2016; End of comment period 08/29/2016; NPRM served 03/31/2017; End of comment period 06/14/2017.

**Abstract:** As mandated by the Surface Transportation Board Reauthorization Act of 2015, Pub. L. No 114-110, the Board is assessing procedures that are available to parties in litigation before courts to expedite rate litigation and consider the potential application of any such procedures to rate cases. The Board is also assessing whether there are additional changes to the SAC case process that could help the Board meet the expedited timeline for a final decision established under the STB Reauthorization Act.

**Effects:**

None

**Prompting action:** Surface Transportation Board Reauthorization Act of 2015

**Legal Deadline:** 06/15/2016 (Initiate Proceeding)

**Rulemaking Project Initiated:** 12/18/2015

**Docket Number:** EP 733

**Dates for Next Action:**

Milestone	Scheduled Date	New Projected Date	Actual Date
Next Action	11/2017	N/A	N/A

**Explanation for any delay:** N/A

**Federal Register Citation for Next Action:** N/A

**Surface Transportation Board**

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<b>9. Publication Requirements for Agricultural Products</b>
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**Popular Title:** Publication Requirements for Agricultural Products

**RIN # 2140-AB35**

**Stage:** Final Rules

**Previous Stage:** NPRM served 12/29/2016; End of comment period 3/20/2017; Final Rules served 6/30/2017.

**Abstract:** The Board amended its regulations governing the publication, availability, and retention for public inspection of rail carrier rate and service terms for agricultural products and fertilizer. In this proceeding, the Board also clarified its policies on standing and aggregation of claims as they relate to rate complaint procedures.

**Effects:**

None

**Prompting action:** Board Initiative

**Legal Deadline:** None

**Rulemaking Project Initiated:** 12/29/2016

**Docket Number:** EP 528 (Sub-No. 1)

**Dates for Final Rules:**

<b>Milestone</b>	<b>Scheduled Date</b>	<b>New Projected Date</b>	<b>Actual Date</b>
Service Date	06/2017	N/A	06/30/2017

**Explanation for any delay:** N/A

**Federal Register Citation for Final Rules:** Not yet available

## Surface Transportation Board

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### 10. Revisions to the Cost-of-Capital Composite Railroad Criteria

**Popular Title:** Revisions to the Cost-of-Capital Composite Railroad Criteria

**RIN # TBD**

**Stage:** Proposed Rules

**Previous Stage:** NPRM served 4/18/2017; End of comment period 6/19/2017.

**Abstract:** To better reflect the current marketplace, the Surface Transportation Board (Board) is proposing to update one of the screening criteria used to create the “composite railroad” for the Board’s annual cost-of-capital determination. Specifically, the Board proposes that one of its screening criteria now require a company’s stock to be listed on either the New York Stock Exchange (NYSE) or the Nasdaq Stock Market (NASDAQ), rather than be listed on either the NYSE or American Stock Exchange (AMEX), as the AMEX is no longer in existence.

**Effects:**

None

**Prompting action:** Board Initiative

**Legal Deadline:** None

**Rulemaking Project Initiated:** 4/18/2017

**Docket Number:** EP 664 (Sub-No. 3)

**Dates for Next Action:**

Milestone	Scheduled Date	New Projected Date	Actual Date
Next Action	10/2017	N/A	N/A

**Explanation for any delay:** N/A

**Federal Register Citation for Next Action:** N/A

# Quarterly Status Report of Rate Complaint Cases Before the STB - 2ND QUARTER 2017

Docket No:	<a href="#">NOR 42142</a>
Case Name:	Consumers Energy Co. v. CSX Transportation, Inc.
Commodities:	Coal

Rate Review Type (SAC, SSAC, 3-Benchmark or Other):	<b>SAC and Revenue Adequacy</b>
Origin(s):	Interchange with BNSF in the vicinity of Chicago, IL
Destination(s):	Campbell Generating Station near West Olive, MI

Procedural Schedule:	
Date on Which Proceeding Began	January 13, 2015
*Discovery Completed:	July 1, 2015
Opening Evidence:	November 2, 2015 / January 23, 2017 (supplemental)
Reply Evidence:	March 7, 2016 / March 6, 2017 (supplemental)
Rebuttal Evidence:	May 20, 2016 / April 13, 2017 (supplemental)
Closing Briefs:	June 24, 2016

Merits Decision:	<i>January 12, 2018</i>
Petition for Reconsideration or Reopening	NA
Replies to Petitions for Reconsideration or Reopening	NA
Decision Making Technical Corrections	NA
Merits Decision on Reconsideration or Reopening	NA

*Italics indicate dates of future events, which are subject to change.*

Brief Description of the Final Decisions:	
	TBD

*\* Parties often set the schedule for discovery and do not necessarily inform the Board. This date is based on the information in the Board's possession, but may have changed.*

## CONSUMERS ENERGY CO. v. CSX TRANSPORTATION, Docket No. NOR 42142

*Complete Timeline (Significant Filings and Decisions Only)*

Consumers Complaint	January 13, 2015
CSXT Answer	February 2, 2015
CSXT Motion to Dismiss Revenue Adequacy Claim	March 24, 2015
Consumers Reply to CSXT Motion to Dismiss	April 13, 2015
Discovery Conference	April 21, 2015
STB Decision Denying CSXT Motion to Dismiss Rev. Adeq. Claim	June 15, 2015
Technical Conference	June 23, 2015
Close of Discovery*	July 1, 2015
STB Decision Adopting Procedures for Formatting of Evidence	July 15, 2015
Discovery Conference	July 20, 2015
Consumers Opening Evidence	November 2, 2015
CSXT Reply Evidence	March 7, 2016
CSXT Reply	March 7, 2016
CSXT Workpapers	March 7, 2016
CSXT Errata Sheet	March 8, 2016
CSXT Errata Sheet	March 8, 2016
Consumers Petition for Technical Conference	March 14, 2016
STB Decision directing CSXT to file Response to Technical Conference	March 16, 2016
CSXT Reply to Consumers Technical Conference	March 21, 2016
STB Decision denying request for Technical Conference	April 6, 2016
CSXT Reply and Submission of Workpapers in response to STB Decision	April 8, 2016
Consumers Motion to Modify Procedule Schedule	April 13, 2016
CSXT Reply to Consumers Motion to Modify the Procedule Schedule	April 15, 2016
STB Decision Granting in Part Consumers Motion to Modify Procedurale Schedule	April 20, 2016
Consumers Workpapers	May 20, 2016
Consumers Rebuttal	May 20, 2016
Consumers Rebuttal	May 20, 2016
CSXT Confidential Errata to Reply Evidence	May 26, 2016
CSXT Errata Sheet	May 26, 2016
Consumers Reply to CSXT Errata Evidence	May 27, 2016
CSXT Letter requesting the Board to accept its Errata Sheet	June 1, 2016
STB Decision Directing Parties to Prepare Closing Briefs	June 3, 2016
Consumers Errata Sheet	June 3, 2016
Consumers Errata Sheet	June 3, 2016
CSXT Motion to Strike	June 24, 2016
CSXT Motion to Strike	June 24, 2016
CSXT Final Brief	June 24, 2016
CSXT Final Brief	June 24, 2016
Consumers Final Brief	June 24, 2016
Consumers Final Brief	June 24, 2016
Consumers Motion to Remove CSXT Motion to Strike	June 27, 2016
Consumers Reply to CSXT Motion to Strike	July 14, 2016
Consumers Petition for Leave to Supplement Record	July 14, 2016
CSXT Reply to Consumers Petition for Leave to Supplement Record	July 26, 2016
STB Decision Ruling on Consumers Petition for Leave to Supplement Record and CSXT Motion to Strike, and Directing Parties to File Supplemental Evidence	December 9, 2016
Consumers Supplemental Opening Evidence	January 23, 2017
CSXT Supplemental Reply Evidence	March 6, 2017
Consumers Supplemental Rebuttal Evidence	April 13, 2017
CSXT Motion to Strike	May 3, 2017
Consumers Reply to CSXT Motion to Strike	May 23, 2017

*\* Parties often set the schedule for discovery and do not necessarily inform the Board. This date is based on the information in the Board's possession, but may have changed*

**Rail Rate Cases at the STB**

(1996 to Present) - Last Updated 03/21/2017

Docket No	Case Name	Commodity	Guidelines Used	Date of Decision	Decision
41191	West Texas v. BNSF	Coal	SAC	5/3/1996	Rates Unreasonable
37809	McCarty Farms v. BN	Grain	SAC	8/20/1997	Rates Reasonable
41185	APS v. ATSF	Coal	SAC	4/17/1998	Rates Unreasonable
41989	Pepco v. CSX	Coal	SAC	6/18/1998	Settlement
42012	Sierra Pacific v. UP	Coal	SAC	7/17/1998	Settlement
41670	Shell Chemical v. NS	Chemical	Simplified	3/12/1999	Settlement
41295	PPL v. Conrail	Coal	SAC	5/13/1999	Settlement
42034	PSI Energy v. Soo	Coal	SAC	5/13/1999	Settlement
42022	FMC v. UP	Minerals	SAC	5/12/2000	Rates Unreasonable
42038	MN Power v. DMIR	Coal	Stipulated R/VC	1/5/2001	Settlement
42051	WPL v. UP	Coal	SAC	5/14/2002	Rates Unreasonable
42054	PPL v. BNSF	Coal	SAC	8/20/2002	Rates Reasonable
42059	Northern States v. UP	Coal	Stipulated R/VC	8/7/2003	Settlement
42077	APS v. BNSF	Coal	SAC	12/31/2003	Withdrawn
42056	TMPA v. BNSF	Coal	SAC	9/27/2004	Rates Unreasonable
42069	Duke v. NS	Coal	SAC	10/20/2004	Rates Reasonable
42070	Duke v. CSXT	Coal	SAC	10/20/2004	Rates Reasonable
42072	Carolina Power v. NS	Coal	SAC	10/20/2004	Rates Reasonable
42057	Xcel v. BNSF	Coal	SAC	12/14/2004	Rates Unreasonable
42058	AEP v. BNSF	Coal	SAC	3/15/2005	Rates Reasonable
42093	BP Amoco v. NS	Chemical	Simplified	6/28/2005	Settlement
42071	Otter Tail v. BNSF	Coal	SAC	1/27/2006	Rates Reasonable
42091	APS v. BNSF	Coal	SAC	2/10/2006	Settlement
42097	Albemarle v. LNW	Chemical	SAC	11/14/2006	Settlement
42098	Williams Olefins v. GTC	Chemical	Simplified	2/15/2007	Settlement
42095	KCPL v. UP	Coal	Stipulated R/VC	5/19/2008	Rates Unreasonable
42088	Western Fuels v. BNSF	Coal	SAC	2/18/2009	Rates Unreasonable
42112	E.I. Dupont v. CSX	Chemical	SAC	5/11/2009	Settlement
41191 (S1)	AEP Texas v. BNSF	Coal	SAC	5/15/2009	Rates Reasonable
42111	Oklahoma Gas v. UP	Coal	Stipulated R/VC	7/24/2009	Rates Unreasonable
42099	DuPont v. CSXT	Chemical	Three-Benchmark	9/1/2009	Settlement
42100	DuPont v. CSXT	Chemical	Three-Benchmark	9/1/2009	Settlement
42101	DuPont v. CSXT	Chemical	Three-Benchmark	9/1/2009	Settlement
42114	U.S. Magnesium v. UP	Chemical	Three-Benchmark	1/28/2010	Rates Unreasonable
42115	U.S. Magnesium v. UP	Chemical	Simplified Sac	4/2/2010	Settlement
42116	U.S. Magnesium v. UP	Chemical	Simplified Sac	4/2/2010	Settlement
42122	NRG v. CSXT	Coal	SAC	7/8/2010	Settlement
42110	Seminole Electric v. CSXT	Coal	SAC	9/27/2010	Settlement
42113 (S1)	AEP v. UP	Coal	SAC	4/15/2011	Settlement
42128	SMEPA v. NS	Coal	SAC	8/31/2011	Settlement
41191 (S1)	AEP Texas v. BNSF	Coal	SAC-Remand	10/26/2011	Settlement
42113	AEP v. BNSF & UP	Coal	SAC	11/22/2011	Rates Unreasonable
42132	Canexus v. BNSF	Chemical	Three-Benchmark	7/20/2012	Settlement
42127	IPA v. UP	Coal	SAC	11/2/2012	Withdrawn
42123	M&G Polymers v. CSXT	Chemicals	SAC	1/7/2013	Settlement
42125	DuPont v. NS	Chemicals	SAC	3/24/2014	Rates Reasonable
42130	SunBelt v. NS	Chemical	SAC	6/20/2014	Rates Reasonable
42136	IPA v. UP	Coal	SAC	10/8/2014	Settlement
42088	Western Fuels v. BNSF	Coal	SAC	6/15/2015	Settlement
42121	TPI v. CSXT	Chemicals	SAC	9/14/2016	Rates Reasonable

**Pending before the STB**

Docket No	Case Name	Commodity	Guidelines Used	Date of Decision	Decision
42142	Consumers v. CSXT	Coal	SAC	TBD	TBD

*Notes to Table:*

1. SAC = Stand-Alone Cost Methodology Applied for a Hypothetical Railroad.
2. Simplified = Using a Simplified, Rather than SAC, Methodology for Determining the Reasonableness of Rates as Set Forth in Coal Rate Guidelines, Nationwide, 1 I.C.C.2d 520 (1985) (Guidelines).
3. Stipulated R/VC = Parties Agreed to Use Revenue to Variable Cost (R/VC) Ratios @ 180% Level, in Lieu of Using SAC.
4. Three-Benchmark Methodology = Methodology of Seeking Relief Pursuant to the Revised Simplified Procedures as Set Forth in Simplified Standards for Rail Rate Cases, STB Ex Parte No. 646 (Sub-No. 1) (STB served Sept. 5, 2007) and any additional Sub-No. decisions.



**SURFACE TRANSPORTATION BOARD**  
**QUARTERLY REPORT OF FORMAL SERVICE COMPLAINTS**

Date: July 3, 2017

The Surface Transportation Board Reauthorization Act of 2015 mandated that the Surface Transportation Board (STB) publish a quarterly report of formal service complaints received by the agency. See STB Reauthorization Act of 2015, sec. 6(b), Pub. L. No. 114-110 (2015). During the period April 1, 2017 – June 30, 2017, the following formal service-related complaints were pending:

**Formal Service-Related Complaints:**

<b>Date Complaint Received</b>	<b>Type of Complaint</b>	<b>Title</b>	<b>Docket No.</b>	<b>Geographic Region</b>	<b>Complainant</b>	<b>Carrier(s) Involved</b>	<b>Resolution/Status</b>
1/19/2012	Failure to prioritize Amtrak trains over freight trains	National Railroad Passenger Corporation— Section 213 Investigation of Substandard Performance on Rail Lines of Canadian National Railway Company	NOR 42134	Midwest	National Railroad Passenger Corporation (Amtrak)	Canadian National Railway Company, Grand Trunk Western Railway, Illinois Central Railroad	Final rules regarding on-time performance standard issued 7/28/2016 in Docket No. EP 726. Petitions for judicial review of those rules filed by multiple parties and ultimately consolidated in the U.S. Court of Appeals for the Eighth Circuit.  Proceeding removed from abeyance by decision served 9/15/2016.  Amtrak revised on-time performance data filed 10/17/2016.  Decision denying a petition for reconsideration of an earlier

Date Complaint Received	Type of Complaint	Title	Docket No.	Geographic Region	Complainant	Carrier(s) Involved	Resolution/Status
							<p>motion to dismiss issued 10/21/2016.</p> <p>Requests to hold the proceeding in abeyance and responses to Amtrak's on-time performance data received 10/25/2016; reply to the motion to hold in abeyance received 11/10/2016.</p> <p>Oral argument on the petitions for review of EP 726 held by the Eighth Circuit on 2/08/2017.</p>
2/27/2013	Application for terminal trackage rights	BNSF Railway Company— Terminal Trackage Rights—Kansas City Southern Railway and Union Pacific Railroad Company	FD 32760 (Sub-No. 46)	Louisiana	BNSF Railway Company	BNSF Railway Company, Union Pacific Railroad Company, Kansas City Southern Railway	<p>Decision granting BNSF's application for terminal trackage rights served 7/5/2016.</p> <p>Appeal filed with the U.S. Court of Appeals for the District of Columbia Circuit 9/1/2016. Appeal ordered to be held in abeyance by the DC Circuit 1/03/2017.</p>
11/17/2014	Failure to prioritize Amtrak trains over freight trains	National Railroad Passenger Corporation— Investigation of Substandard	NOR 42141	Midwest, Mid-Atlantic	National Railroad Passenger Corporation (Amtrak)	CSX Transportation, Inc.; Norfolk Southern Railway Company	<p>Final rules regarding on-time performance standard issued 7/28/2016 in EP 726. Petitions for judicial review of those rules filed by multiple parties and ultimately</p>

Date Complaint Received	Type of Complaint	Title	Docket No.	Geographic Region	Complainant	Carrier(s) Involved	Resolution/Status
		Performance of the Capital Limited					<p>consolidated in the U.S. Court of Appeals for the Eighth Circuit.</p> <p>Amtrak revised on-time performance data submitted 10/17/2016. Requests to hold the proceeding in abeyance and responses to Amtrak's on-time performance data received 10/25/2016; reply to the motion to hold in abeyance received 11/10/2016.</p> <p>Oral argument on the petitions for review of EP 726 held by the Eighth Circuit 2/08/2017.</p>
3/31/2015	Unreasonable tariff and practices	North American Freight Car Association v. Union Pacific Railroad Company	NOR 42144	Nationwide	North American Freight Car Association; American Fuel & Petrochemicals Manufacturers; The Chlorine Institute; The Fertilizer Institute; American Chemistry Council; Ethanol Products, LLC d/b/a Poet	Union Pacific Railroad Company	Motion to consolidate this proceeding with NOR 42150 and NOR 42152 received 1/26/2017. Decision consolidating NOR 42150, NOR 42152, and NOR 42144 served 3/31/2017. In discovery.

Date Complaint Received	Type of Complaint	Title	Docket No.	Geographic Region	Complainant	Carrier(s) Involved	Resolution/Status
					Ethanol Products; Poet Nutrition, Inc.; and Cargill Incorporated		
12/07/2015	Demurrage and service frequency issues	Finch Paper LLC—Petition for Declaratory Order	FD 35981	Mid-Atlantic	Finch Paper LLC	Canadian Pacific Railway, Delaware and Hudson Railway Company	Evidentiary record being developed.  Decision issued by Administrative Law Judge (ALJ) 1/18/2017, which was appealed to the Board 1/25/2017. ALJ decision affirmed by the Board 3/24/2017. Finch Paper’s supplemental opening filed 6/26/2017; CP Rail’s supplemental reply due 7/17/2017; and Finch Paper’s rebuttal due 7/31/2017.
6/30/2016	Common carrier violation and unreasonable practices	Dyno Nobel Louisiana Ammonia, LLC v. NuStar Pipeline Operating Partnership, L.P.	NOR 42147	Louisiana	Dyno Nobel Louisiana Ammonia, LLC	NuStar Pipeline Operating Partnership, L.P.	Decision holding the proceeding in abeyance pending resolution of the parties’ state law issues served 3/24/2017. Petition for reconsideration of that decision filed 4/7/2017; reply filed 4/27/2017.
12/19/2016	Unreasonable practice and violation of statutory obligation to	Valero Marketing & Supply Company v. Union Pacific	NOR 42150	Unspecified	Valero Marketing & Supply Company; and Valero Rail Partners, LLC	Union Pacific Railroad Company	Complaint filed 12/19/2016.  Motion for abeyance received 1/6/2017; reply and motion to consolidate received

Date Complaint Received	Type of Complaint	Title	Docket No.	Geographic Region	Complainant	Carrier(s) Involved	Resolution/Status
	compensate car owners	Railroad Company					1/26/2017; motion to compel received 2/24/2017. Decision consolidating NOR 42150, NOR 42152, and NOR 42144 served 3/31/2017. In discovery.
12/30/2016	Unreasonable practice and violation of statutory obligation to compensate car owners	Tesoro Refining & Marketing Company LLC v. Union Pacific Railroad Company	NOR 42152	Unspecified	Tesoro Refining & Marketing Company LLC; Tesoro Great Plains Gathering & Marketing LLC; and Dakota Prairie Refining, LLC	Union Pacific Railroad Company	Complaint filed 12/30/2016. Motion for abeyance received 1/6/2017; reply and motion to consolidate received 1/26/2017; motion to compel received 2/24/2017. Decision consolidating NOR 42150, NOR 42152, and NOR 42144 served 3/31/2017. In discovery.
1/04/2017	Unreasonable practice and petition for injunctive relief	CF Industries Sales, LLC v. Canadian National Railway Company	NOR 42151	Unspecified	CF Industries Sales, LLC	Canadian National Railway Company	Complaint filed 1/4/17. Answer filed 1/24/17. Joint motion requesting Board-sponsored mediation granted 2/6/17. Joint procedural schedule adopted 2/27/17. Mediation extended by decisions served 4/5/17, 5/5/17, 6/5/17, and 6/30/17.
2/01/2017	Petition for enforcement of merger condition to permit a railroad access	Union Pacific Corporation, Union Pacific Railroad Company & Missouri Pacific	FD 32760	Texas	BNSF Railway Company & Mission Rail Industrial Park, LLC	Union Pacific Railroad Company, BNSF Railway Company	Joint petition for enforcement filed 2/01/2017. Reply filed 5/25/17. Rebuttal and Petition for Leave filed 6/16/17.

Date Complaint Received	Type of Complaint	Title	Docket No.	Geographic Region	Complainant	Carrier(s) Involved	Resolution/Status
	to another railroad's line	Railroad Company— Control and Merger— Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp. and The Denver and Rio Grande Western Railroad Company					Motion to dismiss or hold proceeding in abeyance to allow for arbitration filed 2/21/2017; replies filed 3/07/2017.

**SURFACE TRANSPORTATION BOARD**  
 QUARTERLY REPORT OF INFORMAL SERVICE COMPLAINTS RECEIVED  
 SECOND QUARTER 2017

Date: July 3, 2017

The Surface Transportation Board Reauthorization Act of 2015 mandated that the Surface Transportation Board (STB) publish a quarterly report of informal service complaints received by the agency. See STB Reauthorization Act of 2015, sec. 6(b), Pub. L. No: 114-110 (2015). During the period from April 1, 2017 through June 30, 2017, the STB received the following informal complaints<sup>1</sup>:

Date <sup>2</sup>	Type of Informal Complaint	Geographic Region <sup>3</sup>	Resolution / Status	Complainant <sup>4</sup> CONFIDENTIAL
11/22/2016	Railroad demurrage issue	West	Shipper expressed concern over demurrage charges related to inconsistent rail service; RCPA provided informal guidance to shipper pertaining to demurrage charges assessed by shortline serving carrier; liaised with shortline serving carrier to seek informal resolution; engaged with both parties to pursue mediation of dispute <b>[Closed]</b>	

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<sup>1</sup> A table showing the quarterly inquiries received by the STB’s Rail Customer and Public Assistance (RCPA) office is attached as an Appendix to this report.

<sup>2</sup> Matters reported as “Pending” on the previous quarterly report are carried forward to the next quarterly report.

<sup>3</sup> **Northeast:** Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New Jersey, New York, and Pennsylvania; **South:** Maryland, Delaware, West Virginia, Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Arkansas, Louisiana, Oklahoma, and Texas; **Midwest:** North Dakota, South Dakota, Nebraska, Kansas, Missouri, Iowa, Minnesota, Wisconsin, Illinois, Michigan, Indiana, and Ohio; **West:** Washington, Idaho, Montana, Wyoming, Oregon, California, Nevada, Utah, Colorado, Arizona, New Mexico, Alaska, and Hawaii.

<sup>4</sup> This Quarterly Report may identify the complainant that submitted an informal complaint only upon the written consent of the complainant. Surface Transportation Board Reauthorization Act of 2015, sec. 6(b).

Date <sup>2</sup>	Type of Informal Complaint	Geographic Region <sup>3</sup>	Resolution / Status	Complainant <sup>4</sup> <b>CONFIDENTIAL</b>
02/27/2017	Railroad demurrage issue	Midwest	Shipper expressed concern over demurrage, resulting from railroad changing its local service plan; RCPA explained potential formal remedies before the STB and offered to liaise with serving railroad; shipper requested additional guidance on avenues for resolving dispute and RCPA provided assistance <b>[Closed]</b>	
02/28/2017	Railroad demurrage issue	East	Shipper presented concern over demurrage charges related to missed switches and bunching; RCPA discussed operational and commercial issues and offered to liaise with railroad; discussed dispute with railroad and its outside counsel; attempted to achieve mediated settlement <b>[Closed]</b>	
03/10/2017	Railroad demurrage issue	West	Shipper expressed concern over demurrage charges related to cars in transit for extended time; RCPA provided informal guidance to shipper; liaised with railroad on operational issues, resulting in service changes designed to reduce demurrage going forward <b>[Closed]</b>	
03/21/2017	Railroad service issue	West	Shipper raised concern over delayed movement of outbound loaded railcars, arising from congestion at interchange location and inability to reroute cars to avoid delays; RCPA conferred with shipper about operational issues and liaised with shortline to ascertain the cause and magnitude of congestion issues <b>[Closed]</b>	
03/22/2017	Railroad service issue	Midwest	Shipper expressed concern over dispute between railroad and rail line owner, and recent degradation in service, including potential loss of rail service; RCPA discussed formal and informal pathways for seeking assistance or relief from the Board <b>[Closed]</b>	



Date <sup>2</sup>	Type of Informal Complaint	Geographic Region <sup>3</sup>	Resolution / Status	Complainant <sup>4</sup> <b>CONFIDENTIAL</b>
03/28/2017	Railroad service issue	South	Shipper's inbound cars are not switched in a timely manner and railroad has been unresponsive to requests for information; railroad service issues are causing production problems at shipper's plant; RCPA provided information on formal and informal options; shipper will review and follow up <b>[Pending]</b>	
04/03/2017	Railroad service issue	South	Shipper expressed concern over recent rail service decline; cars are often bunched at the local yard and delivered all at once; shipper's cars were also mis-weighed; RCPA provided guidance on formal and informal options; shipper will review and may seek further guidance <b>[Closed]</b>	
04/06/2017	Railroad service issue	West	Customer expressed concern over railroad congestion since 3rd quarter of 2016, which is causing its customers to shut down operations; RCPA provided informal guidance and offered to confer with railroad; per the shipper's direction, RCPA liaised with the railroad and the issue was resolved <b>[Closed]</b>	
04/14/2017	Railroad service issue	West	Shipper expressed concern over railroad cutting off rail service to its facility, related to dispute between railroad and lessor of line; shipper asked RCPA to advise railroad of its common carrier obligation; RCPA liaised with all parties involved; parties are presently in court litigation <b>[Closed]</b>	
04/20/2017	Railroad service issue	South	Shipper requested that shortline pull cars from storage on branch line; shortline declined request due to operational constraints; RCPA liaised with parties to facilitate movement of stored cars <b>[Closed]</b>	

Date <sup>2</sup>	Type of Informal Complaint	Geographic Region <sup>3</sup>	Resolution / Status	Complainant <sup>4</sup> <b>CONFIDENTIAL</b>
04/24/2017	Railroad service issue	West	Shipper expressed concern over possible disruption to its business by railroad's long delay in spotting loaded cars; RCPA provided informal guidance to shipper; shipper asked RCPA to liaise directly with railroad; railroad agreed to expedite shipments <b>[Closed]</b>	
04/25/2017	Railroad service issue	South	Shipper expressed concern over deteriorating and unreliable service leading to delays in receiving loaded cars; RCPA per shipper's request, liaised with serving railroad and shipper; following series of communications with both parties, service improved; shipper and RCPA continue to monitor the developments, and further discussions with carrier are anticipated <b>[Pending]</b>	
05/02/2017	Railroad service issue	Midwest	Shipper expressed concern over railroad's excessive delays on the delivery of its railcars; shipper shut down plant while waiting for inbound cars; shipper asked RCPA to reach out to railroad; railroad explained that delays arose from improvements being made at local yard; railroad expedited delivery of railcars <b>[Closed]</b>	
05/05/2017	Railroad rate levels	Midwest	Shipper expressed concern over rate levels, including disparity for moving similar products and from various geographic locations; RCPA provided informal guidance on commercial and competitive factors related to rate levels, and discussed formal and informal avenues for relief <b>[Closed]</b>	

Date <sup>2</sup>	Type of Informal Complaint	Geographic Region <sup>3</sup>	Resolution / Status	Complainant <sup>4</sup> <b>CONFIDENTIAL</b>
05/11/2017	Railroad demurrage issue	West	Shipper raised concern over demurrage charges arising from offline bunching in interline move, and problems disputing demurrage; shipper asked RCPA to discuss the issue with the railroad; RCPA facilitated further communication between the parties that resulted in a mutually agreeable outcome <b>[Closed]</b>	
05/15/2017	Railroad demurrage issue	South	Shipper presented concern over rail operations causing demurrage; railroad did not serve customer for several few weeks, then delivered bunched cars; accumulated cars took several days to unload because of limited capacity at shipper's plant; shipper has requested RCPA assistance in communicating with railroad <b>[Pending]</b>	
05/18/2017	Railroad side track agreement	Midwest	Shipper expressed concern over unfavorable terms of proposed railroad sidetrack agreement; RCPA provided perspective on typical terms and railroad practices; shipper will reach out to RCPA, as needed, during negotiations <b>[Closed]</b>	
05/30/2017	Railroad side track agreement; loss of service	Midwest	Shipper expressed concern over loss of service; railroad removed switch to side track after derailment, which damaged shipper's track, and railroad has not been responsive to requests to restore switch and service; shipper and railroad held RCPA-led conference call and agreed to continue discussions between themselves regarding possible rail service restoration <b>[Closed]</b>	

Date <sup>2</sup>	Type of Informal Complaint	Geographic Region <sup>3</sup>	Resolution / Status	Complainant <sup>4</sup> <b>CONFIDENTIAL</b>
05/31/2017	Railroad demurrage issue	Northeast	Shipper expressed concern over demurrage rules becoming tighter while service windows are reduced; RCPA explained potential formal and informal remedies before the STB; offered to liaise with serving railroad; shipper declined to pursue <b>[Closed]</b>	
05/31/2017	Railroad service issue	Midwest	Shipper asked for RCPA assistance in on-going negotiations with railroad regarding switching at its new facility; shipper wanted to conduct switching, but would need access to railroad yard; RCPA provided informal guidance and offered to liaise with the railroad; shipper declined to pursue <b>[Closed]</b>	
05/31/2017	Railroad rate levels	South	Shipper expressed concern over railroad's withdrawal of rates offered; RCPA discussed commercial issues with shipper and reviewed terms of such rates; RCPA provided informal guidance and offered to liaise with the railroad; shipper declined to pursue <b>[Closed]</b>	
06/05/2017	Railroad service issue	Midwest	Railroad expressed concern over another railroad's reduction of number of interchanges per week; RCPA provided informal guidance; railroad will pursue discussions directly with the other railroad <b>[Closed]</b>	
06/06/2017	Railroad service issue	Northeast	Shipper expressed concern over railroad service changes that led to halting of unit train service; traffic is now handled in manifest service, causing increase in transit times for shipments; RCPA provided informal guidance to shipper <b>[Closed]</b>	

Date <sup>2</sup>	Type of Informal Complaint	Geographic Region <sup>3</sup>	Resolution / Status	Complainant <sup>4</sup> <b>CONFIDENTIAL</b>
06/07/2017	Railroad service issue	Midwest	Shipper expressed concern over railroad service changes; these changes have caused major delays and unpredictable shipment arrivals; shipper is in direct consultations with the railroad; RCPA provided informal guidance <b>[Closed]</b>	
06/13/2017	Railroad service issue	South	Shipper voiced concern about deteriorating rail service and shortage of car supply, which have disrupted its supply chain; RCPA offered informal guidance on commercial and operational issues; and offered to liaise with railroad; shipper requested that RCPA liaise with railroad, but not disclose its identity; RCPA contacted railroad <b>[Pending]</b>	
06/15/2017	Railroad service issue	Midwest	Shipper relayed concerns about cars stuck at local serving yard for several days and not being switched to plant, which is threatening production; at request of shipper, RCPA has contacted railroad to ascertain service issues and secure delivery of stranded cars <b>[Pending]</b>	
06/19/2017	Railroad service issue	Midwest	Shipper relayed concern about serving yard congestion and dwell, and delayed delivery of inbound shipments to customer; shipper requested that RCPA liaise anonymously with railroad contacts; RCPA interceded and relayed to shipper the congestion and delays were due to railroad infrastructure improvements and that yard was now current <b>[Closed]</b>	

Date <sup>2</sup>	Type of Informal Complaint	Geographic Region <sup>3</sup>	Resolution / Status	Complainant <sup>4</sup> <b>CONFIDENTIAL</b>
06/20/2017	Railroad service issue	Midwest	Shipper presented concern over railroad's modification to service schedules and resulting disruption to supply chain, including delays picking up and delivering cars; RCPA provided informal perspective and counseling; however, shipper did not request outreach to railroad <b>[Closed]</b>	
06/21/2017	Railroad service issue	Midwest	Shipper requested assistance from RCPA in dispute with railroad relating to serving tracks and maintenance and repair responsibilities, including possible acquisition of tracks; RCPA conferred with shipper to obtain additional information about commercial and operational concerns, and provided informal guidance to shipper; shipper declined RCPA's offer to engage railroad on its behalf <b>[Closed]</b>	
06/29/2017	Railroad service issue	West	Shortline railroad requested assistance from RCPA concerning suspension of interchange with Class I railroad; after conferring with shortline, RCPA reached out to Class I railroad to discuss issues and resumption of interchange <b>[Pending]</b>	
06/30/2017	Railroad service issue	South	Shipper contacted RCPA to discuss concerns over problems with switching outbound traffic and delays at interchange between bridge carrier and Class I railroads, which are disrupting its supply chain; RCPA reached out to shipper to discuss issues and explore options to improve service <b>[Pending]</b>	

Note: A table showing the quarterly inquiries received by the STB's Rail Customer and Public Assistance (RCPA) office is attached below as an appendix to the foregoing report.

**Appendix to Quarterly Report of Informal Service Complaints**

**2nd Quarter 2017 Cases by Category/Region**

<b>Issue Category</b>	<b>All Regions</b>	<b>Northeast</b>	<b>South</b>	<b>Midwest</b>	<b>West</b>	<b>Not Specified</b>
Abandonment Records	67	9	11	15	9	22
Arrange Meeting	2	1	0	1	0	0
Bus Issue	4	0	0	0	0	4
Household Movers	21	3	5	3	4	6
Information-Economic Data	12	1	1	0	2	8
Information-Non Economic Request	4	0	2	0	1	1
Motor Carriers (trucks)	7	0	0	1	1	5
Pipeline	1	0	0	0	0	1
Post CN/EJE Decision Comments	1	0	0	1	0	0
Railroad Abandonment/Loss of Service	1	0	0	0	1	0
Railroad Agricultural Contract Filing	2	0	0	1	0	1
Railroad Amtrak/Passenger Issue	3	1	0	1	1	0
Railroad Blocked Crossings	3	0	1	1	0	1
Railroad Car Supply	1	0	1	0	0	0
Railroad Common Carrier Obligation	2	0	1	0	1	0
Railroad Cost of Capital	1	0	0	0	0	1
Railroad Demurrage Charges	6	1	0	0	2	3
Railroad Embargo	3	0	0	2	0	1
Railroad Environmental Issues	3	1	0	1	1	0
Railroad Grade Crossing Issues	2	0	0	1	0	1
Railroad Idling Engines/Parked Trains	6	0	0	0	5	1
Railroad Interchange Issue	1	0	0	0	1	0
Railroad Labor Issues	1	0	1	0	0	0
Railroad Liability Issues	1	1	0	0	0	0
Railroad Noise - Airhorn, Safety, etc	1	0	0	0	0	1
Railroad Preemption	8	3	0	3	0	2

Issue Category	All Regions	Northeast	South	Midwest	West	Not Specified
Railroad Rate Levels/Increases	1	0	1	0	0	0
Railroad Service Issue	21	1	6	7	4	3
Railroad Side Track Agreement	2	0	0	2	0	0
Railroad Tariff Issue	1	0	1	0	0	0
Rails to Trails	7	0	0	3	2	2
Real Estate Matter	10	1	2	4	2	1
STB Authority Question	7	2	1	2	1	1
STB Fees	2	1	0	0	0	1
STB Information	43	5	5	5	3	25
STB Jurisdictional Question	11	0	0	1	2	8
STB Practitioners Exam	2	0	1	0	0	1
STB Procedural Assistance	77	13	6	14	9	34
STB Recordations or Security Interests on Rail Cars	8	0	2	4	0	2
STB Records Assistance	12	1	1	3	1	6
STB Track Exemption Issue	1	0	1	0	0	0
STB Webpage/Downloading Assistance	4	0	0	1	1	2
Water Carrier	7	1	0	0	3	2
Wrong Agency Calls	11	0	0	0	1	10
Other	10	0	2	2	0	5
<b>Total</b>	<b>397</b>	<b>46</b>	<b>52</b>	<b>79</b>	<b>58</b>	<b>162</b>

U.S. Census Regions:

Northeast Region	Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New Jersey, New York, and Pennsylvania
South Region	Maryland, Delaware, West Virginia, Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Arkansas, Louisiana, Oklahoma, and Texas
Midwest Region	North Dakota, South Dakota, Nebraska, Kansas, Missouri, Iowa, Minnesota, Wisconsin, Illinois, Michigan, Indiana, and Ohio
West Region	Washington, Idaho, Montana, Wyoming, Oregon, California, Nevada, Utah, Colorado, Arizona, New Mexico, Alaska, and Hawaii



**Appendix to Quarterly Report of Informal Service Complaints**

**2nd Quarter 2017 Cases per Commodity Group\***

<b>Commodity Group</b>	<b>Number</b>
Agricultural Products	11
Automobile	2
Chemicals	13
Construction Debris	1
Forest Products	2
Hazardous Waste/Radioactive Waste	1
Household Goods	20
Industrial Products	4
Metals and Minerals	4
Not Specified by Shipper	2
N/A	328
Other	2
Passenger	10
TIH	1
<b>Total</b>	<b>401</b>

\*In many cases, the commodity is not specified or material to the case, therefore the total number for this data may not equal the total number for the quarter.