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February 8, 2016

The Honorable Daniel R. Elliott III, Chairman
United States Department of Transportation
Surface Transportation Board
395 E Street S.W.
Washington D.C. 20423

STB Ex Parte 726: On-Time Performance Under Section 213 of the Passenger Rail Investment and Improvement Act of 2008

Dear Chairman Elliott:

The Commonwealth of Virginia, through its Department of Rail and Public Transportation (DRPT), appreciates the opportunity to comment on the Surface Transportation Board (STB) Ex Parte 726: On-Time Performance Under Section 213 of the Passenger Rail Investment and Improvement Act of 2008, published for comment on December 28, 2015.

Virginia supports the STB's efforts to define On-time Performance (OTP). Along with 21 additional states that provide operating and capital assistance to intercity passenger rail services, Virginia agrees that a definition must be consistent, easily understood by the traveling public, readily measurable, and meaningful for customers, host and operating railroads, service sponsors and policy-makers. The transparency and accountability of appropriate on-time performance measures is essential to the future success of intercity passenger rail in the United States.

Virginia is concerned that STB's current proposed definition falls short of these standards. The use of "arrives at its final terminus" as the metric for measuring the on-time performance of a train is restrictive and does not provide a fully accurate assessment of trains originating in and operating between intermediate points along its route.

Instead, Virginia measures the on-time performance between points along a train's route to assess trains operating along its state supported corridors, and urges the STB to consider this metric as a more readily measurable and meaningful measurement of OTP.

Below, please find specific comments regarding on-time performance of intercity passenger rail in Virginia. Additionally, Virginia strongly encourages an assessment of the viability of existing and future Amtrak schedules to ensure proposed on-time performance expectations are reasonable.

Specific Comments on STB EP 726 impact to Intercity Passenger Rail in Virginia

DRPT administers capital and operating assistance grants to existing and future high-speed and intercity passenger rail services in the Commonwealth. In FY 2016 alone, Virginia has programmed over \$67 million in state funds to these services.

Short-Distance Corridors

Short-distance (state-supported) corridors are routes of not more than 750 miles between endpoints, operated by Amtrak (49 USC 24102 (5)(D)(i)). Nearly 49% of total Amtrak ridership is on train service in these corridors.

As part of its Northeast Regional service, Amtrak operates 6 trains on 4 state-supported corridors in Virginia, which include:

- Washington – Richmond
- Washington – Newport News
- Washington – Norfolk
- Washington – Lynchburg

Virginia, Amtrak, and host railroads CSX and Norfolk Southern, enter into operating agreements for train services within these corridors. Part of those agreements include quarterly reporting by Amtrak of on-time performance statistics, calculated by the basis of a 15 minute maximum variance at measurable stations along the route.

Conversely, the proposed STB rule defines on-time performance as “arriv[al] at its final terminus no more than five minutes after its scheduled arrival time per 100 miles of operation, or 30 minutes after its scheduled arrival time, whichever is less.”

Comments: The final terminus for all northbound corridors Virginia’s supports are not within its jurisdiction. Under the proposed STB rule, Virginia would have limited mechanisms to ensure the on-time performance of these trains.

Additionally, the final terminus of northbound Northeast Regional trains is Boston, which is in excess of 400 miles from all Virginia origination points. Likewise, the southbound final terminus points in Virginia are equidistant from Boston.

Under the proposed STB rule, trains operating in corridors in excess of 400 miles have a maximum allowance of 20 minutes. This appears to apply to Northeast Regional trains originating and terminating in Virginia, and would be less than the 15 minute maximum variance at measurable stations along the route metric Virginia uses.

Virginia urges the STB to consider measurable stations along a train’s route as the appropriate metric for a measurable and meaningful definition of on-time performance.

Long-Distance Corridors

Long-distance corridors are “routes of more than 750 miles between endpoints operated by Amtrak as of the date of enactment of the Passenger Rail Investment and Improvement Act of 2008 (49 USC 24102 (C)). Eight of Amtrak’s 15 long-distance corridors board and alight at stations in Virginia. However, only the *Auto Train* has an origination and final terminus point in Virginia.

Comment: The final terminus for the northbound *Auto Train* is in Lorton, Virginia. Because the train originates in Sanford, Florida which is in excess of 400 miles from Lorton, the proposed STB rule allows a maximum variance in excess of Virginia's 15 minute standard.

While Virginia does not provide support to the *Auto Train* or the other long-distance trains operating throughout the Commonwealth, a sub-standard on-time performance metric for these trains may nonetheless have a negative effect on Virginia's passenger rail markets.

High Speed Rail

Virginia also provides state matching funds to the Federal Railroad Administration's future DC to Richmond segment of its Southeast High Speed Rail network, created under the American Recovery and Reinvestment Act of 2009 (ARRA). An essential component of this and all future high speed services will be the on-time performance and reliability of trains.

Comments: Should the proposed STB rule for on-time performance have the unintended consequence of lowering the standards of existing intercity passenger rail services, it would also create potential long term impacts of future high speed and intercity passenger rail services. This may be especially detrimental to Virginia's ongoing DC to Richmond high speed rail efforts.

Virginia applauds the Surface Transportation Board's efforts to create meaningful and measurable national on-time performance standards for intercity passenger rail service. We believe that the current success of our state-supported corridors is a direct result of the accountability of our stringent on-time performance standards.

In conclusion, the economic competitiveness of Virginia relies on our ability to provide efficient and reliable transportation mobility options like passenger rail. Virginia urges the STB to revisit its proposed rule – especially regarding the “final terminus” metric – and instead consider measuring on-time performance for measurable stations along a route. Furthermore, STB should adopt a final rule only after the viability of Amtrak services schedules can be further assessed.

Respectfully submitted,



Jennifer L. Mitchell
Director

cc: The Honorable Deb Miller, Vice Chair, Surface Transportation Board
The Honorable Ann D. Begeman, Member, Surface Transportation Board
The Honorable Aubrey Layne, Secretary of Transportation, Commonwealth of Virginia
Mr. Joseph C. Boardman, President and CEO, Amtrak