

237823

**UNITED STATES OF AMERICA  
SURFACE TRANSPORTATION BOARD**

ENTERED  
Office of Proceedings  
March 2, 2015  
Part of  
Public Record

**STB Ex Parte No. 724 (Sub-No. 4)**

***UNITED STATES RAIL SERVICE ISSUES – PERFORMANCE DATA  
REPORTING***

**COMMENTS OF  
NORFOLK SOUTHERN RAILWAY COMPANY**

**James A. Hixon  
John M. Scheib  
David L. Coleman  
Norfolk Southern Corporation  
Three Commercial Place  
Norfolk, VA 23510**

***Counsel to Norfolk Southern  
Railway Co.***

**Dated: March 2, 2015**

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

**STB Ex Parte No. 724 (Sub-No. 4)**

***UNITED STATES RAIL SERVICE ISSUES – PERFORMANCE DATA REPORTING***

---

**COMMENTS OF  
NORFOLK SOUTHERN RAILWAY COMPANY**

---

The Board has proposed to establish new regulations requiring all Class I railroads and the Chicago Transportation Coordination Office, through its Class I members, to report certain service performance metrics on a weekly basis (the “Proposal”). Norfolk Southern joins the comments of the Association of American Railroads (“AAR”) in this proceeding and also files these separate comments.

As explained by the AAR, any long-term service performance metric reporting requirement should be designed to monitor overall network fluidity as a means identifying potential service disruptions. The first three performance data elements covered by the Proposal (i.e., system average train speed, average terminal dwell time and average cars on line) are sufficient for monitoring overall network fluidity, and Norfolk Southern would not object to reporting this data on a weekly basis in perpetuity.

On the other hand, any service performance metric reporting requirement tailored to the particular commodities and train types affected by any particular service disruption should be limited to the expected duration of that particular service disruption. Performance data elements four through nine in the Proposal are tailored to the commodities and train types of the customers most impacted by the current service disruption – or, at least, the customers who have been the

most vocal at the Board about the impacts of the service disruption – and reporting of these elements should be phased out when the current service disruption is resolved. Norfolk Southern would not object to reporting these data elements on a short-term basis, but Norfolk Southern sees no justification for the burden and expense of reporting these data elements on a permanent basis. Similarly, if a future service disruption occurs, Norfolk Southern would be amenable to reporting data tailored to that service disruption and for its duration.

In addition, the Proposal seeks the reporting of information that NS does not collect and compile in the ordinary course of business, meaning that NS will need to expend time and resources to produce these reports. In particular, the Proposal calls for a reporting week that runs from 12:01 AM on Sunday through 11:59 PM on Saturday. However, NS captures and reports service metric data for a reporting week that runs from 12:01 AM on Saturday through 12:00 Midnight on Friday. Switching the time period for which NS collects and reports service metric data would be cumbersome, time-consuming and expensive. Given that the Board and other stakeholders should be indifferent to the precise range of the reporting week, NS urges the Board not to require a departure from what NS believes to be the industry norm and to change the duration of the reporting week in the Proposal to 12:01 AM on Saturday through 12:00 Midnight on Friday.

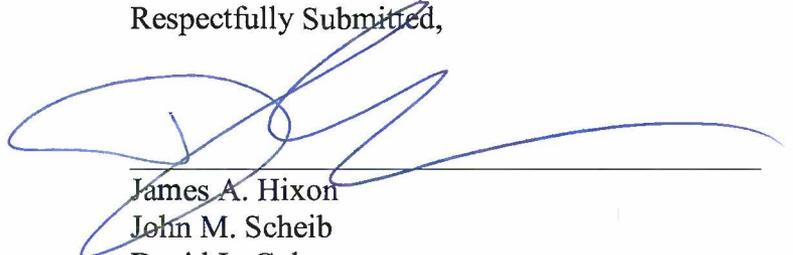
Further, requiring the reports to be filed each Tuesday is unnecessarily burdensome, regardless of whether the reporting week runs through Friday (as Norfolk Southern believes it should) or through Saturday (as contemplated by the Proposal). Tuesday reporting provides very little time to compile, prepare and file the requested data from the preceding week. Since the Board's Interim Data Order, Norfolk Southern has experienced many difficulties meeting the *Wednesday* filing deadline as a result of holidays and other office closings, as well as due to

sickness and vacation by key employees responsible for preparing and filing the reports. Norfolk Southern supports a Friday filing deadline to account for these kinds of contingencies and to allow more time each week to ensure data accuracy.

NS echoes the AAR's concern regarding the Proposal's overly-broad definition of the term "unit train." The term "unit train" typically is used in the railroad industry to refer to a train that meets the Proposal's definition but that moves from a single origin to a single destination for the account of a single customer. Omitting these elements from the definition divorces it from reality and creates a situation where trains can change their "unit train" status mid-shipment. Similarly, the reference to automotive unit trains in Section 1250.3(a)(4) is confusing because NS automotive traffic does not move in a manner that the railroad industry typically would classify as a "unit train." Although NS automotive traffic often moves in trains comprised of more than 50 auto racks, such traffic rarely moves for the account of a single customer.

Finally, 1250.3(a)(8) contemplates the reporting of data related to grain car orders. NS cannot provide this data because NS does not operate its grain transportation services on the basis of car orders. Instead, NS allocates its available railcars by service type (export grain, export meal, domestic processors, poultry feeders, etc.), based on expected demand. Accordingly, if 1250.3(a)(8) is adopted as stated in the Proposal, NS would not have any data to report in response to this item.

Respectfully Submitted,

A large, stylized handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

---

James A. Hixon  
John M. Scheib  
David L. Coleman  
Norfolk Southern Corporation  
Three Commercial Place  
Norfolk, VA 23510

***Counsel to Norfolk Southern Railway Co.***