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October 25, 2016

Cynthia Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423

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Office of Proceedings  
October 25, 2016  
Part of  
Public Record

Re: STB Ex Parte No. 711 (Sub-No. 1), *Reciprocal Switching*

Dear Ms. Brown:

My name is Michael Behe and I am Vice President of Marketing for USRail.desktop. We and the majority of our hundreds of corporate clients support the adoption of new reciprocal switching rules that will help facilitate greater rail competition. Our many clients have hundreds of facilities that are served by a single class I rail carrier. These facilities are subject to substantially higher rail rates and less reliable service than facilities that have rail competition.

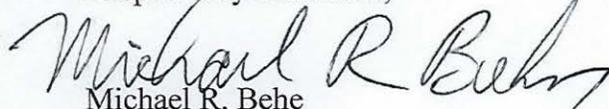
We applaud the Surface Transportation Board ("STB") for opening this rulemaking proceeding and agree that new switching rules are needed. The rail industry today is vastly different than the industry of the 1980s and no shipper has ever obtained reciprocal switching under the current rules. Quite the opposite is actually true; many facilities with access to multiple carriers in 1980 find themselves captive to a single railroad today.

We encourage the Board to adopt new switching standards that will result in streamlined proceedings before the Board. If switching cases are too complex, timely and costly then the new rules will be ineffective and will not be used. We need only reference the lack of use of the small rate case procedure the Board implemented years ago as proof of the importance of simplicity. We also believe that the Board should change its proposal to address the following:

- Short lines should also benefit from the rule by serving as the interchange carrier.
- Interchanges that require minimal investment to be paid by the shipper or interchange carrier should qualify as a "working interchange".
- The Board should adopt reasonable and straightforward procedures to establish the access fee either when the railroads cannot agree on the fee or when the party seeking the switch believes the fee is not reasonable.

We appreciate the Board's consideration of this letter and urge the agency to promptly adopt new reciprocal switching rules.

Respectfully submitted,

  
Michael R. Behe

10/25/16