

SURFACE TRANSPORTATION BOARD

DECISION

STB EX PARTE NO. 573

RAIL SERVICE IN THE WESTERN UNITED STATES

Decided: October 15, 1997

In a notice issued October 2, 1997, we instituted a proceeding and scheduled a public hearing to provide interested persons the opportunity to report on the status of rail service in the western United States and to review proposals for solving the service problems that exist. We set the hearing for October 27, 1997, and we provided for the filing of speakers' written statements by October 23, 1997.

In a letter dated October 8, 1997, the National Industrial Transportation League (NITL) has asked us to require the Union Pacific Railroad Company/Southern Pacific Transportation Company (UP/SP) to provide, by October 20, 1997, 11 categories of information that reflect the condition of UP/SP's rail service. In a response dated October 14, 1997, UP/SP states that it intends to file, by October 23, 1997, information in 12 specific categories that would similarly show changes in service quality. UP/SP asserts that its 12 informational categories are designed to serve the same ends as the 11 categories of information suggested by NITL, but that the information that UP/SP intends to provide is more readily available and more directly informative than the information sought by NITL.

We appreciate the thoughtful suggestions by both NITL and UP/SP, which reflect constructive efforts to identify ways in which to chart UP/SP's operations and to facilitate the resumption of normal service patterns on the railroad. As between the two approaches, we will permit UP/SP to use the reporting format that it has advanced. We note that both proposals represent good starting points; this hearing, however, is being held on very short notice, and we are demanding substantial input from UP/SP and the other parties in a very short period of time. Much of the information that NITL seeks is included in UP/SP's proposal, and the remaining information, which, according to UP/SP, is not readily available, seems not sufficiently related to UP/SP's service problems to facilitate a solution.

As we have noted, UP/SP's proposal represents a good starting point. It does not, however, give us all of the information that we believe we need to evaluate whether or not UP/SP's actions to resolve its service problems are in fact producing the desired results. In our view, additional information relating specifically to UP/SP's system wide service recovery plan is necessary to determine the extent to which overall conditions affecting service are improving. Therefore, in addition to the 12 categories of information that UP/SP has suggested, we will require the carrier to provide the following system wide information:

1. Major yard/terminal condition report (including port facilities): car capacity at each yard or terminal vs. cars on-hand (specify loaded or empty) at each terminal.
2. Interchange report: number of cars held short of interchange or constructively interchanged by connections due to congestion, (a) on UP/SP, and (b) on other railroads.
3. Siding report: item 5 of the UP/SP suggested reporting format indicating sidings blocked south of Kansas City should be expanded to reflect the number of mainline sidings system wide vs. the number of those sidings blocked by loaded or empty cars awaiting power, crews, or further disposition.
4. Mainline report: number of mainlines blocked by trains (loaded or empty) awaiting crews or power.
5. Rerouting: number of UP/SP trains and carloads of UP/SP traffic routed over other railroads during the reporting period.
6. Locomotive report: average daily number of locomotives on-hand vs. serviceable locomotives.
7. On-line car inventory: item 1 of the UP/SP suggested reporting format indicating total on line car inventory should be expanded to reflect UP/SP ownership on line, foreign railroad ownership on line, and private car ownership on line.

We also note that NITL has asked that UP/SP produce the information weekly beginning October 20, 1997, while UP/SP proposes that it produce the information monthly or bi-weekly beginning October 23, 1997. So that other participants will be able to review the first report before they file their pre-hearing statements, we will require that UP/SP produce the information described in this decision beginning on October 20, 1997. Moreover, given the serious nature of the current service problems, we do not believe that monthly or bi-weekly updates would be adequate. Therefore, we will require UP/SP to provide the prescribed information on a weekly basis. Reports shall reflect the most current information for the reporting period.

*It is ordered:*

1. UP/SP shall provide the information described in this decision on a weekly basis beginning on October 20, 1997.
2. UP/SP shall serve its weekly reports on all parties to this proceeding.
3. This decision is effective on the date of service.

By the Board, Chairman Morgan and Vice Chairman Owen.

Vernon A. Williams  
Secretary