



VIRGINIA RAILWAY EXPRESS

April 12, 2016

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Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street S.W.
Washington, D.C. 20423

ENTERED
Office of Proceedings
April 12, 2016
Part of
Public Record

Re: Policy Statement on Implementing Intercity Passenger Train On Time Performance Preference Provisions of 49 U.S.C. § 24308(c) and (f) (STB Docket No. EP-728)

Dear Ms. Brown:

The Virginia Railway Express (VRE) is a commuter rail service that moves 4.5 million riders annually between Virginia and Washington, D.C. VRE is jointly owned by the Northern Virginia Transportation Commission and the Potomac and Rappahannock Transportation Commission and we welcome the opportunity to submit comments in response to the Surface Transportation Board's (STB) proposed *Policy Statement on Implementing Train On Time Performance Preference Provisions of 49 U.S.C. § 24308(c) and (f) (STB Docket No. EP-728.)*

The policy guidance states the STB should utilize a 'systemic, global approach in determining whether a host carrier has granted the intercity passenger trains preference.' While commuter railroads should be sympathetic to Amtrak, our interests are not always the same. For purposes of the law, a commuter train is the same as a freight train. Absolute preference of Amtrak trains over VRE commuter trains would very likely result in dramatic and negative impacts to the VRE service and our passengers. Likewise, the strict enforcement of "absolute Amtrak All Stations On Time Performance" could cause host railroads to change the order of dispatched intercity passenger trains and commuter passenger trains. The result would be a larger number of VRE passengers arriving late at all stations in order to ensure that a smaller number of Amtrak passengers are not delayed at any station. This would severely impact the VRE service in and out of the Nation's Capital.

It appears to us the STB Policy Statement is a move in the right direction from the perspective of the commuter railroads that are not operated by Amtrak and VRE appreciates the global approach to "Preference" the Policy Statement indicates.

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The proposed Policy Statement reflects the common sense approach VRE currently experiences with our host railroads; Amtrak, CSXT and Norfolk Southern Railway. Over the past several years our on-time performance has averaged over 90%. This performance is, in part, because of the approach included in our host railroad agreements for dispatching trains that allow Amtrak service and VRE service to operate in a railroad environment that promotes fluidity in the network.

Because we believe the proposed policy statement will continue to promote a fluid operating environment for all trains and therefore better on-time performance for all, VRE is supportive of the proposed STB Policy Statement. A more absolute interpretation of "Preference" for intercity passenger trains over commuter rail passenger trains would unwittingly harm VRE and our 4.5 million riders.

Thank you of the opportunity to comment on this important issue.

Sincerely;



Doug Allen

Chief Executive Officer

Virginia Railway Express

c: VRE Operations Board
Kelly Coyner, Northern Virginia Transportation Commission
Eric Marx, Potomac and Rappahannock Transportation Commission