

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Ex Parte No. 714

**INFORMATION REQUIRED IN NOTICES AND PETITIONS
CONTAINING INTERCHANGE COMMITMENTS**

**Initial Comments of
The Chlorine Institute, Inc.**

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The Chlorine Institute, Inc. (the “Institute”) is pleased to submit these comments in response to the Board’s Notice of Proposed Rulemaking of November 1, 2012. The Institute is also pleased that the Board is showing its concerns regarding the state of competition within the rail industry as evidenced by its Ex Parte 705, Ex Parte 711 and this Ex Parte 714 proceedings. At the same time, the Institute is troubled by the non-integrated approach to rail to rail competition. The Institute does not fully share in the apparent belief that by inviting the major railroads to compete with one another that they will actually depart from their current non-competitive conduct and begin to compete for market share based on reduced price and improved service. The Institute believes that a more holistic approach to rail competition issues is indicated both by the record in Ex Parte 705 and by the conduct of the major railroads over the past decade.

The Institute suggests that the Board should examine the record in Ex Parte 705 to determine what actions it might take to require the major railroads to compete with one another rather than inviting them to compete by making competitive alternatives merely available to them. Such actions might involve reopening the three mega mergers of the

1990s to impose additional competitive conditions. The Institute stands ready to assist the Board in any such efforts.

Respectfully submitted,

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