

BEFORE THE
SURFACE TRANSPORTATION BOARD

232488

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Ex Parte No. 707

DEMURRAGE LIABILITY

Comments of

The Fertilizer Institute

The Fertilizer Institute (“TFI”) hereby submits these Comments in response to the Board’s Notice of Proposed Rulemaking in this proceeding served on May 7, 2012 (“Notice”). In the Notice, the Board requested comments on proposed rules to clarify when warehousemen or other third party intermediaries who handle goods shipped by rail but have no property interest in those goods should be liable for rail car demurrage charges. Although most TFI members address this issue through contracts, and thus are not likely to be affected by the proposed rules, TFI believes that the Board has proposed fair and reasonable regulations to govern this issue in the absence of such contractual arrangements. Therefore, TFI submits these comments to register its support for the proposed rules.

Respectfully submitted,



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