

ORIGINAL

Before the
SURFACE TRANSPORTATION BOARD



Ex Parte No. 431 (Sub-No. 4)

REVIEW OF THE GENERAL PURPOSE COSTING SYSTEM

241980

COMMENTS

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November 7, 2016
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Attorney for Samuel J. Nasca

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Preliminary Statement

Samuel J. Nasca^{1/} for and on behalf of SMART/
Transportation Division, New York State Legislative
Board (SMART/TD-NY), submits these reply comments^{2/} in
response to the Surface Transportation Board (STB or
Board), Supplemental Notice of Proposed Rulemaking,
(SNPRM), dated August 2, 2016 (served August 4, 2016),

^{1/}New York State Legislative Director for SMART/TD, with
offices at 35 Fuller Road, Albany, NY.

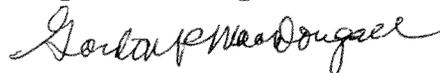
^{2/}SMART/TD-NY did not file initial comments with respect
to this current phase of the rulemaking; however, its
predecessor, UTU-NY, filed comments on June 20, 2013 in
the earlier NPRM phase.

81 Fed. Reg. 52784 (August 10, 2016).

1. UTU-NY Comments-Year 2013. SMART/TD-NY is the successor to UTU-NY, and endorses and incorporates the UTU-NY filing, entered June 20, 2013 (ID 234440) in this proceeding,^{3/} to accompany this SMART/TD-NY reply.

2. Reply to Supplemental Comments. Examination of the initial comments by other parties indicates lack of support for a number of items in the Board's revision to the proposed changes to URCS. SMART/TD-NY has special concern for the impact on small entities, such as those utilizing single-car and other smaller shipments, with arbitrary shifting of cost allocations, particularly shown for various categories of switching. The cost/rate problems of smaller shippers often lead to the discontinuance or reduction in service, and/or abandonment of lines.

Respectfully submitted,



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^{3/}Merger between UTU and SMART, was implemented in August 2014.