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Chairman Daniel Elliott
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

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Dear Chairman Elliott,

As I know you have heard, shippers and rail customers have suffered from poor freight rail service in North Dakota since the crop harvest of 2013, and we are facing a pending crisis. Some improvements have been made in recent months, however I remain greatly concerned that insufficient progress has occurred in order to avoid considerable hardship during the coming harvest.

We need your help. I request that you schedule a vote of the Surface Transportation Board (STB) to declare a shipping emergency in the Upper Midwest, and allow for use of STB powers to address serious shortcomings by the railroads related to the movement of grain and other agriculture commodities.

I am pleased that the Board instituted mandatory reporting for both Burlington Northern Santa Fe and Canadian Pacific Railroad – the two Class I Railroads servicing North Dakota – regarding the status of the service improvement for agricultural shippers. This Board decision prodded the railroads to act and improve service. Given the narrow time window between now and the end of harvest, the board must go a step further to use its emergency powers in order to restore a basic level of rail service reliability for the customers of North Dakota.

Harvest has begun in North Dakota and will proceed into November. Due to the prolonged duration of significant backlogs, farmers and elevators have lacked access to reliable and affordable rail service throughout this past year. In addition, inventories in North Dakota – both on farms and at storage facilities – are at historic levels for the pre-harvest period of a crop year. This has led to very real concerns among farmers and dealers that insufficient space will be available to store the wheat, corn, soybeans, and specialty crops that will need storage during and after the coming harvest. Such a scenario could result in crops being stored on the ground due to the lack of facility storage, potentially costing millions of dollars to the state's agricultural producers from crop degradation. This is in addition to the tens of millions of dollars that have been lost already.

Mr. Chairman, this is a dire situation that needs immediate attention. Meetings have occurred, conversations have happened, but still, there is an immediate need that is not being met. All shippers are facing increased costs due to the shortage of rail service and this will eventually affect the consumer at the marketplace.

Thank you for your consideration of this request and for your continued work to improve the rail transportation system in our country. If you require additional information, please feel free to contact me at [\(701\) 355-6520](tel:7013556520).

Sincerely,



George B. Sinner