



**Surface Transportation Board**  
Washington, D.C. 20423-0001

Office of the Chairman

May 27, 2021

Mr. Timothy J. Strafford  
Associate General Counsel & Corporate Secretary  
Association of American Railroads  
425 3rd Street, SW, Suite 1000  
Washington, DC 20024

Dear Mr. Strafford:

Thank you for your letter of April 30, 2021, which responds to the letter from the Greater Memphis Chamber (“Memphis Chamber”) of April 14, 2021. The Memphis Chamber expressed its serious concerns over congestion and supply chain disruptions at intermodal facilities in the greater Memphis, TN area, including with respect to storage charges it claims are being incurred through no fault of its members, and requested assistance from the Surface Transportation Board (“STB” or “Board”).

While I appreciate that the Association of American Railroads (“AAR”) took the time to write a response, I am extremely disappointed in its message. It was not useful that AAR chose to focus entirely on a legal argument conveying its perception of the Board’s regulatory authority, as the existing legal and regulatory framework with respect to intermodal traffic is not in dispute. Instead of a legal and policy argument about perceived limits on the Board’s ability to address the significant problems facing the shipping public, what was called for from AAR was a constructive response to the essence of the letter from the Memphis Chamber, which sought amelioration of what appear to be serious congestion and chassis shortages in the Memphis area. Thus, once AAR decided to weigh in, it would have been appropriate and helpful for it to have focused its response on practical solutions to the reported congestion and shortage issues and how interested stakeholders can work together, or continue to work together, to solve the problems raised by the Memphis Chamber.

If AAR can still be helpful in this area, I would much appreciate the association’s suggestions and input, in keeping with its historical role of working collaboratively to improve the efficiency, reliability and safety of the Nation’s freight rail network. Thank you for your attention to this matter.

Sincerely,

Martin J. Oberman  
Chairman