

SURFACE TRANSPORTATION BOARD
QUARTERLY REPORT OF FORMAL SERVICE COMPLAINTS

Second Quarter 2022

The Surface Transportation Board Reauthorization Act of 2015 mandated that the Surface Transportation Board (STB) publish a quarterly report of formal service complaints received by the agency. *See* STB Reauthorization Act of 2015, Sec. 6(b), Pub. L. No. 114-110 (2015). During the second quarter of 2022, the following formal service-related complaints were pending:

Complaint Received	Type of Complaint	Title	Docket No.	Geographic Region	Complainant	Carrier(s) Involved	Resolution/Status
2/27/2013	Application for terminal trackage rights	BNSF Railway Company— Terminal Trackage Rights—Kansas City Southern Railway and Union Pacific Railroad Company	FD 32760 (Sub-No. 46)	Louisiana	BNSF Railway Company	BNSF Railway Company, Union Pacific Railroad Company, Kansas City Southern Railway	<p>Decision granting BNSF’s application for terminal trackage rights served on 7/5/2016.</p> <p>Appeal filed with the U.S. Court of Appeals for the District of Columbia Circuit on 9/1/2016. Appeal ordered to be held in abeyance by the D.C. Circuit on 1/3/2017 to allow parties to reach agreement regarding certain terms and conditions.</p> <p>BNSF filed petition to establish conditions of use and compensation on 1/12/2018. KCS filed motion to dismiss petition on 2/1/2018. Additional pleadings by BNSF, UP, and KCS filed. Decision denying KCS motion to dismiss served on 5/1/2018.</p>

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							<p>UP and KCS filed replies to BNSF's petition on 6/25/2018 and BNSF and KCS filed rebuttals on 7/16/2018.</p> <p>The parties participated in Board-sponsored mediation in 2018. On 10/17/2018, the Board was informed that mediation was not successful.</p> <p>By decision served on 12/7/2018, the Board directed the parties to provide additional information. The parties submitted responses on 2/4/2019 and replies on 2/25/2019.</p> <p>KCS and UP filed a joint request for Board-sponsored mediation on 6/18/2019. BNSF filed a reply to the mediation request on 6/25/2019. By decision served on 7/3/2019, the Board directed the parties to engage in Board-sponsored mediation. On 11/29/2019, the mediators informed the Board that mediation was not successful.</p> <p>By decision served 2/21/2020, the Board established conditions of use. The decision also directed the</p>

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							<p>parties to submit a joint procedural schedule to govern discovery and briefing on the remaining issues regarding compensation.</p> <p>By decision served on 4/1/2020, the Board adopted a procedural schedule jointly proposed by the parties and also granted a joint request to appoint an administrative law judge to resolve discovery disputes.</p> <p>On 4/7/2020, a second appeal was filed with the U.S. Court of Appeals for the District of Columbia Circuit.</p> <p>On 12/18/2020, BNSF filed a petition to establish conditions of use. Replies to that petition were filed on 1/19/2021, by KCS and UP. On 2/8/2021, BNSF responded to KCS's reply.</p> <p>Opening statements were filed on 1/26/2021; replies were filed on 4/12/2021; rebuttals were filed on 5/11/2021.</p> <p>By decision served on 4/13/2022, the Board granted, in part, BNSF's request to</p>

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							<p>establish general principles the Board expects parties to include in any future operating plans for direct service by BNSF on the Rosebluff Lead. The Board also denied BNSF's request for an expedited process for resolving disputes over conditions use.</p> <p>Appeal filed with the U.S. Court of Appeals for the District of Columbia Circuit on 4/29/2022.</p>
3/31/2015	Unreasonable tariff and practices	North American Freight Car Association v. Union Pacific Railroad Company	NOR 42144	Nationwide	North American Freight Car Association; American Fuel & Petrochemicals Manufacturers; The Chlorine Institute; The Fertilizer Institute; American Chemistry Council; Ethanol Products, LLC d/b/a Poet Ethanol Products; Poet Nutrition, Inc.; and Cargill Incorporated	Union Pacific Railroad Company	<p>Motion to consolidate this proceeding with NOR 42150 and NOR 42152 received on 1/26/2017. Decision consolidating NOR 42150, NOR 42152, and NOR 42144 served on 3/31/2017. Decision consolidating NOR 42153 with NOR 42150, NOR 42152, and NOR 42144 served on 10/5/2017.</p> <p>Discovery in consolidated proceedings concluded on 1/22/2019. Opening evidence filed on 2/22/2019. Reply filed on 4/26/19. Rebuttal filed on 5/31/19.</p> <p>By decision served 3/22/2021, the Board directed the parties to submit further briefing on</p>

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							two issues of statutory interpretation and application, which were filed on 4/21/2021; replies to those were filed on 5/21/2021.
12/19/2016	Unreasonable practice and violation of statutory obligation to compensate car owners	Valero Marketing & Supply Company v. Union Pacific Railroad Company	NOR 42150	Unspecified	Valero Marketing & Supply Company; and Valero Rail Partners, LLC	Union Pacific Railroad Company	<p>Complaint filed on 12/19/2016. Motion for abeyance received on 1/6/2017; reply and motion to consolidate received on 1/26/2017; motion to compel received on 2/24/2017. Decision consolidating NOR 42150 with NOR 42152 and NOR 42144 served on 3/31/2017. Decision consolidating NOR 42153 with NOR 42150, NOR 42152, and NOR 42144 served on 10/05/2017.</p> <p>Discovery in consolidated proceedings concluded on 1/22/2019. Opening evidence filed on 2/22/2019. Reply filed on 4/26/19. Rebuttal filed on 5/31/19.</p> <p>By decision served 3/22/2021, the Board directed the parties to submit further briefing on two issues of statutory interpretation and application, which were filed on 4/21/2021; replies to those were filed on 5/21/2021.</p>

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12/30/2016	Unreasonable practice and violation of statutory obligation to compensate car owners	Tesoro Refining & Marketing Company LLC v. Union Pacific Railroad Company	NOR 42152	Unspecified	Tesoro Refining & Marketing Company LLC; Tesoro Great Plains Gathering & Marketing LLC; and Dakota Prairie Refining, LLC	Union Pacific Railroad Company	<p>Complaint filed on 12/30/2016. Motion for abeyance received on 1/6/2017; reply and motion to consolidate received on 1/26/2017; motion to compel received on 2/24/2017. Decision consolidating NOR 42150, NOR 42152, and NOR 42144 served on 3/31/2017. Decision consolidating NOR 42153 with NOR 42150, NOR 42152, and NOR 42144 served on 10/05/2017.</p> <p>Discovery in consolidated proceedings concluded on 1/22/2019. Opening evidence filed on 2/22/2019. Reply filed on 4/26/19. Rebuttal filed on 5/31/19.</p> <p>By decision served 3/22/2021, the Board directed the parties to submit further briefing on two issues of statutory interpretation and application, which were filed on 4/21/2021; replies to those were filed on 5/21/2021.</p>
8/1/2017	Unreasonable practice and violation of statutory obligation to	Arkema Inc. v. Union Pacific Railroad Company	NOR 42153	Unspecified	Arkema Inc.	Union Pacific Railroad Company	Complaint filed on 8/1/2017. Union Pacific's motion to consolidate with NOR 42150, NOR 42152, and NOR 42144, received on 8/9/2017; answer to the complaint (8/23/2017),

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	compensate car owners						<p>reply (8/29/2017), and supplement to the motion to consolidate (9/8/2017) received. Decision consolidating NOR 42153 with NOR 42150, NOR 42152, and NOR 42144 served on 10/05/2017.</p> <p>Discovery in consolidated proceedings concluded on 1/22/2019. Opening evidence filed on 2/22/2019. Reply filed on 4/26/19. Rebuttal filed on 5/31/19.</p> <p>By decision served 3/22/2021, the Board directed the parties to submit further briefing on two issues of statutory interpretation and application, which were filed on 4/21/2021; replies to those were filed on 5/21/2021.</p>
7/8/2019	Unreasonable practice and violation of statutory obligation to compensate car owners	Olin Corporation v. Union Pacific Railroad Company	NOR 42164	Unspecified	Olin Corporation	Union Pacific Railroad Company	<p>Complaint and motion to hold proceeding in abeyance filed on 7/8/2019. Answer, reply to motion for abeyance, and motion to dismiss received on 7/29/2019. Reply to the motion to dismiss received on 8/14/2019.</p> <p>By decision served on 9/30/2019, the Board denied the motion to dismiss and</p>

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							granted the motion to hold the proceeding in abeyance.
11/6/2020	Failure to provide adequate rail service; failure to provide adequate notice of change in common carrier service terms; unreasonable practice	Sanimax USA LLC v. Union Pacific Railroad Company	NOR 42171	South Saint Paul, Minnesota	Sanimax USA LLC	Union Pacific Railroad Company	<p>Complaint filed 11/6/2020. Answer and motion to dismiss filed 11/30/2020.</p> <p>Decision granting joint motion for stay until 2/16/2021 to allow for settlement negotiations served 12/18/2020.</p> <p>Decision granting motion for an extension until 2/16/2021 to reply to motion to dismiss served 12/18/2020. Reply to the motion to dismiss and request for partial revocation of exemptions filed on 2/16/2021. Joint status report and proposed procedural schedule filed 2/16/2021. Reply to the request for partial revocation filed 3/8/2021.</p> <p>By decision served 11/2/2021, the Board granted the request to partially revoke the relevant commodity exemptions, denied the motion to dismiss, and set a procedural schedule.</p> <p>On 11/23/2021, Union Pacific filed to request the Board clarify or in the alternative reconsider its 11/2/2021</p>

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							<p>decision. A reply was filed on 12/9/2021.</p> <p>By decision served 2/25/2022, the Board granted, in part, a petition for clarification regarding the Board's 11/2/2021 decision.</p> <p>Sanimax filed its opening statement on 3/2/2022. UP filed a reply on 4/1/2022, and a motion to dismiss on 5/24/2022. On 6/13/2022, Sanimax filed a reply in opposition to the motion to dismiss. On 6/23/2022, UP further replied to Sanimax, and Sanimax responded on 6/29/2022.</p>
6/15/2022	Ex parte petition for an emergency service order	Foster Poultry Farms v. Union Pacific Railroad Company	FD 36609	Midwest U.S. to California	Foster Poultry Farms	Union Pacific Railroad Company	<p>Ex parte petition filed 6/15/2022. Reply filed by UP 6/16/2022. Board order served 6/17/2022 directing UP to take certain actions concerning service to Foster Farms. Daily status updates provided by UP through 6/30/2022. Status update provided by Foster Farms on 6/28/2022. On 6/29/2022, Foster Farms filed a status update, asking the Board to continue to monitor the situation.</p>

SURFACE TRANSPORTATION BOARD
QUARTERLY REPORT OF INFORMAL SERVICE COMPLAINTS RECEIVED

Second Quarter 2022

The Surface Transportation Board Reauthorization Act of 2015 mandated that the Surface Transportation Board (STB) publish a quarterly report of informal service complaints received by the agency. *See* STB Reauthorization Act of 2015, Sec. 6(b), Pub. L. No: 114-110 (2015). During the second quarter of 2022 (April 1, 2022 – June 30, 2022), the STB received the following informal complaints¹:

Date ²	Type of Informal Complaint	Geographic Region ³	Resolution / Status	Complainant ⁴ CONFIDENTIAL
2/25/2022	Railroad service issue	Northeast	Shipper contacted RCPA for assistance with poor rail service, including delays in transit and missed switches; RCPA discussed the issues with the shipper and liaised with the railroad; the railroad was suffering crew challenges but addressed the shipper’s immediate concerns; RCPA monitored the situation until the troubles abated. [Closed]	

¹ A table showing the quarterly inquiries received by the STB’s Rail Customer and Public Assistance office is attached as an Appendix to this report.

² Matters reported as “Pending” on the previous quarterly report are carried forward to the next quarterly report.

³ **Northeast:** Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New Jersey, New York, and Pennsylvania; **South:** Maryland, Delaware, West Virginia, Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Arkansas, Louisiana, Oklahoma, and Texas; **Midwest:** North Dakota, South Dakota, Nebraska, Kansas, Missouri, Iowa, Minnesota, Wisconsin, Illinois, Michigan, Indiana, and Ohio; **West:** Washington, Idaho, Montana, Wyoming, Oregon, California, Nevada, Utah, Colorado, Arizona, New Mexico, Alaska, and Hawaii.

⁴ This quarterly report may identify the complainant that submitted an informal complaint only upon the written consent of the complainant. Surface Transportation Board Reauthorization Act of 2015, Sec. 6(b).

Date ²	Type of Informal Complaint	Geographic Region ³	Resolution / Status	Complainant ⁴ CONFIDENTIAL
3/1/2022	Railroad service issue	West	Port facility contacted RCPA for assistance with restoring rail service, which was eliminated several years ago; RCPA discussed the port's efforts to restore service and liaised with the railroad to facilitate productive discussions between the parties. [Closed]	
3/6/2022	Railroad service issue; railroad demurrage charges	South	Shipper contacted RCPA about a railroad's pattern of providing switches outside of its usual service window, which impaired its ability to unload cars and resulted in demurrage charges; RCPA discussed the issues with the shipper, liaised with the railroad, and assisted the parties in reaching settlement. [Closed]	
3/7/2022	Railroad service issue; railroad demurrage charges	Midwest	Shipper sought assistance from RCPA with service cancellations, disputes over track maintenance, and demurrage charges; RCPA discussed the issues with the shipper and arranged a meeting between the parties; the parties established better communications and procedures to avoid future disruptions. [Closed]	
3/21/2022	Railroad service issue	Midwest	Shipper contacted RCPA about numerous loaded inbound cars that were delayed at a railroad's intermediate yard, resulting in supply shortages; RCPA discussed the issues with the shipper and liaised with the railroad to facilitate movement of the cars; RCPA monitored the situation and checked in with the shipper. [Closed]	
3/23/2022	Railroad intermodal service	Midwest	Shipper requested assistance from RCPA with limits imposed by a railroad on containers that could be ingated at a specific ramp, which were preventing the shipper from meeting demand for its products; RCPA is facilitating discussions with the railroad to explore options to accept additional units. [Pending]	
3/23/2022	Railroad service issue	West	Shipper contacted RCPA to discuss poor service performance from its two primary railroads; RCPA sought to follow up with the shipper, but the shipper decided not to pursue the issues with RCPA. [Closed]	

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3/24/2022	Railroad intermodal service	West	Shipper contacted RCPA about intermodal containers that were stuck at a railroad's ramp and inaccessible due to a lack of chassis; RCPA liaised with the railroad to secure release of the containers, resulting in the backlog being resolved. [Closed]	
3/29/2022	Railroad sidetrack issue	West	Shipper contacted RCPA about a dispute with the railroad over safety and maintenance of a sidetrack leading to the shipper's facility; because of the dispute, the railroad halted service; RCPA is facilitating the parties' negotiations. [Pending]	
3/29/2022	Railroad service issue	Midwest	Shipper sought assistance from RCPA relating to railcars that were delayed on the originating carrier, which were affecting plant production; RCPA liaised with the shipper about its service challenges; however, the shipper did not seek additional assistance. [Closed]	
4/1/2022	Railroad service issue	West	Shipper sought RCPA assistance expediting movement of unit trains to feed mills; RCPA contacted the railroad to elevate the urgency of moving the trains; RCPA liaised with the railroad on the status of the trains and kept the shipper informed. [Closed]	
4/4/2022	Railroad service issue	Midwest	Shipper contacted RCPA for assistance relating to the delayed departure of a unit train due to lack of locomotives; RCPA liaised with the railroad, which advised that locomotives were being deployed to move the train. [Closed]	
4/5/2022	Railroad service issue	Midwest	Shipper requested RCPA assistance due to a shutdown situation at its facility due to missed switches; RCPA contacted the railroad about urgently needed inbound cars; the railroad confirmed that it would spot the cars that day and work to implement a viable service plan to support the facility. [Closed]	

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4/7/2022	Railroad car supply	West	Shipper contacted RCPA about unfilled car orders to move its product to customers; RCPA discussed the issues with the shipper, including the railroad's forecast of a near term shortage in available cars; RCPA liaised with the railroad on the shipper's behalf to understand the outlook for car availability; RCPA relayed the information back to the shipper. [Closed]	
4/7/2022	Railroad service issue; railroad demurrage charges	Northeast	Warehouse operator contacted RCPA about poor rail service, bunching and demurrage charges; RCPA provided informal guidance on the issues; however, per the shipper's request, RCPA did not contact the railroad. [Closed]	
4/7/2022	Railroad service issue	Northeast	Shortline railroad contacted RCPA about poor interchange operations involving a connecting Class I railroad and problems with communications; RCPA provided guidance to the shortline; however, per the shortline's request, RCPA did not contact the Class I railroad. [Closed]	
4/7/2022	Railroad service issue	Northeast	Shipper sought RCPA assistance to address interchange problems involving the handoff of railcars from a Class I railroad to a shortline railroad; RCPA contacted the Class I railroad, which advised that it was adding interchanges to catch up on the shipper's cars and taking steps to improve interchange operations. [Closed]	
4/7/2022	Railroad service issue	Northeast	Shipper contacted RCPA to discuss general service problems involving multiple railroads; RCPA provided guidance on informal and formal pathways for assistance; however, the shipper did not request direct RCPA assistance. [Closed]	
4/7/2022	Railroad service issue	West	Shipper sought RCPA assistance expediting movement of a unit train to its feed elevator; RCPA liaised with the railroad to elevate the urgency of the train and to focus attention on its progress; the railroad monitored the status of the train through delivery and RCPA kept the shipper updated on the train's status. [Closed]	

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4/8/2022	Railroad service issue	Midwest	Trade association contacted RCPA about a railroad's mandate requiring shippers to remove a portion of their private railcars from its network; RCPA liaised with the railroad to discuss the situation and reiterate the association's concerns about the impact on its industry; subsequently, the association advised RCPA that the railroad allowed concessions to its mandate. [Closed]	
4/8/2022	Railroad service issue	West	Shipper contacted RCPA about a railroad's failure to fill its car orders; RCPA discussed the issue with the shipper and then liaised with the railroad about the shortages; the railroad provided additional railcars to the shipper. [Closed]	
4/11/2022	Railroad service issue	South	Shipper contacted RCPA regarding poor rail service and missed switches at its facility; RCPA discussed the problems with the shipper and offered informal assistance; however, the shipper did not seek direct assistance. [Closed]	
4/12/2022	Railroad service issue	West	Shipper sought assistance from RCPA relating to the delayed movement of a unit train to its animal feed elevator; RCPA liaised with the railroad to elevate the urgency of the train and to focus attention on its progress; the railroad monitored the status of the train through delivery and RCPA updated the shipper. [Closed]	
4/12/2022	Railroad service issues	Midwest	Shipper requested RCPA assistance with loaded railcars that were delayed at a local serving yard; however, before RCPA could contact the railroad, the shipper advised that the cars were delivered. [Closed]	
4/13/2022	Railroad service issue	Midwest	Shipper contacted RCPA for assistance with a unit train that was delayed at origin due to a lack of locomotives; RCPA contacted the railroad to elevate the urgency of moving the train; the railroad subsequently advised that locomotives had been dispatched and that the train would move shortly. [Closed]	

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4/13/2022	Railroad service issue	U.S.	Trade association contacted RCPA about rail service problems affecting its members and related supply chain disruptions; RCPA discussed current conditions in the rail industry and pathways for seeking formal and informal assistance. [Closed]	
4/13/2022	Railroad service issue	South	Shipper contacted RCPA for assistance with poor rail service; RCPA discussed the issues with the shipper and offered informal assistance; however, the shipper had received an update from the railroad in the interim, and did not wish to pursue direct RCPA assistance. [Closed]	
4/14/2022	Railroad service issue	Northeast	Shipper sought RCPA assistance with a railcar that was misrouted and delayed in transit; RCPA liaised with the railroad to ascertain the status of the car and facilitate its return to its route of movement. [Closed]	
4/15/2022	Railroad service issue	West	Shipper contacted RCPA for assistance with inadequate railroad service and resulting backed up inventory at its transload facilities; RCPA liaised with the railroad, which explained its efforts to improve service; RCPA subsequently conferred with the shipper about the railroad's plan. [Closed]	
4/19/2022	Railroad service issue	West	Shipper contacted RCPA about a railroad imposing a limit on its shipments of raw materials; RCPA discussed the issues with the shipper; however, the shipper advised that it would continue to pursue the issue directly with the railroad. [Closed]	
4/20/2022	Railroad sidetrack agreement	West	Shipper sought assistance from RCPA in obtaining a railroad's approval of a sidetrack agreement required for rail service to commence; RCPA liaised with the railroad on the shipper's behalf to facilitate discussions for securing the agreement. [Pending]	
4/20/2022	Railroad fuel surcharges	West	Shipper sought RCPA assistance with a railroad's increases in fuel surcharges in a short period of time; RCPA discussed the issues with the shipper and set up a meeting for the shipper to discuss the matter directly with the railroad. [Closed]	

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4/20/2022	Railroad service issue	South	Trade association contacted RCPA to discuss poor rail service, affecting its members and the STB's EP 770 proceeding; RCPA discussed the service issues with the association and provided general guidance about the formal proceeding. [Closed]	
4/20/2022	Railroad service issue; railroad demurrage charges	Midwest	Shipper's representative contacted RCPA for assistance with a dispute over demurrage, including a railroad's proposed embargo due to unpaid demurrage; RCPA liaised with the shipper's representative and the railroad to mediate the dispute and preserve service; although RCPA made progress in maintaining service, the dispute entered litigation. [Closed]	
4/25/2022	Railroad service issue	Midwest	Shipper sought guidance from RCPA about a railroad's potential imposition of a congestion embargo; RCPA provided informal guidance to the shipper on the issues and pathways for seeking assistance. [Closed]	
4/25/2022	Railroad service issue	South	Shipper sought guidance from RCPA about a railroad's discretion to ration service to customers; RCPA discussed the issues with the shipper and offered to provide informal assistance, if necessary. [Closed]	
4/25/2022	Railroad service issue	West	Shipper sought assistance from RCPA with a railcar that was significantly delayed in transit; RCPA contacted the railroad in order to expedite its movement to destination; the railroad provided a status update that the car was moving and had an updated ETA. [Closed]	
4/27/2022	Railroad service issue	South	Shipper contacted RCPA about several missed switches at its facility and urgently needed cars; RCPA contacted the railroad, resulting in the railroad switching the facility and providing the critical cars. [Closed]	
4/27/2022	Railroad intermodal service	South	Shipper sought RCPA assistance locating an intermodal container that was missing at a railroad's ramp; RCPA contacted the railroad to ascertain the status and location of the container; the railroad was able to locate the container and worked with the shipper to facilitate its release from the ramp. [Closed]	

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4/28/2022	Railroad service issue	Northeast	Shipper's representative contacted RCPA about a change in a railroad's local service plan that was resulting in missed switches and disruptions for its client; however, the representative only wanted to share the information and did not seek direct RCPA assistance. [Closed]	
4/29/2022	Railroad service issue	West	Shipper contacted RCPA about significant delays in transportation of its unit train animal feed shipments; RCPA discussed the situation with the shipper and offered informal assistance; however, the shipper did not seek direct RCPA assistance. [Closed]	
4/29/2022	Railroad service issue	West	Shipper sought RCPA assistance expediting movement of a unit train to its animal feed facility; RCPA liaised with the railroad to elevate the urgency of the train and to focus attention on its progress; the railroad monitored the status of the train through delivery. [Closed]	
4/29/2022	Railroad service issue	Midwest	Shipper notified RCPA regarding delayed movement of a unit train due to lack of locomotives; RCPA notified the railroad, which addressed the situation. [Closed]	
4/29/2022	Railroad service issue	West	Shipper contacted RCPA about a railroad's failure to fill its car orders; RCPA discussed the issue with the shipper and facilitated a discussion between the shipper and the railroad about the shortages; however, the railroad advised that its current outlook was not favorable as to providing more cars to the shipper. [Closed]	
5/2/2022	Railroad service issue	Midwest	Shipper contacted RCPA for assistance with a railroad's inability to fulfil its car orders; RCPA discussed the issues with the shipper and offered to contact the railroad; however, the shipper did not pursue RCPA intervention. [Closed]	
5/2/2022	Railroad service Issue	Northeast	Shipper contacted RCPA concerning a misrouted car, that was significantly delayed in reaching its destination; RCPA worked with the railroad to ensure the car was re-routed and delivered to the correct destination. [Closed]	

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5/4/2022	Railroad service issue	Northeast	Shipper sought assistance with tracing lost railcars on the network; the cars were subsequently located and RCPA intervention was not necessary. [Closed]	
5/4/2022	Railroad service issue	Midwest	Shipper contacted RCPA about a restriction on the number of railcars containing hazardous materials that the railroad would deliver to its facility; RCPA liaised with the railroad to clarify the basis for the restriction and ensure sufficient deliveries were made to the shipper. [Closed]	
5/9/2022	Railroad service issue	Midwest	Shipper contacted RCPA about delayed railcars as a result of track flooding; the cars were subsequently moved, and the shipper did not need direct RCPA assistance with the railroad. [Closed]	
5/10/2022	Railroad intermodal service	West	Shipper sought assistance from RCPA concerning delayed intermodal containers; RCPA communicated with the railroads about expediting container movement and updated shipper on the container trip plans until the containers reached their destinations. [Closed]	
5/11/2022	Railroad service issue	West	Shipper contacted RCPA about delayed delivery of unit train shipments of animal feed and potential supply outages for poultry customers; RCPA contacted the railroad to elevate the urgency of the situation and understand the status of inbound trains; RCPA monitored the trains until delivery. [Closed]	
5/11/2022	Railroad service issue	Northeast	Shipper's representative contacted RCPA about persistent, deteriorating rail service due to crew shortages; the representative did not seek direct intervention with the railroad, but updated RCPA on service levels. [Closed]	
5/11/2022	Railroad service issue	Midwest	Shipper contacted RCPA about a loaded unit train of grain that was stalled en route and had missed its ETA; as a result, shipper risked not being able to supply subsequent receivers; RCPA liaised with the railroad to ascertain the status of the train and emphasize the need for it to arrive at destination and return to its next loading. [Closed]	

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5/11/2022	Railroad service issue	Northeast	Shipper contacted RCPA about a significant reduction in service over the last few months; RCPA liaised with the railroad, which reported that severe crew shortages were causing reduced service; RCPA kept shipper informed about the railroad's hiring and training plans and outlook for service recovery. [Closed]	
5/11/2022	Railroad maintenance issue	Northeast	State government contacted RCPA concerning a railroad's refusal to allow continued access for bridge inspections; RCPA liaised with railroad to set up a meeting between the parties. [Closed]	
5/12/2022	Railroad service issue; railroad demurrage charges	South	Shipper contacted RCPA about poor service due to a lack of locomotives and mounting demurrage charges; RCPA raised the issues with the railroad, which recognized the power shortfalls and advised that it would work directly with the customer to resolve the problems; RCPA relayed the railroad's response back to the shipper. [Closed]	
5/12/2022	Railroad service issue	Midwest	Shipper contacted RCPA to relay numerous rail-related challenges causing critical supply issues at several locations; RCPA offered to provide support on an as-needed basis; however, the shipper did not seek direct RCPA assistance. [Closed]	
5/13/2022	Railroad service issue	West	Grain producer contacted RCPA to express concerns about delayed shipments of grain from elevators to ultimate customers; RCPA advised how it could assist and offered to communicate with the railroads, if desired in the future. [Closed]	
5/13/2022	Railroad interchange issue	Northeast	Switching railroad contacted RCPA about another railroad's refusal to interchange a particular hazardous commodity; RCPA discussed the issues with the switching railroad; however, the railroad did not seek direct RCPA intervention at this time. [Closed]	

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5/14/2022	Railroad service issue	Northeast	Shipper's representative contacted RCPA about several missed switches that occurred without adequate explanation from the railroad; however, there was no request for direct RCPA intervention; RCPA monitored service. [Closed]	
5/16/2022	Railroad service issue	West	Shipper sought assistance with movement of several critical unit trains of animal feed; RCPA liaised with the railroad on the status of loaded and empty trains, and kept the shipper apprised of progress. [Closed]	
5/17/2022	Railroad service issue	South	Shipper representative advised RCPA of persistent delayed placement of cars at shipper facility; RCPA monitored the situation, but railroad outreach was not requested. [Closed]	
5/18/2022	Railroad service issue	West	Shipper contacted RCPA for assistance with loaded unit feed trains that urgently needed to move to destination; RCPA relayed the critical need for service to the railroad and kept the shipper apprised of the service plan. [Closed]	
5/18/2022	Railroad service issue	South	Shipper contacted RCPA about a reduction in weekly switches at its facility, poor service, and a number of delayed cars, resulting in production outages; RCPA liaised with the railroad to note the disruptions and secure expedited delivery of cars, allowing operations to resume. [Closed]	
5/19/2022	Railroad service issue	West	Shipper contacted RCPA about an urgent need to transport a unit feed train in order to avert an outage at its facility; RCPA worked with the railroad to expedite the delivery of the needed train and advised the shipper of its status. [Closed]	
5/19/2022	Railroad service issue	South	Shipper contacted RCPA to discuss ongoing service challenges including mis-routed cars, unfilled orders, delayed last-mile switches to key customers, and unsatisfactory railroad communications; RCPA offered to assist on an as-needed basis; however, the shipper did not request direct RCPA intervention at this time. [Closed]	

Date ²	Type of Informal Complaint	Geographic Region ³	Resolution / Status	Complainant ⁴ CONFIDENTIAL
5/20/2022	Railroad service issue	South	Shipper contacted RCPA with an urgent request for service to avoid a shutdown; the shipper had been informed the railroad lacked sufficient crews to provide consistent service; RCPA communicated with the railroad to ensure that critical cars were interchanged and delivered to the facility in order to avoid a shutdown. [Closed]	
5/23/2022	Railroad service issue	West	Shipper requested RCPA assistance with moving multiple carload feed shipments to destinations in the Pacific Northwest; as a result of the backlog, the shipper's customers were trucking commodities from great distances; RCPA liaised with the railroad to improve service, resulting in progress on the backlog. [Closed]	
5/23/2022	Railroad service issue	Northeast	Shipper contacted RCPA for guidance on deteriorating rail service due to congestion and crew shortages; RCPA advised shipper on recent STB service-related proceedings and offered to liaise with the railroad on an as-needed basis; however, the shipper did not seek direct assistance. [Closed]	
5/24/2022	Railroad service issue	West	Shipper sought RCPA assistance in expediting unit animal feed trains moving to destination, and an empty that needed return for loading; RCPA communicated with the railroad to ensure expedited movement of the trains. [Closed]	
5/25/2022	Railroad service issue	South	Potential shipper sought RCPA guidance on the refusal of a railroad to re-activate service; RCPA is providing informal guidance on formal and informal pathways to resolve the issue. [Pending]	
5/25/2022	Railroad service issue; railroad demurrage charges	International	Shipper contacted RCPA about embargoed interchanges, significant increases in rates to ship certain commodities, and railroad demurrage practices; RCPA discussed the issues with the shipper; however, the shipper requested that RCPA not intervene at this time. [Closed]	

Date ²	Type of Informal Complaint	Geographic Region ³	Resolution / Status	Complainant ⁴ CONFIDENTIAL
5/25/2022	Railroad service issue	West	Shipper sought RCPA assistance with a mis-routed car; RCPA communicated with the railroad to ensure the car was re-routed and placed at shipper's facility. [Closed]	
5/25/2022	Railroad service issue	South	Shipper contacted RCPA for a general discussion regarding deteriorating Class I rail service, due to consistent crew shortages and lack of power; RCPA briefed the shipper on STB service-related proceedings and offered to assist on an as-needed basis. [Closed]	
5/26/2022	Railroad service issue		Shipper contacted RCPA about a shipping lane in which its cars were repeatedly misrouted; RCPA contacted the railroad to ensure the car made it to its final destination, and kept the shipper updated on developments. [Closed]	
5/27/2022	Railroad service issue	South	Shipper contacted RCPA concerning a critical unit animal feed train that was stalled in transit, risking outages for its local customers; RCPA liaised with the railroad on the urgent need for service; a crew was located, and the train was promptly delivered. [Closed]	
5/31/2022	Railroad service issue	South	Potential rail customer contacted RCPA for assistance with establishing rail service for a new business venture; RCPA is assisting the customer with its ongoing discussions. [Pending]	
6/2/2022	Railroad service issue	West	Shipper contacted RCPA about a railroad's potential imposition of embargoes at two of its facilities due to car accumulation; the shipper advised that the increases were due to delayed order fulfilment and inconsistent transit times; RCPA liaised with the railroad, which agreed to postpone one of the embargoes and to proactively work with the customer to process as many cars as possible to reduce the accumulation; the customer reported that inventories were normalized and the risk of embargoes was lifted. [Closed]	

Date ²	Type of Informal Complaint	Geographic Region ³	Resolution / Status	Complainant ⁴ CONFIDENTIAL
6/2/2022	Railroad service issue	West	Shipper contacted RCPA to discuss the impact of widespread service disruptions and delays in getting animal feed moved by rail to west coast destinations; RCPA discussed the challenges with the shipper and potential options for formal and informal relief; however, the shipper advised that it wanted to share its experience, but not seek direct RCPA assistance. [Closed]	
6/2/2022	Railroad service issue	West	Shipper contacted RCPA about a railroad's congestion embargo, which was limiting its ability to receive inbound tank cars from its customers; the shipper advised that it was being denied permits from the railroad; RCPA discussed the embargo with the shipper, and offered to engage with the railroad; however, the shipper did not pursue informal assistance. [Closed]	
6/3/2022	Railroad service issue	West	Shipper sought informal assistance from RCPA to address a railroad's underperformance in transporting tendered shipments; the shipper explained that the railroad's inability to move its anticipated volume was having a severe economic impact; RCPA discussed the issues with the shipper and liaised with the railroad on the shipper's behalf. [Pending]	
6/3/2022	Railroad service issue	West	Shipper sought informal assistance from RCPA, relating to unfilled orders for boxcars, which were causing it to curtail operations; RCPA liaised with the railroad to elevate the urgency of the shipper's needs and to understand the constraints on boxcar supply; the railroad acknowledged the deficit and advised that it would seek to fill languishing orders; however, the railroad advised that demand was greater than its available resources; RCPA followed up with the shipper to discuss the situation. [Closed]	

Date ²	Type of Informal Complaint	Geographic Region ³	Resolution / Status	Complainant ⁴ CONFIDENTIAL
6/6/2022	Railroad paper barriers	South	Shipper sought informal guidance related to its potential options to secure competitive rail service; the shipper explained that its facility is subject to an interchange commitment, affecting its shortline railroad; RCPA discussed the impact of the interchange commitment and potential pathways for pursuing informal and formal relief, and provided information about the EP 711 proceeding; the shipper did not seek direct RCPA assistance. [Closed]	
6/6/2022	Railroad service issue	South	Shipper contacted RCPA for assistance with several railcars that were delayed in transit, causing a potential plant shutdown situation; RCPA liaised with the railroad to facilitate the prompt interchange of the cars to the shipper's delivering shortline; the shutdown was averted and RCPA monitored the shipper's traffic the following week. [Closed]	
6/6/2022	Railroad service issue	Midwest	Shipper contacted RCPA for assistance with unit trains that had not departed for several days after release; RCPA contacted the railroad to elevate the urgency of moving the trains; the railroad advised RCPA that locomotives would be provided and both trains would depart within 24 hours; RCPA relayed this information to the shipper. [Closed]	
6/8/2022	Railroad service issue	Northeast	Shipper requested RCPA assistance, relating to a railroad's delay in repairing a branch line needed to serve its facility; per the shipper's request, RCPA hosted a facilitation meeting between the parties and is working to resolve the issues. [Pending]	
6/8/2022	Railroad intermodal service	West	Shipper contacted RCPA about multiple delayed containers at a loading ramp as well as the railroad's plans to close an intermodal lane on short notice; RCPA contacted the railroad; the railroad expedited movement of the delayed containers but would not reconsider its plans to close the intermodal lane. [Closed]	

Date ²	Type of Informal Complaint	Geographic Region ³	Resolution / Status	Complainant ⁴ CONFIDENTIAL
6/9/2022	Railroad service issue	West	Shipper contacted RCPA about delayed inbound unit trains of animal feed, which were threatening its ability to service its dairy and poultry customers; RCPA liaised with the railroad to elevate the urgency of expediting the trains to destination; the railroad was able to deliver the trains to avoid cutting off feed supply. [Closed]	
6/15/2022	Railroad service issue	South	Shipper contacted RCPA about continued service delays and problems with railroad's case resolution platform; RCPA monitored the shipper's traffic and facilitated direct communication between the shipper and railroad. [Closed]	
6/15/2022	Railroad service issue	West	Shipper sought assistance from RCPA relating to deteriorating rail service and significant delays in shipping its product to customers, resulting in outages at two locations; RCPA discussed the service challenges with the shipper and reached out to the railroad to elevate the shipper's critical needs and facilitate service improvements. [Closed]	
6/15/2022	Railroad rate levels/increases	Midwest	Shipper sought RCPA assistance relating to a railroad's new tariff item, applying a line haul rate to empty cars that do not have a recent loaded move on the railroads; RCPA discussed the issue with the shipper and offered to engage informally with the railroad to review the new rate. [Pending]	
6/16/2022	Railroad interchange issue	Northeast	Shortline railroad sought RCPA assistance with interchange issues with a connecting Class I railroad; RCPA discussed the issues with the shortline, including pathways for informal and formal relief; RCPA also offered to engage directly with the Class I railroad. [Pending]	

Date ²	Type of Informal Complaint	Geographic Region ³	Resolution / Status	Complainant ⁴ CONFIDENTIAL
6/17/2022	Railroad sidetrack agreement	Midwest	Shipper sought RCPA assistance in dispute involving a railroad and another shipper about use of leased track; RCPA discussed the issues with the shipper and liaised with the railroad to find a point of contact for the shipper to work to resolve the dispute; the railroad subsequently advised that the usage issues were favorably resolved. [Closed]	
6/17/2022	Railroad interchange issue	West	Shipper requested RCPA assistance with delays at interchange affecting its unit train service, including poor communication and locomotive failures; RCPA liaised with the railroad to elevate the shipper's concerns and explore the process for improving operations; the railroad reported that it was implementing measures to improve operations and communications. [Closed]	
6/24/2022	Railroad intermodal service	South	Shipper notified RCPA of multiple containers that the railroad had placed in storage upon arrival at destination intermodal facility; shipper reported that it was willing to pick up the containers, but the railroad would not release them and continued to assess storage charges; RCPA contacted the railroad to address the situation. [Pending]	
6/24/2022	Railroad intermodal service	South	Shipper notified RCPA of a container that the railroad had placed in storage upon arrival at destination intermodal facility; shipper reported that it was willing to pick up the container, but the railroad would not release it and continued to assess storage charges; RCPA contacted the railroad to address the situation. [Pending]	
6/24/2022	Railroad service issue	Midwest	Shipper contacted RCPA for assistance related to several missed switches, which put its facility in a shutdown situation; the shipper sought RCPA's assistance in expediting inbound cars; RCPA contacted the railroad, which advised that a switch would be provided in the evening; the switch allowed the facility to resume operations the following day. [Closed]	

Date ²	Type of Informal Complaint	Geographic Region ³	Resolution / Status	Complainant ⁴ CONFIDENTIAL
6/27/2022	Railroad service issue	Northeast	Shipper contacted RCPA to discuss deteriorating service at several of its facilities; RCPA discussed pathways to provide informal assistance; the shipper is currently assessing its options. [Pending]	
6/27/2022	Railroad service issue	West	Shipper contacted RCPA for assistance with missed switches, which caused its facility to shutdown operations due to lack of raw materials; RCPA contacted the railroad to elevate the urgency of serving the facility and providing critical cars; the following day, the railroad reported its plan to serve the facility and the shipper informed RCPA that cars had been spotted. [Closed]	
6/29/2022	Railroad service issue	Midwest	Shipper contacted RCPA for assistance with an imminent shutdown situation due to missed switches and a lack of raw materials; RCPA liaised with the railroad to elevate the urgency of serving the facility and providing urgent cars; the railroad provided an additional switch, spotting cars that mitigated the shutdown. [Closed]	
6/29/2022	Railroad service issue	Midwest	Shipper contacted RCPA about difficulties obtaining switching service from a shortline railroad; RCPA is advising shipper on options for obtaining service. [Pending]	

Note: A table showing the quarterly inquiries received by the STB’s Rail Customer and Public Assistance office is attached below as an appendix to the foregoing report.

Appendix to Quarterly Report of Informal Service Complaints

2nd Quarter 2022 Cases by Category/Region

Issue Category	All Regions	Northeast	South	Midwest	West	US Territory	International	Not Specified
Meeting Request	3	0	2	1	0	0	0	0
Passenger Bus Issue	1	0	0	0	0	1	0	0
Household Goods Moving Issue	16	1	5	2	5	3	0	0
Information-Economic Data	15	6	2	5	1	1	0	0
Information-Non Economic Request	89	33	11	19	19	7	0	0
Motor Carriers (Trucking) Issue	2	1	1	0	0	0	0	0
Amtrak or Passenger Rail Issue	4	2	0	2	0	0	0	0
Railroad Blocked Crossings	15	1	1	9	3	1	0	0
Railroad Car Supply	3	0	0	2	1	0	0	0
Railroad Demurrage Charges	4	1	1	0	1	1	0	0
Railroad Denial of Rail Service	1	0	0	0	1	0	0	0
Railroad Fuel Surcharge	1	0	0	1	0	0	0	0
Railroad Inter-carrier disputes	2	0	1	0	1	0	0	0
Railroad Interchange Issue	2	1	0	0	1	0	0	0
Railroad Intermodal Service	4	0	1	0	3	0	0	0
Railroad Labor Issues	19	0	2	5	10	2	0	0
Railroad Maintenance Issue	1	1	0	0	0	0	0	0
Railroad Noise - Airhorn, Safety, etc	2	1	1	0	0	0	0	0
Railroad Paper Barriers	2	0	1	1	0	0	0	0
Railroad Preemption	5	1	0	2	2	0	0	0
Railroad Rate Levels/Increases	1	0	0	1	0	0	0	0
Railroad Service Issue	77	16	17	17	25	1	1	0
Railroad Side Track Agreement	2	0	0	1	1	0	0	0
Railroad Stored Freight Cars	2	1	0	1	0	0	0	0

Issue Category	All Regions	Northeast	South	Midwest	West	US Territory	International	Not Specified
Rails to Trails	11	2	2	2	5	0	0	0
Real Estate Matter	1	1	0	0	0	0	0	0
STB Authority Question	4	1	1	1	1	0	0	0
STB Fees	3	1	0	2	0	0	0	0
STB Jurisdictional Question	8	3	4	1	0	0	0	0
STB Procedural Assistance	96	29	11	31	21	2	2	0
STB Recordations or Security Interests on Rail Cars	12	0	4	3	4	1	0	0
STB or ICC Records Assistance	57	12	16	18	10	1	0	0
STB Webpage/Downloading Assistance	5	1	1	2	1	0	0	0
Water Carrier Issue (Non-contiguous Domestic Trade)	1	0	0	0	1	0	0	0
Wrong Agency Calls	3	1	1	0	1	0	0	0
Total	474	117	86	129	118	21	3	0

U.S. Census Regions:

Northeast Region	Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New Jersey, New York, and Pennsylvania
South Region	Maryland, Delaware, West Virginia, Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Arkansas, Louisiana, Oklahoma, and Texas
Midwest Region	North Dakota, South Dakota, Nebraska, Kansas, Missouri, Iowa, Minnesota, Wisconsin, Illinois, Michigan, Indiana, and Ohio
West Region	Washington, Idaho, Montana, Wyoming, Oregon, California, Nevada, Utah, Colorado, Arizona, New Mexico, Alaska, and Hawaii

Appendix to Quarterly Report of Informal Service Complaints

2nd Quarter 2022 Cases per Commodity Group*

Commodity Group	Number
Agricultural Products	37
Chemicals	18
Coal	4
Construction Materials	2
Forest Products	1
Hazardous Waste/Radioactive Waste	1
High/Wide Loads	1
Household Goods	16
Industrial Products	15
Intermodal	1
Metals and Minerals	9
Municipal Waste	2
Not Specified by Shipper	12
Passenger	8
Other	16
N/A	331
Total	474

*In many instances, the commodity is not specified or material to the inquiry, therefore the total number for this data may not equal the total number of inquiries for the quarter.