



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

May 22, 2023

Mr. Michael W. Johnson
President and CEO
National Stone, Sand & Gravel Association

Dear Mr. Johnson:

Thank you for your letter on behalf of the members of the National Stone, Sand & Gravel Association (NSSGA), updating the Board on your members' issues with freight rail service in early 2023. I greatly appreciate the information you have provided and understand the frustrations your members have expressed, including the desire for separate reporting of aggregates and industrial sand, BNSF's service issues in the Chicago area and across its network, the negative impact of CP's performance issues on NSSGA's members in Wisconsin, as well as the extensive efforts one of your members has had to undergo in order to avoid an embargo by UP.

As you may be aware, since we met the Board has directed UP to provide additional documents and data relevant to its issuance of congestion embargoes. Oversight Pertaining to Union Pacific Railroad Co.'s Embargoes, STB Docket No. EP 772 (STB served May 15, 2023). The Board has also extended the temporary service-related data reporting for the Class I railroads to December 31, 2023. Urgent Issues in Freight Rail Service—Railroad Reporting, STB Docket No. EP 770 (Sub-No. 1) (STB served May 2, 2023). The Board is deeply aware of the industry's service shortfalls, and I thank you again for your letter addressing the serious concerns voiced by NSSGA's members. I share in your concerns and assure you that the Board will continue to require the railroads to account for performance reliability and to provide accurate reporting of their performance to the Board.

I look forward to keeping in touch on these and other issues NSSGA's members are experiencing. A copy of your letter and this response has been posted on the Board's website as non-docketed correspondence. If you or your staff have any questions, please contact Ms. Janie Sheng, Director of the Board's Office of Public Assistance, Governmental Affairs, and Compliance, at 202-245-0238.

Sincerely,

Martin J. Oberman
Chairman