

SURFACE TRANSPORTATION BOARD
QUARTERLY REPORT OF FORMAL SERVICE COMPLAINTS

Date: December 31, 2017

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 October 1, 2017 – December 31, 2017 period, the following formal service-related complaints were pending:

Formal Service-Related Complaints:

Date Complaint Received	Type of Complaint	Title	Docket No.	Geographic Region	Complainant	Carrier(s) Involved	Resolution/Status
1/19/2012	Failure to prioritize Amtrak trains over freight trains	National Railroad Passenger Corporation— Section 213 Investigation of Substandard Performance on Rail Lines of Canadian National Railway Company	NOR 42134	Midwest	National Railroad Passenger Corporation (Amtrak)	Canadian National Railway Company, Grand Trunk Western Railway, Illinois Central Railroad	Final rules regarding on-time performance standard issued 7/28/2016 in Docket No. EP 726. Petitions for judicial review of those rules filed by multiple parties and ultimately consolidated in the U.S. Court of Appeals for the Eighth Circuit. Requests to hold the proceeding in abeyance and responses to Amtrak’s on-time performance data received 10/25/2016; reply to the motion to hold in abeyance received 11/10/2016.

Date Complaint Received	Type of Complaint	Title	Docket No.	Geographic Region	Complainant	Carrier(s) Involved	Resolution/Status
							<p>Oral argument on the petitions for review of EP 726 held by the Eighth Circuit 2/8/2017.</p> <p>Eighth Circuit vacated Board's EP 726 on-time performance final rule 7/12/2017.</p> <p>Amtrak and organizations representing passenger interests filed petitions for certiorari with the U.S. Supreme Court on 11/13/17 and 11/14/17, respectively.</p>
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 7/5/2016.</p> <p>Appeal filed with the U.S. Court of Appeals for the District of Columbia Circuit 9/1/2016. Appeal ordered to be held in abeyance by the DC Circuit 1/3/2017 to allow parties to reach agreement regarding certain terms and conditions.</p>
11/17/2014	Failure to prioritize Amtrak trains over freight trains	National Railroad Passenger Corporation— Investigation of Substandard Performance of	NOR 42141	Midwest, Mid-Atlantic	National Railroad Passenger Corporation (Amtrak)	CSX Transportation, Inc.; Norfolk Southern Railway Company	Final rules regarding on-time performance standard issued 7/28/2016 in EP 726. Petitions for judicial review of those rules filed by multiple parties and ultimately consolidated in

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		the Capital Limited					<p>the U.S. Court of Appeals for the Eighth Circuit.</p> <p>Amtrak revised on-time performance data submitted 10/17/2016. Requests to hold the proceeding in abeyance and responses to Amtrak's on-time performance data received 10/25/2016; reply to the motion to hold in abeyance received 11/10/2016.</p> <p>Oral argument on the petitions for review of EP 726 held by the Eighth Circuit 2/8/2017.</p> <p>Eighth Circuit vacated Board's EP 726 on-time performance final rule 7/12/2017. Norfolk Southern Railway Company's request that the Board act on its motion to dismiss received 9/1/2017.</p> <p>The Board granted two unopposed requests by Amtrak to extend the reply deadline to the motion to dismiss.</p> <p>Amtrak and organizations representing rail passenger interests filed petitions for certiorari with the U.S.</p>

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							Supreme Court on 11/13/17 and 11/14/17, respectively. Deadline for Amtrak's reply to the motion to dismiss extended until 10 days after U.S. Supreme Court ruling.
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	Motion to consolidate this proceeding with NOR 42150 and NOR 42152 received 1/26/2017. Decision consolidating NOR 42150, NOR 42152, and NOR 42144 served 3/31/2017. Decision consolidating NOR 42153 with NOR 42150, NOR 42152, and NOR 42144 served 10/05/2017. In discovery.
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	Complaint filed 12/19/2016. Motion for abeyance received 1/6/2017; reply and motion to consolidate received 1/26/2017; motion to compel received 2/24/2017. Decision consolidating NOR 42150 with NOR 42152 and NOR 42144 served 3/31/2017. Decision consolidating NOR 42153 with NOR 42150, NOR 42152, and

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							NOR 42144 served 10/05/2017. In discovery.
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	Complaint filed 12/30/2016. Motion for abeyance received 1/6/2017; reply and motion to consolidate received 1/26/2017; motion to compel received 2/24/2017. Decision consolidating NOR 42150, NOR 42152, and NOR 42144 served 3/31/2017. Decision consolidating NOR 42153 with NOR 42150, NOR 42152, and NOR 42144 served 10/05/2017. In discovery.
1/4/2017	Unreasonable practice and petition for injunctive relief	CF Industries Sales, LLC v. Canadian National Railway Company	NOR 42151	Unspecified	CF Industries Sales, LLC	Canadian National Railway Company	Complaint filed 1/4/2017. Answer filed 1/24/2017. Joint motion requesting Board-sponsored mediation granted 2/6/2017. Joint procedural schedule adopted 2/27/2017. Mediation period extended to 10/5/2017. Decision granting complainant's motion to dismiss served 10/20/2017.
2/1/2017	Petition for enforcement of merger condition to permit a railroad access to another railroad's line	Union Pacific Corporation, Union Pacific Railroad Company & Missouri Pacific Railroad Company—	FD 32760	Texas	BNSF Railway Company & Mission Rail Industrial Park, LLC	Union Pacific Railroad Company, BNSF Railway Company	Joint petition for enforcement filed 2/1/2017. Reply filed 5/25/2017. Rebuttal and Petition for Leave filed 6/16/2017. Motion to dismiss or hold proceeding in abeyance to

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		Control and Merger— Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp. and The Denver and Rio Grande Western Railroad Company					allow for arbitration filed 2/21/2017; replies filed 3/7/2017. Decision denying the motion served 5/5/2017. Draft decision under internal review.
8/1/2017	Unreasonable practice and violation of statutory obligation to compensate car owners	Arkema Inc. v. Union Pacific Railroad Company	NOR 42153	Unspecified	Arkema Inc.	Union Pacific Railroad Company	Complaint filed 8/1/2017. Union Pacific's motion to consolidate with NOR 42150, NOR 42152, and NOR 42144, received 8/9/2017; answer to the complaint (8/23/2017), 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 10/05/2017. In discovery.

Date Complaint Received	Type of Complaint	Title	Docket No.	Geographic Region	Complainant	Carrier(s) Involved	Resolution/Status
8/11/2017	Service issues, common carrier violation, and unreasonable practices	Foresight Coal Sales, LLC v. CSX Transportation	NOR 42155	Nationwide	Foresight Coal Sales, LLC; Sugar Camp Energy, LLC; and Williamson Energy, LLC	CSX Transportation, Inc.	Complaint filed 8/11/2017. Answer and motion to dismiss filed 8/31/2017. Decision granting joint motion to dismiss served 10/17/2017.
8/11/2017	Service issues, common carrier violation, and unreasonable practices	Consolidation Coal Co. v. CSX Transportation, Inc.	NOR 42156	Nationwide	Consolidation Coal Company	CSX Transportation, Inc.	Complaint filed 8/11/2017. Answer and motion to dismiss filed 8/31/2017. Decision granting joint motion to dismiss served 10/17/2017.
8/14/2017	Service issues, including an unlawful embargo	Monticello Farm Service, Inc. v. CSXT Transportation, Inc.	NOR 42154	Indiana	Monticello Farm Service, Inc.	CSXT Transportation, Inc.	Complaint filed 8/14/2017. Answer filed 9/1/2017. Joint procedural schedule request granted by decision served 11/13/2017; record scheduled to close 3/7/2018.

SURFACE TRANSPORTATION BOARD
 QUARTERLY REPORT OF INFORMAL SERVICE COMPLAINTS RECEIVED
 FOURTH QUARTER 2017

Date: January 2, 2018

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 period from October 1, 2017 through December 31, 2017, the STB received the following informal complaints¹:

Date ²	Type of Informal Complaint	Geographic Region ³	Resolution / Status	Complainant ⁴ CONFIDENTIAL
03/28/2017	Railroad service issue	South	Shipper's inbound cars are not switched in a timely manner and the railroad has been unresponsive to requests for information, causing production problems at the shipper's plant; RCPA provided information on formal and informal options to improve service; shipper chose not to pursue further assistance [Closed]	

¹ A table showing the quarterly inquiries received by the STB's Rail Customer and Public Assistance (RCPA) 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
05/15/2017	Railroad demurrage issue	South	Shipper presented concern over rail operations causing demurrage; the railroad did not serve the customer for several weeks, then delivered bunched cars; the accumulated cars took several days to unload because of limited capacity at the shipper's plant; RCPA provided advice and information about informal resolution; the shipper did not pursue further assistance [Closed]	
06/29/2017	Railroad service issue	West	Shortline railroad requested assistance from RCPA concerning suspension of its interchange with a Class I railroad; after conferring with the shortline, RCPA reached out to the Class I railroad to discuss issues and resumption of interchange [Pending]	
06/30/2017	Railroad service issue	South	Shipper contacted RCPA to discuss concerns over problems with switching outbound traffic and delays at interchange between bridge carrier and Class I railroads, which are disrupting its supply chain; RCPA reached out to the shipper to discuss issues and liaised with the serving carriers to resolve service issues [Closed]	
07/18/2017	Railroad service issue	South	Shipper contacted RCPA about deterioration in rail service following a railroad's changes to operating plan, including loaded cars stuck at interchange with originating carrier and not being pulled by the railroad; the shipper stated it was trucking its product and implementing other mitigation measures; inbound empty cars were also delayed, forcing production slowdown; RCPA liaised with the railroad to understand service problems and facilitate improvement [Closed]	

Date ²	Type of Informal Complaint	Geographic Region ³	Resolution / Status	Complainant ⁴ CONFIDENTIAL
07/20/2017	Railroad service issue	Northeast and South	Shipper contacted RCPA about significant deterioration in its rail service following railroad's changes to operating plan; the shipper's plants were not being switched, loaded and empty cars were not moving, and cars were not being interchanged with other railroads; RCPA liaised with the railroad on behalf of shipper to reiterate concerns and obtain information about service recovery efforts; RCPA also assisted the shipper in getting railroad to move critical loads [Closed]	
07/20/2017	Railroad service issue	Northeast and South	Shipper contacted RCPA about a decline in rail service following a railroad's changes to its operating plan; the shipper's cars were not moving, or being interchanged with other railroads, and the shipper's transit times increased dramatically; RCPA liaised with the railroad on behalf of the shipper to reiterate concerns and obtain information about service recovery efforts [Closed]	
07/21/2017	Railroad service issue	South	Shipper contacted RCPA about serious decline in rail service following a railroad's change in its operating plan; the shipper discussed increases in transit times, which forced the shipper to move freight via truck, inconsistent service, and shortages of equipment; RCPA provided information on potential formal and informal actions by the STB to facilitate service improvements; the shipper declined direct RCPA contact with the railroad about service issues [Closed]	

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07/21/2017	Railroad service issue	South	Shipper contacted RCPA about serious deterioration in its rail service following a railroad's changes to its operating plan; the shipper's plants were not being switched, its cars were not moving, or being interchanged with other railroads; RCPA liaised with the railroad on behalf of the shipper to reiterate concerns and obtain information about service recovery efforts and expedite delayed shipments [Closed]	
07/24/2017	Railroad service issue	South	Shipper contacted RCPA about deterioration in rail service following a railroad's changes to its operating plan; the shipper's plant was not receiving empty cars to load, causing production slow down, and loaded cars were not reaching customers, causing loss of business; RCPA liaised with the railroad on the shipper's behalf and assisted in securing movement of empty and loaded cars [Closed]	
07/27/2017	Railroad service issue	Midwest and South	Shipper contacted RCPA about decline in rail service following a railroad's changes to operating plan; the shipper's fleet was experiencing increase in overall transit time, and cars were not being interchanged with other railroads; the shipper also noted new commercial practices which were impacting its ability to send shipments to various locations; the shipper also discussed railroad's lack of equipment and crew resources; however, the shipper declined direct RCPA assistance [Closed]	

Date ²	Type of Informal Complaint	Geographic Region ³	Resolution / Status	Complainant ⁴ CONFIDENTIAL
07/28/2017	Railroad service issue	Midwest	Shipper contacted RCPA about service disruptions following a railroad's implementation of a new operating plan, including inconsistent local switching and cars stranded in rail yards; RCPA liaised with the railroad on the shipper's behalf to expedite movement of delayed cars and obtain information about service issues [Closed]	
07/28/2017	Railroad service issue	South	Shipper contacted RCPA about service problems arising after a railroad initiated a new operating plan; outbound cars not being accepted at interchange and transit times increased significantly; the shipper requested informal guidance on potential legal actions against railroad, but declined informal assistance from RCPA [Closed]	
07/28/2017	Railroad service issue	South	Shipper contacted RCPA about service problems after a railroad implemented changes to its operating plan, resulting in delayed interchange of inbound raw materials, cars stuck in transit, and increased transit time forcing plant shutdown; the shipper also noted lack of equipment, causing the shipper to move product by truck; RCPA liaised with the railroad on the shipper's behalf to move critical cars and avert shutdown [Closed]	

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07/31/2017	Railroad service issue	Multiple	Third-party logistics provider contacted RCPA about disruptions to clients' supply chains following a railroad's changes to operating plan; the 3PL advised that its customers' ordering was curtailed without notice and that the railroad ceased making equipment available; the 3PL also reported informational anomalies such as rail cars being re-waybilled in transit and being mistakenly shown as departed or arrived; RCPA provided informal guidance and counseling [Closed]	
08/02/2017	Railroad service issue	South and Midwest	Shipper contacted RCPA about disruption of rail service following a railroad's implementation of new operating plan; RCPA provided informal guidance to the shipper on legal and commercial issues; RCPA liaised with the railroad to improve service [Closed]	
08/07/2017	Railroad service issue	South	Shipper contacted RCPA seeking assistance with a shortline railroad concerning inadequate service; RCPA provided guidance on potential formal and informal pathways to improve service [Closed]	
08/17/2017	Railroad service issue	South	Shipper contacted RCPA about rail service problems arising after railroad implemented new operating plan, primarily delayed delivery of inbound raw materials and increased transit times; the shipper advised that it is trucking product to maintain plant production; RCPA provided informal guidance on formal and informal actions being taken by the STB to improve rail service; the shipper did not request direct assistance from RCPA [Closed]	

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08/21/2017	Railroad service issue	West	Shipper contacted RCPA about problems with inconsistent and unreliable service by a shortline railroad; RCPA contacted the shortline railroad to address service failures and increase communication between the parties [Closed]	
08/29/2017	Railroad demurrage issue and rate levels	West	Third-party logistics provider contacted RCPA about demurrage dispute and rate increases; RCPA provided informal guidance on liability for demurrage, potential avenues for relief, STB jurisdiction over rates, and a railroad's duty to quote rates on reasonable request; RCPA contacted the railroad on the 3PL's behalf to discuss rate increases; assisted 3PL in establishing contact with the railroad's marketing personnel to discuss rates and service [Closed]	
09/05/2017	Railroad Demurrage Issue	Northeast	Shipper contacted RCPA regarding disputed demurrage bills; bills accrued when the carrier delayed cars prior to delivery; the railroad and shipper agreed to informal mediation to resolve the issue; following mediation, the parties agreed to continue discussions independently to resolve matter [Closed]	
09/07/2017	Railroad service issue	Northeast	Shipper contacted RCPA about a shortline railroad refusing to install a switch to provide rail service to its facility; RCPA liaised with the parties for purposes of informal dispute resolution [Closed]	

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09/13/2017	Railroad service issue	Northeast	Shipper contacted RCPA about demurrage issues and rail service problems on a shortline railroad; RCPA provided guidance on formal and informal pathways for resolving the dispute and offered to provide informal assistance; following informal discussions, the shipper and railroad pursued independent settlement discussions. [Closed]	
09/14/2017	Railroad service issue	South	Shipper contacted RCPA about deteriorating rail service after a railroad implemented a new operating plan; RCPA provided information about formal and informal actions being taken by the STB to facilitate service improvements [Closed]	
09/14/2017	Railroad service issue	Midwest and Northeast	Shipper contacted RCPA about deteriorating rail service after a railroad implemented a new operating plan, including increases in transit times and inconsistent local service at origin and destination; shipper noted that it is trucking product to customers to prevent production shutdown; RCPA provided perspective on formal and informal actions being taken by the STB to facilitate service improvement; RCPA continues to facilitate ongoing discussions between the railroad and shipper regarding service issues [Pending]	
09/14/2017	Railroad service issue	South	Shipper contacted RCPA about deteriorating rail service after a railroad implemented a new operating plan; RCPA provided guidance on formal and informal actions being taken by the STB to facilitate service improvement [Closed]	

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09/15/2017	Railroad service issue	South	Shipper contacted RCPA about deteriorating rail service after a railroad implemented a new operating plan, including inconsistent local service, significant increases in transit times, and poor communication from the railroad; the shipper also raised concerns about a car delayed for several months while awaiting repairs; RCPA contacted carrier, which addressed issue [Closed]	
09/20/2017	Railroad service issue	South	Shipper contacted RCPA about deteriorating rail service after a railroad implemented a new operating plan; RCPA contacted the shipper to discuss its service issues; however, the shipper did not follow up [Closed]	
09/21/2017	Railroad service issue	South	Shipper contacted RCPA about deteriorating rail service after a railroad implemented a new operating plan, including unreliable local service, cars stuck in yards, increases in transit times, and out-of-route movements; the shipper noted that it is trucking product to supplement rail service; RCPA reached out to the railroad to discuss service issues and expedite delivery of critical traffic [Closed]	
10/10/2017	Railroad service issue	Midwest	Shipper contacted RCPA about deteriorating rail service, in particular, a significant increase in its transit times; RCPA provided perspective on service issues; however, the shipper declined informal RCPA assistance [Closed]	
10/10/2017	Railroad service issue	Midwest	Shipper contacted RCPA about deteriorating rail service, in particular, repeated failures to interchange loaded and empty cars with a shortline railroad; RCPA liaised with the railroad to improve coordination with the shortline and facilitate the timely movement of the shipper's cars [Closed]	

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10/11/2017	Railroad service issue	South	Shipper contacted RCPA about an overdue shipment of animal feed; RCPA liaised with the railroad and secured prompt delivery of the shipment [Closed]	
10/13/2017	Railroad service issue	South	Shipper contacted the Board about deteriorating rail service, which was referred to RCPA; RCPA reached out to the shipper to provide assistance, but the shipper did not respond to RCPA's overture [Closed]	
10/17/2017	Railroad service issue; common carrier obligation	Northeast	Shipper contacted RCPA about a railroad's reluctance to transport hazardous materials and its imposition of onerous conditions on the shipper; RCPA provided informal guidance on the common carrier obligation, as it relates to hazardous materials [Closed]	
10/18/2017	Railroad service issue	Midwest	Shipper contacted RCPA about deterioration in rail service, including missed switches and delays in transit; RCPA explained informal assistance and offered to liaise with the railroad; however, the shipper declined assistance [Closed]	
10/19/2017	Railroad service issue	Multiple	Shipper contacted RCPA about inadequate supply of empty cars and delays in transit, and requested information on formal pathways before the STB; RCPA provided informal guidance on potential actions available before the agency [Closed]	
10/24/2017	Railroad service issue	Midwest	Shortline railroad contacted RCPA concerning actions of adjacent landowner, which blocked the railroad's right of way; RCPA liaised with the adjacent landowner to express the railroad's concerns and clarify the factual circumstances; subsequently, the parties resolved their dispute [Closed]	

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10/25/2017	Railroad service issue	Midwest	Shipper contacted RCPA about railroad's prolonged delay in delivering empty railcars to the shipper's facility; RCPA liaised with the railroad to ascertain the status of shipper's cars and emphasize the urgency related to the shipper's request; the railroad explained the circumstances related to the delay and delivered the needed cars [Closed]	
10/31/2017	Railroad service issue	Multiple	Shipper contacted RCPA about numerous railcars that were delayed in transit or stranded at local serving yards; RCPA liaised with the railroad about car status and service issues, and facilitated the movement of cars to destination or interchange locations [Closed]	
11/03/2017	Railroad service issue	Midwest	Shipper contacted RCPA about railcar that was misrouted and delayed in transit, and lack of effective communication with the railroad; RCPA liaised with the railroad and facilitated movement of railcar to interchange location [Closed]	
11/06/2017	Railroad service issue	South	Shipper contacted RCPA about delayed delivery of incoming railcars, and railroad's failure to deliver the cars to its local serving yard; RCPA liaised with the railroad and facilitated delivery of the cars [Closed]	
11/08/2017	Railroad service issue	Northeast	Shipper contacted RCPA about a railroad's plan to reduce switching at its facility; RCPA liaised with the railroad to express the shipper's concerns and discuss options for maintaining current switching levels; ultimately, the railroad decided to postpone its service change [Closed]	

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11/13/2017	Railroad service issue	South	Shipper contacted RCPA about a railroad's failure to pull loaded cars from its facility and delays in interchanging cars to another railroad; RCPA liaised with the railroad to elevate shipper's concerns and ascertain information about the causes of the problems; the railroad provided further information and committed to better communication and coordination with the shipper [Closed]	
11/14/2017	Railroad service issue	Midwest	Shipper contacted RCPA about railcars delayed in transit, in particular, prolonged dwell at intermediate yards; RCPA contacted the railroad to facilitate movement of specific cars and to better understand the causes of delay; the railroad provided updates on the cars and advised RCPA that it was increasing communications with the shipper and focusing on consistent service [Closed]	
11/14/2017	Railroad rate level	West	Shipper contacted RCPA about a railroad's method of applying surcharges on its moves in Canada and requested informal guidance on challenging the surcharges; RCPA advised the shipper that the moves were not subject to STB jurisdiction, and therefore that the shipper did not have recourse before the STB [Closed]	
11/15/2017	Railroad service issues	South	Shipper contacted RCPA about railcars delayed in transit, in particular prolonged delay at yards and out-of-route movements; RCPA liaised with the railroad to facilitate movement of cars and discuss service problems; the railroad committed to better service and communication with the shipper [Closed]	

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11/17/2017	Railroad service issue	Midwest	Shipper contacted RCPA about bunching of railcars at intermediate yards and disruption of its supply chain; RCPA contacted the railroad to discuss these issues and gain information about the problems; the railroad advised that several of the problem cars were spotted or moving and that it anticipated being able to restore fluidity to the shipper's supply chain [Closed]	
11/20/2017	Railroad blocked crossing	Midwest	Numerous citizens and civic leaders contacted RCPA about increased frequency and duration of blocked crossings on local roads; RCPA contacted the railroad to elevate the concerns and gain additional information; RCPA liaised with officials to provide information about the crossings and the railroad's operations [Pending]	
11/20/2017	Railroad demurrage issue	Northeast	Representative of transloader contacted RCPA about the transloader's problems with demurrage, including excessive demurrage and inaccurate records of car placement and release; RCPA offered assistance and guidance [Pending]	
11/22/2017	Railroad demurrage issue	West	Shipper contacted RCPA about issues with demurrage but did not request informal assistance; RCPA provided information and perspective on demurrage problems [Closed]	
11/27/2017	Railroad tariff rules and charges	Midwest	Shipper contacted RCPA about a shortline railroad's tariff surcharge related to safety compliance costs; RCPA provided informal guidance on STB caselaw, as related to similar surcharges [Pending]	

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11/27/2017	Railroad service issue	Northeast	Shipper contacted RCPA about missed switches, and railcars delayed in transit and stranded at local yards; RCPA liaised with the railroad about specific railcars to facilitate movement, and to improve the railroad's communication with the shipper [Pending]	
11/30/2017	Railroad service issue	Midwest	Shipper contacted RCPA about problems with overweight railcars and related problems raised by the railroad; RCPA liaised with the railroad to address the shipper concerns [Pending]	
12/05/2017	Railroad service issue	Midwest	Shipper contacted concerns about a railroad's ability to handle increased traffic volume in light of recent service problems, including missed switches and delays in transit; RCPA provided overview of options for providing informal assistance; the shipper advised that it would consider options and follow up with RCPA [Pending]	
12/08/2017	Railroad service issue	South	Shipper contacted RCPA with concerns about delays in moving shipments from local serving yard to facility and coordination between the railroads providing service to facility; RCPA liaised with both railroads providing service to better understand commercial and operational considerations [Pending]	
12/08/2017	Railroad side track agreement	South	Warehouse operator contacted RCPA about its financial dispute with a railroad related to the railroad maintaining access to the operator's facility; the operator contested charges assessed by the railroad; RCPA liaised with the railroad to understand the basis for the charges in question [Pending]	

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12/13/2017	Railroad service issue	Northeast	Railroad historical society contacted RCPA about difficulty in arranging shipment of historical equipment to its museum; RCPA provided informal guidance to historical society on options for transporting equipment [Closed]	
12/14/2017	Railroad side track agreement	Midwest	Shipper contacted RCPA about difficulty with railroad in negotiating track lease agreement; RCPA provided informal guidance on commercial and legal issues related to lease and offered to provide further assistance as needed [Pending]	
12/14/2017	Railroad tariff charges	Northeast	Shipper contacted RCPA about a railroad's charges for demurrage and interplant switching under new tariff; RCPA provided informal guidance on the charges and then facilitated a call with the shipper and the railroad to discuss the issues and improve overall communication [Closed]	
12/18/2017	Railroad car supply	West	Local shippers' association contacted RCPA about problems with railcar availability for its shipper-members; RCPA explained its informal pathways to assist individual shippers having trouble with car supply and offered to work with them; association advised that it would instruct shippers to contact RCPA [Closed]	
12/18/2017	Railroad service issue	Midwest	Shipper association contacted RCPA to provide information about service challenges for its members in certain locations, including loaded cars delayed at origin and increasing transit times; however, the association did not request direct assistance from RCPA [Closed]	

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12/20/2017	Railroad service issue	Northeast	Shortline railroad contacted RCPA on behalf of its shipper-customer about a delayed inbound railcar stranded in a yard of a Class I railroad; RCPA contacted the Class I railroad to elevate the concern and facilitate movement of the car on the next available train, resulting in interchange of the car and delivery [Closed]	
12/20/2017	Railroad service issue	Midwest	Railroad contacted RCPA about another railroad's plan for reducing service over the Christmas holiday and the potential for congestion to result; RCPA liaised with the other railroad to elevate the concern; however, the railroad declined to modify its holiday operating plan [Closed]	
12/21/2017	Railroad car supply	West	Shipper contacted RCPA about its backlog of unfilled requests for equipment to move agricultural products; RCPA discussed options for informal assistance and the extent of the shipper's problem; RCPA reached out to the railroad to seek assistance for the shipper [Pending]	
12/22/2017	Railroad service issue	West	Shipper contacted RCPA about missed switches and delayed delivery of empty equipment causing its plant to curtail production; RCPA contacted the railroad to discuss repeated service issues at the facility and gain an understanding of the cause(s); the railroad explained recent service design changes; RCPA is working to facilitate a three-party conference call [Pending]	

Date ²	Type of Informal Complaint	Geographic Region ³	Resolution / Status	Complainant ⁴ CONFIDENTIAL
12/28/2017	Railroad service issue	West	Shipper contacted RCPA about a car delayed in transit and urgently needed; RCPA liaised with the railroad to facilitate expedited movement of the car to destination; as a result, the car was scheduled to be spotted in advance of the shipper's deadline [Closed]	

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

Appendix to Quarterly Report of Informal Service Complaints

4th Quarter 2017 Cases by Category/Region

Issue Category	All Regions	Northeast	South	Midwest	West	Not Specified
Abandonment Records	46	7	9	8	8	14
Bus Issue	1	0	0	1	0	0
Household Movers	21	4	5	0	3	9
Information-Economic Data	1	0	0	1	0	0
Information-Non Economic Request	3	0	0	0	0	2
Motor Carriers (trucks)	6	2	0	0	1	3
Railroad Abandonment/Loss of Service	5	0	2	1	1	1
Railroad Agricultural Contract Filing	1	0	0	0	1	0
Railroad Amtrak/Passenger Issue	5	0	3	0	0	2
Railroad Blocked Crossings	23	1	1	8	0	13
Railroad Car Supply	2	0	0	1	0	1
Railroad Demurrage Charges	2	0	0	0	1	1
Railroad Environmental Issues	2	0	0	0	0	2
Railroad Grade Crossing Issues	4	0	0	4	0	0
Railroad Interchange Issue	1	0	0	0	0	1
Railroad Noise - Airhorn, Safety, etc	1	0	0	1	0	0
Railroad Operating Authority Issue	2	2	0	0	0	0
Railroad Preemption	5	1	1	1	1	1
Railroad Rate Levels/Increases	3	0	1	0	1	1
Railroad Service Issue	29	8	3	6	1	11
Railroad Side Track Agreement	2	1	0	1	0	0
Railroad Tariff Issue	1	0	1	0	0	0
Rails to Trails	8	2	1	1	2	2
Real Estate Matter	3	0	1	1	1	0
STB Authority Question	1	1	0	0	0	0
STB Information	39	6	2	5	5	21

Issue Category	All Regions	Northeast	South	Midwest	West	Not Specified
STB Jurisdictional Question	11	3	0	0	1	7
STB Practitioners Exam	1	1	0	0	0	0
STB Procedural Assistance	33	7	2	7	5	12
STB Recordations or Security Interests on Rail Cars	3	0	2	1	0	0
STB Records Assistance	21	1	3	1	3	13
STB Webpage/Downloading Assistance	3	2	0	0	0	1
Water Carrier	5	0	3	0	2	0
Wrong Agency Calls	4	0	0	0	1	3
Total	297	49	40	49	38	121

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

4th Quarter 2017 Cases per Commodity Group*

Commodity Group	Number
Aggregates	1
Agricultural Products	19
Chemicals	6
Forest Products	3
Hazardous Waste/Radioactive Waste	2
High/Wide Loads	1
Household Goods	16
Industrial Products	8
Intermodal	2
Metals and Minerals	1
Not Specified by Shipper	2
N/A	230
Passenger	7
Total	298

*In many cases, the commodity is not specified or material to the case, therefore the total number for this data may not equal the total number for the quarter.