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ENTERED
Office of Proceedings
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Part of
Public Record

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November 11, 2014

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423

Re: EP 724 (Sub-No. 3), *United States Rail Service Issues—Data Collection*

Dear Ms. Brown:

On October 24, 2014, the Fertilizer Institute filed a letter in this proceeding asking the Surface Transportation Board (Board) to amend various portions of the data requested by the Board to include shipments of fertilizers. By this letter, the Association of American Railroads (AAR), on behalf of its Class I freight railroad members, replies in opposition to any further ad hoc, piecemeal adjustments to the Board's reporting rules. The Board should not seek to collect further information without instituting a notice and comment rulemaking and complying with the Paperwork Reduction Act.

On October 22, 2014, the AAR wrote to express that the Class I freight railroads would provide the service data requested by the Board to the best of the railroads' ability. The AAR pointed out that a constructive dialogue with the public and railroad industry through a notice and comment rulemaking would have revealed that different railroads capture information in different ways and could have led to a more productive, less burdensome, and more useful collection of information that would have satisfied the Board's regulatory objectives.

Railroads transport many products and commodities that are crucial to the functioning of the U.S. economy. Singling out the transportation of one commodity or groups of commodities for special scrutiny does not allow for a holistic understanding of how railroads are working diligently to meet the needs of all of their customers and the nation at large. Instead, such an

approach leads to a distorted view of the state of the national freight supply chain and may lead to some stakeholders seeking regulatory advantage for their traffic from the Board.

The AAR and its freight railroad members look forward to sharing their views in a rulemaking proceeding.

Sincerely,

A handwritten signature in black ink, appearing to read 'Timothy J. Strafford', written over a horizontal line.

Timothy J. Strafford
Counsel for the Association
of American Railroads