



***THE SURFACE
TRANSPORTATION BOARD'S
NATIONAL GRAIN CAR COUNCIL***
and
***RAIL CUSTOMER
AND PUBLIC ASSISTANCE PROGRAM***

PRESENTATION TO:

**The Transportation, Elevator and Grain
Merchants Association**

Fall Symposium
September 9, 2009

PRESENTER:

TOM BRUGMAN

Section Chief – Rail Customer and Public Assistance
Program



**Surface Transportation Board
Rail Customer and Public Assistance
Program**

DISCLAIMER

- OPINIONS EXPRESSED BY RCPA EMPLOYEES ARE THEIRS ALONE, AND DO NOT REPRESENT OPINIONS OF, OR BY, THE SURFACE TRANSPORTATION BOARD, ITS COMMISSIONERS, DIRECTORS, OR SENIOR STAFF.
- OFFICIAL RULINGS OF THE SURFACE TRANSPORTATION BOARD MAY ONLY BE OBTAINED IN FORMAL PROCEEDINGS.
- POSITIONS TAKEN BY RCPA EMPLOYEES MAY BE REVERSED; AND SPOKEN OR WRITTEN COMMENTS MAY BE WITHDRAWN BY THE BOARD AT ITS DISCRETION.



Rail Customer and Public Assistance Program

- Our Assistance is FREE and Informal
- Your Information is Treated Confidentially
 - We do not share data with rail carriers or other shippers
 - Data does not carry over into “Formal” cases.
- We Only Contact the Other Parties with Permission
- Some Prefer to Talk to Us and Handle Issues With Carriers Themselves



Rail Customer and Public Assistance Program

What We Do

- Informal, Private Sector Dispute Resolution
- Enhance Communication Between Shippers and Railroads
- An Alternative to Litigation
- Assets:
 - Knowledge of Rail Industry
 - Operational and Commercial
- Best Interests of Shippers and Receivers
- Best Interests of Railroads



Rail Customer and Public Assistance Program

Most Common Issues

- **Rail Service Problems**
- **Abandonment – Loss of Service**
- **Rates and Fuel Surcharges**
- **Denial of Service**
- **Embargoes**
- **Claims**
- **Demurrage**
- **Many Others**



Surface Transportation Board Supports Informal Solutions

- **Created Rail Consumer Assistance Program in 2000**
- **Upgraded to Rail Customer and Public Assistance Program in 2008**
- **Informally Addresses Most Areas of Concern to Rail Shippers and Receivers**
- **Carrier and Shipper Participation is Voluntary**
- **Provides the Board with Information Regarding Rail Customer/Carrier Issues**



Friendly Tips for Shippers

- Tip #1** **ONCE A YEAR**, Email, or Snail Mail a **WRITTEN** Request to Each of Your Railroad Carriers Requesting 20 Day Notice On All Rate increases, Miscellaneous Charge increases, and Changes in Service Terms.
- Tip #2** Try to Maintain a Positive Relationship with Your Rail Carrier
- Tip #3** Don't Overload Your Cars
- Tip #4** Negotiate, Persuade, But **PAY** Your Demurrage Bills
- Tip #5** Give the Railroad as Much Information About Your Local Situation and Needs, as Possible
- Tip #6** Ask Your Railroad About Future Maintenance Needs of Line
- Tip #7** Get to Know the Other Rail Shippers or Receivers on Your Branchline
- Tip #8** Its Only Business -- Its Not Personal
- Tip #9** Call RCPA When You Have Any Questions



Friendly Tips for Railroads

- Tip #1** Take Care of Your Shippers and Receivers
- Tip #2** Try to Be Flexible
- Tip #3** When in Doubt, Give 20 or More Days Notification
- Tip #4** That Includes Related Service Changes
- Tip #5** Maintain Positive Relationships with Your Shippers and Receivers
- Tip #6** Small Shippers and Receivers Deserve Your Attention Too
- Tip #7** Pick Up the Phone and Call Your Customers When Things Go Bad
- Tip #8** Its Only Business – Its Not Personal
- Tip #9** Call RCPA When You Have Any Questions



Surface Transportation Board Rail Customer and Public Assistance Program

- **Contact by telephone, email, fax, mail, or STB website**
- **Quick follow-up – less than 4 hours in many cases**
- **Phone (toll free): (866) 254-1792, or (202) 245-0281**
- **Email: brugmant@stb.dot.gov**
- **Fax: (202) 245-0462**
- **Webpage: www.stb.dot.gov**



National Grain Car Council

- **Formed by the Interstate Commerce Commission and renewed by the Surface Transportation Board**
- **To Balance the Needs of Transportation Interests, Car Owners and Suppliers, Grain Shippers and Receivers, Consumers of Grain at Various Levels and the Public in General**
- **Conducts a Continuing Dialog to Provide Advice and Guidance to the Board**
- **Provides a Forum for the Resolution of Disputes and Controversies Regarding the Transportation of Grain**
- **Suggests to the Board Appropriate Policies or Regulations to be Adopted with regard to Grain Car Supply and Distribution**
- **At Least One Meeting per Year**



National Grain Car Council

- **SIZE**
 - Not Less Than 40 Members
 - 14 Railroad Representatives
 - 14 Grain Shippers and Receivers
 - 7 Representatives from Class II and Class III Carriers
 - 5 Representatives from Private Car Owners and Car Manufacturers
 - Current Membership is 41
 - One Extra Member From the Car Owners and Manufacturers Section
- Chairmanship of NGCC Rotates Every 2 Years
- Leadership Positions Rotate Among the Different Groups Represented
- Only Members can Vote
- The Chairman of the STB Solicits Nominations for the NGCC from Appropriate Carrier, Shipper, Grain Elevator, Car Lessor and Consumer Organizations and Associations.



National Grain Car Council

- The White Paper – Currently Being Worked on by NGCC Members
- Finished Paper Will be Presented to the Council
- NGCC May Choose to Vote on the Findings
- May be Finished Early 2010
- Seven Subjects Under Examination
 - Evolution of the Grain Market
 - Role of Locomotive Development
 - Role of Grain Car Development
 - Role of Unit Train Development
 - Private vs. System Cars
 - Role of Technology
 - Capital Investment by Agriculture and Railroad Industries
- Direction of the Project Still in the Formative Stages



Surface Transportation Board Rail Customer and Public Assistance Program

- **Contact by telephone, email, fax, mail, or STB website**
- **Quick follow-up – less than 4 hours in many cases**
- **Phone (toll free): (866) 254-1792, or (202) 245-0281**
- **Email: brugmant@stb.dot.gov**
- **Fax: (202) 245-0462**
- **Webpage: www.stb.dot.gov**