



Freight Rail Customer Alliance

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FRCA Welcomes STB's Proposed Service-Based Competitive Switching Applauds Permanent RR-Provided FMLM Data Collection and Historical Service Data

“The Freight Rail Customer Alliance (FRCA) welcomes today’s unanimous proposed rule announced by the Surface Transportation Board (STB or Board) that would permanently require rail carriers to submit First-Mile Last-Mile (FMLM) data regarding industry spot and pulls, allow a shipper to receive individualized rail service data for a 90-day period, and provide a reciprocal switching remedy for service that is unreliable, inconsistent, or inadequate based on objective factors,” stated FRCA’s President Shelley Sahling-Zart.

FRCA Vice President Emily Regis added, “This reciprocal switching proposal in Docket EP-711 (Sub-No. 2), [Reciprocal Switching for Inadequate Service](#), is consistent with FRCA’s longstanding policy goals and objectives to instill service competition and to provide shippers with better options to address systemic poor railroad service, especially under Precision Scheduled Railroading and continued supply chain challenges.”

“Fundamental to this proposal is a requirement for the railroads to permanently provide FMLM data and a provision to allow a shipper to receive from the railroad historical service data for a 90-day period. FRCA members have become increasingly aware of and concerned by the gap between the service data that the railroads report to the Board and the level of service that shippers actually receive in the real world. As such, FRCA initiated a joint [Letter of Concern](#) sent to the Board in August 2020 requesting that the Board require this data reporting,” stated FRCA spokesperson Ann Warner. The Board began requiring the Class I’s to report FMLM a couple of years ago under Docket No. EP 770, Urgent Issues in Freight Rail Service.

FRCA supports allowing shippers with direct access to only one railroad to have that carrier provide a “switch” for a nearby line-haul rail carrier under certain conditions, particularly considering that the number of major or Class I freight railroads has declined from 40 to six within the last 40+ years and that four essentially function as regional duopolies controlling 90 percent of all traffic.

FRCA has consistently supported the Board’s efforts in Docket EP 711, Reciprocal Switching, beginning in 2016 and was a co-signer to the initial petition filed by the National Industrial Transportation League in 2011 proposing that a new competitive switching procedure be established considering no shipper has been granted a reciprocal switch during these past 40+ years. Warner commented, “While today’s proposal is a deviation from the original intent, developing a new reciprocal switching process to facilitate railroad economic competitiveness, it proposes to provide a formalized procedure and remedy for shippers with service problems.”

FRCA is continuing to review the entire proposed rule and looks forward to submitting comments in response.

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About FRCA

The Freight Rail Customer Alliance (FRCA), www.railvoices.org, is an umbrella membership organization that includes large trade associations representing more than 3,500 electric utility, agriculture, chemical, and alternative fuel companies, and their consumers. The mission of FRCA’s growing coalition of industries and associations is to obtain changes in Federal law and policy that will provide all freight shippers with reliable rail service at competitive prices.