



***THE STB RAIL CUSTOMER  
AND PUBLIC ASSISTANCE  
PROGRAM***

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**Southeast Association of  
Rail Shippers  
March 24, 2010  
Charleston, South Carolina**



# 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.**
- **OPINIONS OF THE SURFACE TRANSPORTATION BOARD MAY ONLY BE OBTAINED VIA FORMAL COMPLAINT.**
- **POSITIONS TAKEN BY RCPA EMPLOYEES MAY BE REVERSED; AND SPOKEN OR WRITTEN COMMENTS MAY BE WITHDRAWN BY THE BOARD AT ITS DISCRETION.**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

- **FREE and informal assistance.**
- **Information is kept confidential.**
  - **Not shared with RRs or other shippers**
  - **Not carried over into “Formal” cases.**
- **We only contact the other parties with permission.**
- **Some prefer to talk to us but handle issues with RRs themselves.**



# **Rail Customer and Public Assistance Program**

## **What We Do**

- **Informal, private sector dispute resolution**
- **Enhance communication between shippers and RRs**
- **An alternative to litigation**
- **Assets: knowledge of rail industry - operational, commercial, & regulatory**
- **Mindful of interests of shippers, receivers, and RRs**



## **In 1996, ICC Becomes STB**

- **Congress adopts free market approach – significant majority votes for terminating the ICC.**
- **Gov't regulation responsible for weak financial condition of RRs.**
- **108 year old agency no longer needed.**
- **Scope and authority reduced.**
- **Reduced manpower, and closed field offices.**



## The Result So Far

- **RRs are financially stronger – Gov't is not worried about RR bail outs.**
- **More freedom for RRs to decide where to invest capital.**
- **Easier to exit undesirable markets (e.g., branch lines).**
- **Rate and contract freedom.**
- **RRs more like other businesses.**
- **Some shippers are happy.**



## **But... Complaints Persist**

- **Some shippers perceive that RRs are harder to deal with or don't listen.**
- **Some feel service is worse.**
- **New shippers can't connect to rail, and inactive ones can't reconnect.**
- **Some are alarmed by creative miscellaneous charges.**
- **Formal action is expensive.**



# **STB Supports Informal Solutions**

- **Created Rail Consumer Assistance Program in 2000.**
- **Upgraded to RCPA in 2008.**
- **Informally addresses most areas of concern for shippers and receivers.**
- **Participation is voluntary.**
- **Provides the Board with feedback about rail customer/carrier issues.**



# **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 and demurrage**



# **Rail Customer and Public Assistance Program**

## **Success Stories**

- **Avoided plant shutdowns**
- **Obtained service ( e.g., facilitated lifting of embargoes)**
- **Proactive monitoring of embargoes**
- **Get parties talking**
- **Small shipper rate disputes**
- **Routing/Interchange disputes**



# 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) 245-0238**
- **Email: [rcpa@stb.dot.gov](mailto:rcpa@stb.dot.gov)**
- **Fax: (202) 245-0462**
- **Webpage: [www.stb.dot.gov](http://www.stb.dot.gov)**