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May 23, 2022

Surface Transportation Board
Attn: Docket No. EP 762
395 E Street, S.W.
Washington, D.C. 20423-0001

**RE: REVISIONS TO REGULATIONS FOR EXPEDITED RELIEF FOR SERVICE EMERGENCIES;
DOCKET NO. EP 762**

To Members of the Surface Transportation Board:

On behalf of the Agricultural Retailers Association (ARA), I am writing in support of the Board's proposal to amend its emergency service regulations, Docket No. EP 762, "Revisions to Regulations for Expedited Relief for Service Emergencies."

ARA is a 501(c)(6) non-profit trade association that represents the interests of agricultural retailers and distributors across the United States on legislative and regulatory issues. Ag retailers supply farmers and ranchers with products and services such as seed, nutrients, crop protection products, feed, equipment, and technology. Retailers also provide consultative services such as crop scouting, soil testing, field mapping, custom planting and application and development of nutrient management and conservation plans. Agricultural retailers range in size from small, family-held businesses to large companies and farmer-owned cooperatives with multiple outlet stores. Large and small retail facilities are scattered throughout all fifty states and provide critical goods and services, as well as jobs and economic opportunities in rural and suburban communities.

ARA supports the proposed revisions as it will help reduce the barriers for shippers seeking emergency service orders. Emergency service orders can provide shippers with immediate relief when there are rail service failures that impose substantial costs on shippers and the customers they serve. The proposal would shorten the procedural schedule that requires the railroads to reply within three business days rather than the current five days from the filing date and allows the shipper to respond with its rebuttal within two business days rather than three. STB would then decide within five days of receiving the rebuttal. If possible, ARA recommends shortening the timeline further as agricultural retailers during the season need additional crop input products delivered, especially fertilizer, in a timelier manner as the production of crops is weather dependent and seasonal. The proposal would also eliminate the need for a commitment from an alternative railroad to start the proceeding. ARA believes these proposed amendments will help enable the STB to address emergency situations more quickly and effectively to help ensure localized problems do not impact the entire railroad network or impacted industry. It should also help provide more certainty for shippers and the railroads.

Thank you for your review and consideration of our comments!

Sincerely,

Richard D. Gupton
Senior Vice President, Public Policy & Counsel