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BEFORE THE
SURFACE TRANSPORTATION BOARD

Finance Docket No. 36609

ENTERED
Office of Proceedings
June 16, 2022
Part of
Public Record

FOSTER POULTRY FARMS – *EX PARTE* PETITION
FOR EMERGENCY SERVICE ORDER

**UNION PACIFIC RAILROAD COMPANY’S REPLY
TO FOSTER FARM’S PETITION FOR EMERGENCY SERVICE ORDER**

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Attorneys for Union Pacific Railroad Company

June 16, 2022

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Union Pacific Railroad Company (UP) hereby replies to the Foster Poultry Farm Petition for Emergency Service Order (the “Petition”). As acknowledged in Exhibits A (the letter from Lance Fritz, UP Chairman, President, and CEO) and B (the verified statement of Bradley Moore, Operating Vice President – Customer Care & Service), Union Pacific has not provided adequate service to Foster Farms. But we are determined to improve. To that end, Union Pacific respectfully requests the Surface Transportation Board deny the Petition and accept the following Union Pacific commitments:

1. Moving an additional train set into the service (raising the total train count to 5) until the Foster Farms volume requirements described in the Petition are fulfilled.
2. Prioritizing over other network requirements the additional trains/cars identified in the preceding paragraph in Foster Farms service.
3. Prioritizing over other network requirements crews needed for Foster Farms service;
4. Prioritizing over other network requirements locomotives to be used in Foster Farms service;

5. Providing the STB with daily data specific to Foster Farms service until the volume requirements are fulfilled; and,
6. Participating in a STB-convened, weekly technical conference (between the parties and the Office of Public Assistance, Governmental Affairs, and Compliance) to discuss the status of Foster Farms service until volume requirements are fulfilled.

Respectfully submitted,

/s/ Craig V. Richardson
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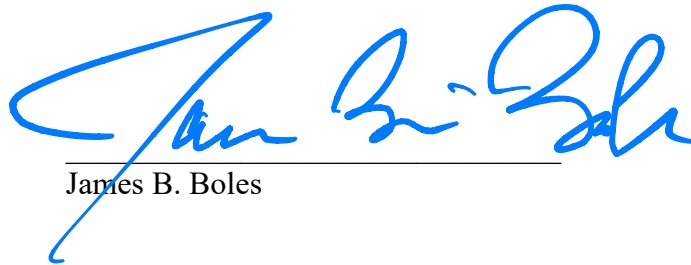
Attorneys for Union Pacific Railroad Company

June 16, 2022

CERTIFICATE OF SERVICE

I certify that on June 16, 2022, I have served a copy of the foregoing Reply (consisting of letter filing and two exhibits) upon all parties of record in this proceeding by email at the following address.

Thomas W. Wilcox
Attorney for Foster Poultry Farms
1629 K. Street NW, Suite 300
Washington, D.C. 20006
tom@twilcoxlaw.com



James B. Boles

EXHIBIT A
Letter from Lance M. Fritz



BUILDING AMERICA®

June 16, 2022

Via Electronic Filing

The Honorable Martin Oberman, Chairman
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

The Honorable Michelle Schultz, Vice Chairman
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

The Honorable Patrick Fuchs
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

The Honorable Robert Primus
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423-0001

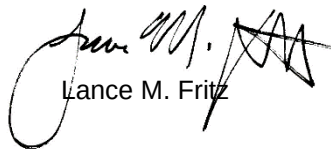
The Honorable Karen Hedlund
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423-0001

Re: **Docket No. FD 36609 – Foster Poultry Farms – Ex Parte Petition for Emergency Service Order**

Dear Chairman Oberman, Vice Chairman Schultz and Board Members Fuchs, Primus, and Hedlund:

Foster Farms is a vitally important Union Pacific customer. However, we have failed to provide adequate service to Foster Farms. I am writing to convey Union Pacific's firm and clear commitment to providing Foster Farms the service it deserves and the service we expect to provide. I am personally working directly with Foster Farms' leadership to understand their concerns and meet their needs. Additionally, Jason Hess (402-544-3457), our Marketing & Sales Vice President -- Bulk, and Bradley Moore (402-544-9043), our Operating Vice President – CC&S, are prepared to answer fully any immediate service questions you may have.

Sincerely,



Lance M. Fritz

cc: Ms. Cynthia T. Brown, Chief,
Section of Administration, Office of Proceedings

EXHIBIT B

Verified Statement of Bradley S. Moore

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. FD 3660

**FOSTER POULTRY FARMS – *EX PARTE* PETITION
FOR EMERGENCY SERVICE ORDER**

**VERIFIED STATEMENT OF
BRADLEY S. MOORE**

My name is Bradley S. Moore. I am the Vice President of Customer Care and Support for Union Pacific Railroad Company, a position I have held since August of 2018. I began my career with Union Pacific in 1995 and have held management positions in Union Pacific's Marketing and Sales Department. Before I was promoted to my current position, I served as Assistant Vice President of Customer Care and Support.

I must start by acknowledging that Union Pacific has not consistently met Foster Poultry Farms' per month train demand. I am submitting this statement to describe the service status of the four Foster Farms trains and the service plan adjustments we have made and are continuing to make to improve Foster Farms service.

Foster Farms Service Status. The Foster Farms Turlock, California trains are GSTUHH 10 (FR11) and GSTUSO 15 (FR12). Both are empty. FR11 is destined for loading in Hope, Minnesota, is called at Boone, Iowa as of 1515 on June 16th, and has an estimated time of arrival (ETA) of 0830 on June 17th. FR12 is destined for loading in Sloan, Iowa, is called at Elko, Nevada as of 1510 on June 16th, and has an ETA of 0430 on June 19th.

The Foster Farms Traver, California trains are GSCTTR 12 (FR14) and GSVLTR 16

(FR15). Both are loaded. FR14 departed Timpie, Utah at 1327 on June 16th and has an ETA of 0300 on June 18th. FR15 is called at Savage, Minnesota as of 2030 on June 16th, and has an ETA of 2200 on June 21st.

Service Plan Adjustments. Union Pacific has made several service plan adjustments that should directly result in improvements to Foster Farms service. Those adjustments include:

- **Borrow-out Employee Supplements.** Sixteen borrow-out employees are currently working in the Roseville Hub. An additional 5 borrow-out employees are arriving from Longview, Texas and will be trained to work by June 24th. Twenty-five additional borrow-out employees from Chicago, Illinois and Little Rock, Arkansas will arrive on June 21st and become incrementally available for the Roseville Hub as they are FRA qualified.
- **Locomotive priority.** Union Pacific has been leaving locomotives with the inbound and outbound grain trains, so trains can depart as crews become available.
- **Continuous Improvement Decreases to Dwell.** Various projects at North Platte have decreased Unit Train dwell from 14.41 hours in May to 6.86 hours in June.
- **Roseville, California Crew Hub hiring.** Thirty-four additional employees will be available for service by August 15, 2022 (12 employees graduate by July 18th and 22 employees graduate by August 15th).

VERIFICATION

I declare under penalty of perjury that the foregoing statement is true and correct to the best of my knowledge, belief, and information. Further, I certify that I am qualified and authorized to file this statement.

Executed on June 16, 2022.

/S/
Bradley S. Moore