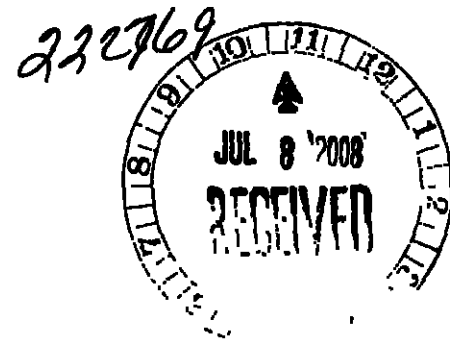




July 7, 2008

Surface Transportation Board
Attn: STB Ex Parte No 677 (Sub-No 1)
395 E Street, S W
Washington, D C 20423-0001

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Dear Sir/Madam

The Washington Grain Alliance (WGA) submits these comments in response to the notice of public hearing in Ex Parte 677 (Sub-No 1), *Common Carrier Obligation of Railroads – Transportation of Hazardous Materials*, July 22. The WGA consists of the Washington Wheat Commission, the Washington Barley Commission and the Washington Association of Wheat Growers, representing thousands of wheat and barley producers in the State of Washington. We are concerned that the railroad companies are working to step away from their common carrier obligation to provide transportation service to agricultural producers.

The railroad's common carrier obligation, codified by Congress in the Interstate Commerce Act in 1967 and reaffirmed by Congress in the Staggers Act, clearly shows the intent of Congress that railroads are not able to pick and choose which shippers to serve and which commodities to transport based purely upon their self interest. While the STB may have an advisory role in making recommendations to Congress on railroad common carrier obligation, only Congress has the authority to change this obligation.

Producers depend heavily on rail shipment of fertilizer to raise crops and grow food for consumers. Anhydrous ammonia (NH3) for example, is an essential product shipped to the agricultural communities served by Class I and shortline railroads. The short line railroads serving Whitman County, Washington, the largest wheat producing county in the U.S., deliver as many as nine hundred rail cars of NH3 to rural areas, where they are unloaded and delivered by short haul trucks to field application equipment. Without NH3 shipments short line railroads would be hamstrung with reduced traffic. Product would have to be shipped much longer distance by truck, requiring many more truck and trailer units which would take a toll on state and county highways and increase the risk of accidents.

Rail is a safe and necessary method for transporting this critical agricultural product. In addition to its direct application as a fertilizer, anhydrous ammonia is the primary ingredient in all other nitrogen fertilizers and is also used to produce phosphate fertilizers. Without rail service, the entire input delivery system would need to be altered and would significantly increase costs borne by shipper/producers. This highly hazardous commodity must not be put on our nation's highways where the potential for accidents and public release are many times greater.

We thank the STB for considering our comments.

Sincerely,

Thomas B. Mick, CEO

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