



Suzanne Wellen
Senior General Attorney

BNSF Railway Company
P. O. Box 961039
Fort Worth, TX 76161

2500 Lou Menk Drive, AOB-3
Fort Worth, TX 76131

Telephone: 817.352.2406
Fax: 817.352.2398
Email: suzanne.wellen@bnsf.com

247633

May 1, 2019

Via E-Filing

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0001

ENTERED
Office of Proceedings
May 1, 2019
Part of
Public Record

Re: STB Docket No. EP 754
Oversight Hearing on Demurrage and Accessorial Charges

Dear Ms. Brown:

Enclosed please find as Appendix A BNSF Railway Company's responses to the information requests included in the Notice of Oversight Hearing on Demurrage and Accessorial Charges decided April 8, 2019 in the above-referenced docket.

Sincerely,

A handwritten signature in blue ink that reads "Suzanne Wellen".

Suzanne Wellen

Enclosure

cc: Jill K. Mulligan, BNSF

APPENDIX A

May 1, 2019

STB Docket No. EP 754

BNSF Railway Company (BNSF) responses to information requests included in Notice of Oversight Hearing on Demurrage and Accessorial Charges decided April 8, 2019:

- 1. Provide a list of all material changes to your demurrage and accessorial tariffs since January 1, 2016, including but not limited to changes pertaining to (i) the amount of free time allowed for loading and unloading rail cars; (ii) rates for demurrage and accessorial charges; (iii) the nature and availability of credits or other relief, including for rail road errors and service failures; (iv) procedures and time periods applicable to the process of raising and resolving disputed charges. For each such tariff change, please also specify (a) when notice of the change was given; (b) when the change became effective; and (c) the reasons(s) for the change. The Board requests that this information be presented in a table.*

BNSF has reviewed its demurrage and accessorial tariffs and has not identified any material changes to items enumerated in the above request with respect to traffic subject to the Board's jurisdiction. We note that since 2016 there have been some changes to storage items applicable to unregulated traffic (e.g., changes to BNSF Intermodal Rules and Policies Guide).

- 2. Provide, for each of the past three calendar years, the total dollar amounts of charges billed and charged collected pursuant to (i) all demurrage tariffs combined and (ii) all accessorial tariffs combined.*

BNSF RAILWAY DEMURRAGE AND ACCESSORIAL REVENUES			
(\$ in Thousands)	2016	2017	2018
Demurrage Revenue	192,739	177,751	204,213
Accessorial Revenue	45,812	46,477	74,845

- 3. Provide a detailed explanation of the current process by which shippers, receivers, and other parties may dispute demurrage and accessorial charges. To the extent readily available, please also provide, for all demurrage tariff charges combined and all accessorial tariff charges combined, the percentage of charges, by dollar amount, that have been contested in the first quarter of 2019 and each of the past three calendar years.*

As will be further detailed by Ms. Mulligan in her testimony before the Board on May 22, BNSF customers have a variety of ways in which they may dispute demurrage and accessorial charges, including through direct communications with BNSF customer support, marketing, and finance representatives via phone or email and/or through BNSF online tools like the Customer Dwell Management Tool (CDMT). In the case of a demurrage dispute, once the dispute is lodged, an internal "case" is generated and routed to the BNSF Equipment Team for research, handling, and resolution. Disputes concerning accessorial charges are

routed to the BNSF Finance team or the BNSF Intermodal/Automotive teams (depending the nature of the charges) for research, handling, and resolution.

BNSF has readily available the following information concerning contested demurrage charges:

Year	Demurrage Billed	Demurrage Adjusted	Adjustment %
2016	\$212.6	\$26.5	12.5%
2017	\$202.9	\$25.7	12.7%
2018	\$230.5	\$26.3	11.4%

*Please note that amounts in the above table may not agree with actuals reported due to timing of billing and adjustments.

4. *Provide a detailed explanation of any system or practice under which credits or debits have been issued in connection with demurrage or accessorial charges since January 1, 2016, and any changes thereto. Describe how credits and debits are calculated and any limits on the amount of credits and debits that may be available or incurred.*

BNSF does not have a demurrage debit/credit system for regulated traffic whereby credits accumulate through the month. BNSF does provide car-specific credits for efficient loading and unloading of system rail cars.