

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

248708

ENTERED
Office of Proceedings
October 31, 2019
Part of
Public Record

Docket No. EP 759

DEMURRAGE BILLING REQUIREMENTS

Notice of Proposed Rulemaking

**COMMENTS FROM THE PRIVATE RAILCAR FOOD AND BEVERAGE
ASSOCIATION (PRFBA)**

First and foremost, we would like to thank the Surface Transportation Board (Board) for the extensive work it has put into this matter, not only into the creation of these decisions but into the hearing itself.

PRFBA would like to again take this opportunity to express our support for the work the board has done on this subject. These simple changes to demurrage billing requirements goes a long way to applying reasonable business practice to a process that has gone astray.

We would like to add a comment regarding page nine (9). The Board's proposed list of requirements for information required on demurrage invoices is extensive and extremely helpful. We believe, however, that "on time" information should also be included. All railroads provide service schedules and therefore provide a proposed "deliver by" date. All receivers plan their labor and schedules around those expected delivery dates. We believe the railroad should be obligated to provide the expected delivery date and the actual delivery date on the invoice. As we have expressed in our comments regarding EP Docket 757, this will help the railroads decide

when they should or should not send an invoice for demurrage charges. We believe that if the expected delivery date varies from the actual placement date or available placement date the railroad should not invoice for demurrage. The railroads should also consider applying credit days, on all cars delivered, on any date where cars arrived off schedule.

We hope this proposed rulemaking will be passed as expeditiously as possible.

Prepared October 30, 2019 by:

Herman Haksteen
President,
Private Railcar Food and Beverage Association, Inc.
hhaksteen@prfba.org