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United States Senate

WASHINGTON, DC 20510

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February 18, 2014

Carl R. Ice
President and Chief Executive Officer
Burlington Northern Santé Fe
2650 Lou Menk Drive
Fort Worth, TX 76131-2830

Dear Mr. Ice:

I write to request your immediate attention to address the major difficulties being experienced by agricultural shippers in North Dakota – including grain elevators, sugar cooperatives and agricultural exporters – in accessing the rail services required to move their products to market.

Agriculture remains the number one industry in North Dakota, providing nearly 25 percent of the state's employment and economic base. In order for this important industry to continue to succeed, reliable transportation of agricultural commodities is critical. While BNSF has met the needs of agricultural producers and shippers in North Dakota in recent years, the reliability of service has severely diminished this winter. Rail shipment delays lasting over two weeks have resulted in some producers being unable to meet their obligations to customers. Additionally, the lack of available train cars to ship products has forced many growers to the secondary market for rail car access, adding thousands of dollars to the cost of shipment.

BNSF has greatly expanded its operations in North Dakota in recent years to capture the demand for transportation services for the delivery of crude oil out of the Bakken. Per statistics released by BNSF, your company has handled more than 50 percent of the volume increases for the rail industry in 2013. This growth has largely centered on business provided by the North Dakota economy with an 11 percent increase in industrial products volumes led by crude-by-rail related traffic, a 3 percent increase in coal volumes and continued shipments of agricultural products. While I appreciate BNSF investing in North Dakota to meet the needs of shippers in the oil patch, I want to stress that the increased rail transportation of oil and gas from the Bakken Formation should not come at the expense of the agricultural shippers that have for many years been reliable customers for the railroad.

BNSF recently announced its 2014 capital commitment plan of approximately \$5 billion, money that will be used to improve the core network and related assets; purchase locomotive, freight car and other equipment acquisitions; continue the installation of positive train control (PTC); and invest in terminal, line and intermodal expansion and efficiency projects. Understanding the challenges that have limited services in North Dakota – namely, the increased traffic created by shipments of Bakken crude and the need to reduce train carrying capacity during extreme cold –

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I request information on the steps being taken by BNSF as part of the capital commitment plan to restore high quality service to agricultural customers.

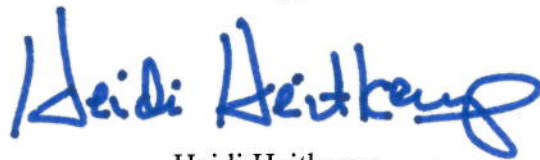
While this winter has been especially cold, the railroad can expect coming winters to involve many weeks of below zero temperatures. What steps are being taken to address the difficulties created by cold weather in North Dakota to handle the increased demands for shipments from my state to the Pacific Northwest? Are investments being considered to better equip trains to handle cold temperatures?

In a recent meeting with BNSF Executive Chairman Matt Rose, information was provided to me regarding the steps BNSF plans to take to improve the network. How will the capital improvement plan make targeted investments in North Dakota to safely allow for increased capacity on the BNSF main line to meet the increased shipping demands of both energy and agricultural shippers? What are the most pressing investment needs in North Dakota to enable BNSF to meet the demands of shippers in my state and provide reliable and affordable service?

Finally, the slowed down service of the previous three months has caused major shipment backlogs at grain elevators, sugar cooperatives, and other agricultural shippers. To prevent products from spoiling, will future schedules take into account the increased need for agricultural shipments?

Thank you for your prompt attention to this important request. I appreciate your dedicated service to improving the American rail transportation system, and I look forward to working with you on efforts to improve rail service to the agricultural producers of North Dakota. If you or your staff have questions or require any additional information or assistance, please contact Jack Huerter in my office at 202.224.9894 or jack_huerter@heitekamp.senate.gov.

Sincerely,



Heidi Heitkamp
United States Senate

Cc: Matt Rose, Executive Chairman, Burlington Northern Santé Fe
John Miller, Group Vice President, Agricultural Products, Burlington Northern Santé Fe
Amy C. Hawkins, Vice President, Government Affairs, Burlington Northern Santé Fe