

**APPENDIX D**  
**SUMMARY OF RECOMMENDATIONS**

1. Each Carrier will publish, on a monthly basis, for each Commodity by Car-type and Geographic Area, by the 10<sup>th</sup> of each month, the daily Railway Service Metrics of the previous month, where:

- (a) Car-type means ●;
- (b) Carrier means ●;
- (c) Commodity means ●;
- (d) Crew Redundancy means ●;
- (e) Geographic Area means ●;
- (f) Normal Run Times means ●, but excludes incidents where a carrier stops or slows a train on a siding, in a yard or other facility, to let one or more other trains pass or otherwise;
- (g) Railway Service Metrics means cycle times, transit times, Normal Run Times, average train speed, dwell time at each Station, interchange time and other metrics, etc., as determined by the Canadian Transportation Agency;
- (h) Station means ●.

2. A Carrier will provide, upon a shipper's request and in accordance with the parameters of such request, for each period or term during which a shipper has shipped or is shipping goods on a Carrier's railway, whether pursuant to a contract or a tariff, full particulars of the shipper's traffic movements on that Carrier's railway, including without limitation the following, all in machine-readable format and on a timely basis:

- (a) loaded and empty cycle and transit times;

- (b) average train speed and calculation of average train speed between each origin, interchange and destination and on each subdivision of a Carrier's system;
  - (c) average train speed and calculation of average train speed in the segments between Stations during Normal Run Times;
  - (d) dwell time at each Station in the loaded and empty routes of the shipper's traffic or equipment or both;
  - (e) loaded and empty interchange times with other carrier(s);
  - (f) each incident of railcars and trains set off on a siding, at a yard or line of railway for any reason whatsoever for each loaded and empty cycle and, if so set off to allow another train to pass the shipper's cargo or equipment, particulars as to the commodity carried by the railway in respect of which the shipper's cargo or equipment was set off, together with the duration of the set off;
  - (g) each incident of unavailability of crews, motive power or other reason for a dwell, failure to leave a station or to effect an interchange;
  - (h) real time data pertaining to all or any of the foregoing.
3. At the shipper's request, a Carrier will provide, in a confidential contract or failing agreement in a public tariff, reciprocal and timely assessorial charges, including
- (a) penalties for failing to achieve targeted cycle times, transit times, interchange times and even-flow deliveries,
  - (b) penalties for causing or contributing to bunching of cars in yards, and bunching of trains at origin and destination,
  - (c) penalties for failing to recover from weather-related incidents, rockfalls, avalanches, slides, etc. within a pre-determined time (service standards),
  - (d) penalties for failure to meet commitments relating to delivery schedules, whether expressed as tonnages/volumes/units, trains per day, cars per week, etc.

4. Forthwith upon a shipper's request, a Carrier will provide rates in railway-supplied or shipper-supplied locomotives, fuel and/or cars, to the origins and destinations of the shipper's choice, whether or not the traffic is interchanged with another carrier.

5. In order to enhance and facilitate the ability of a shipper to supply railcars, locomotives and/or fuel for all or any part of its traffic, a Carrier will:

(a) where the shipper requests rates involving the use of railway-supplied or shipper-supplied railcars, locomotives or fuel or all or any of them, provide such rates in a valid tariff forthwith;

(b) publish and maintain a list of specifications the Carrier employs for its railcars, locomotives, and fuel consumption in that shipper's service to facilitate a shipper's consideration of providing its own rolling stock and so as to not frustrate the ability of the shipper to ship in accordance with such tariff;

failing which, if not provided by the Carrier within 10 days after such a request, the Agency may order the Carrier to issue such tariff no later than 20 days following the shipper's application to the Agency in respect thereof.