

Testimony in Support of HB 5127

Transportation Committee

Public Hearing

Wednesday, February 13, 2013

Testimony of Timothy Beeble, Bethel, CT.

Senator Maynard, Representative Guerrero, and members of the Transportation Committee:

My name is Timothy Beeble. I reside in Bethel, CT, have commuted by rail to Stamford for the past 30 years. I am Secretary of the CT Metro North Rail Commuter Council.

I thank Representative Gail Lavielle for introducing HB 5127 to provide consumer protection to Connecticut customers of Metro North railroad. It is sad that this legislation is necessary to prevent Metro North, which is subsidized by the State of Connecticut, from pocketing fares collected from citizens of Connecticut for train service which is unilaterally cancelled by Metro North for days on end. The fact is that when a commuter buys a weekly or monthly train ticket from Metro North, they are pre-paying for train service for a specific time frame. If Metro North cancels all train service for more than a day, they have failed to provide the service for which they have collected fares. However, Metro North treats their obligation to provide train service to its ticket holders as a best efforts agreement. That is, the customer pays the fare and Metro North will try to get them to their destination. If not, Metro North keeps the fare anyway while their perishable ticket expires.

The issue of customer refunds or credits for cancelled train service that continues beyond 20 hours was proposed by the Commuter Council in its Bill of Passenger Rights. Metro North refused to include this provision in the Bill of Rights, and the Connecticut DOT Commissioner condoned Metro North's continued practice of pocketing fares for cancelled service. The Connecticut commuters need legislative action to prohibit its vendor, Metro North, from this practice of consumer abuse.

The Waterbury, Danbury and New Canaan Branches are frequently subject to extended cancellations that continue for days. After Hurricane Sandy, Metro North shut down all train service system-wide for 8 days. This may have been the first time that commuters on the Mainline experience Metro North pocketing their train fares and failing to provide train service. Commuters purchase a weekly ticket on Friday for the following week's service. Consumers pre-paid for seven days of train service for that week but Metro North cancelled trains on Sunday provided no train service for 8 days. Metro North defiantly kept the unearned collected fares anyway. Similarly, purchasers of monthly train tickets, had to drive to work for that week while sitting on their wallets that were thinner from paying the train fare plus gasoline for that week, but ever so slightly thicker due to the useless Metro North monthly train ticket. Metro North refused to provide refunds or credit for pre-paid fares for service that they failed to

provide after the Hurricane Sandy train shut down. Furthermore, Connecticut DOT refused to stand up for the consumer rights of Connecticut train ticket holders.

Similarly Metro North cancelled all service for 4 or 5 days on the Danbury Branch after Hurricane Irene in August 2011 and again after Storm Albert in October 2011. Metro North refused to refund or provide credit for the collected fares for the pre-paid service that they never provided.

Last week, during and after Storm Nemo, more than 3,000 airline flights in this region were cancelled. How many of the tens of thousands of ticket holders for cancelled flights received refunds or flights on a later jet? All of them. The FAA would never allow airlines to pocket fares collected for cancelled service.

The Connecticut Rail Commuters can only turn to the State Legislature to protect them from Metro North and its policy of trampling on the consumer rights of ticket holders. I urge you to approve HB 5127.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Timothy Beeble", written in a cursive style.

Timothy Beeble