
BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. NOR 42175

COMPLAINT AND PETITION OF THE NATIONAL RAILROAD PASSENGER CORP.
UNDER 49 U.S.C. § 24308(f)–FOR SUBSTANDARD PERFORMANCE OF
AMTRAK’S SUNSET LIMITED TRAINS 1 AND 2

**VERIFIED STATEMENT OF
AMTRAK DIRECTOR OF HOST RAILROADS
YOEL WEISS**

1. My name is Yoel Weiss. I am the Director of Host Railroads at the National Railroad Passenger Corporation (“Amtrak”). In this role, I help oversee Amtrak’s relationship with host railroads across the lines on which Amtrak runs, nationwide. I joined Amtrak in 2018 as Lead Host Railroad Specialist. I have been directly involved with Amtrak’s efforts to engage with Union Pacific (“UP”) and the other host railroads on schedule certification for the *Sunset Limited*. Pursuant to those efforts, I have been directly involved in communications between Amtrak and UP regarding the *Sunset Limited* schedule.

2. On December 18, 2020, Amtrak sent correspondence to UP, requesting that UP agree to certify Amtrak passenger schedules including the *Sunset Limited* schedule. A true and correct copy of that correspondence, sent from Jim Blair (Amtrak Senior Director, Host Railroads) to Ira Cooper (UP Senior Director Passenger Operations) is attached as Amtrak Exhibit 9 (Amtrak_STB_0000678-682).

3. On April 9, 2021, UP proposed modifications to the published train schedules for *Sunset Limited* Trains 1 and 2. With respect to Train 1, UP proposed adding 81 minutes of time to the schedule, including 74 minutes of Recovery Time and 7 minutes of Pure Run Time. With respect to Train 2, UP proposed adding 79 minutes of time to the schedule, including 74 minutes of Recovery Time and 5 minutes of Pure Run Time. A true and correct copy of the proposal, sent from Mr. Cooper to Amtrak personnel, is attached as Amtrak Exhibit 10.

4. On April 16, 2021, UP notified Amtrak that UP had decided to dispute the *Sunset Limited* schedule and was initiating the non-binding dispute resolution process for Trains 1 and 2, among others. A true and correct copy of that notification, sent from Mr. Cooper to Mr. Blair, is attached as Amtrak Exhibit 13.

5. On May 12, 2021, Amtrak advised UP that it would consent to participation in a non-binding mediation process concerning the *Sunset Limited* schedules. A true and correct copy of that correspondence is attached as Amtrak Exhibit 15.

6. On May 17, 2021, Amtrak indicated in a notice to the Federal Railroad Administrator that UP disputed its portion of the *Sunset Limited* Schedules. A true and correct copy of the notice that Amtrak provided to the Federal Railroad Administrator is attached as Amtrak Exhibit 14.

7. On June 2, 2021, UP asked whether Amtrak had provided a counter-proposal for the *Sunset Limited* schedules and I responded to indicate that Amtrak was in the process of putting together such a proposal. A true and correct copy of that correspondence is attached as Exhibit 10.

8. On September 10, 2021, Amtrak provided a proposal regarding the *Sunset Limited* schedules. In the proposal, Amtrak offered to reallocate some Recovery and Dwell Time for each train. A true and correct copy of the cover note and proposal is attached as Amtrak Exhibits 16 & 16-1.

9. On September 13, 2021, UP {{ [REDACTED] [REDACTED] }} A true and correct copy of that correspondence, which I received, is attached as Amtrak Exhibit 17.

10. On October 21, 2021, UP provided a counter-proposal regarding the *Sunset Limited* schedules. With respect to Train 1, UP proposed to add 133 minutes of time to the schedule, including 60 minutes of Recovery Time, 6 minutes of Pure Run Time, and 67 minutes of Miscellaneous Time. With respect to Train 2, UP proposed adding 93 minutes of time to the schedule, including 74 minutes of Recovery Time, 4 minutes of Pure Run Time, 15 minutes of

Miscellaneous Time. A true and correct copy of the proposal, which I received, is attached as Amtrak Exhibits 11 & 11-1.

11. On November 10, 2021, Amtrak provided a revised proposal regarding the *Sunset Limited* schedules. In the proposal, Amtrak again offered to reallocate some recovery and dwell time for each train. A true and correct copy of the revised proposal is attached as Amtrak Exhibits 12 & 12-1.

12. On November 11, 2021, UP provided another counter-proposal for the *Sunset Limited* schedules. With respect to Train 1, UP proposed adding 126 minutes time to the schedule, including 130 minutes of Recovery Time, 6 minutes of Pure Run Time, 7 minutes of Miscellaneous Time, and reducing Dwell Time by 17 minutes. With respect to Train 2, UP proposed adding 96 minutes of total schedule including 94 minutes of Recovery Time and 4 minutes of Pure Run Time. The proposal also involved adding 15 minutes Miscellaneous Time and reducing Dwell Time by 17 minutes. A true and correct copy of the revised counter-proposal is attached as Amtrak Exhibits 18 & 18-1.

13. On November 12, 2021, UP contacted Amtrak and indicated that UP planned to pull data in support of its *Sunset Limited* proposal. UP requested that Amtrak do the same. A true and correct copy of this correspondence, which I received, is attached as Amtrak Exhibit 19.

14. It is my understanding that although Amtrak and UP engaged in discussions and an exchange of proposals about a non-binding mediation process, Amtrak and UP were unable to reach agreement on that process, and did not engage in a non-binding mediation for the *Sunset Limited* schedules.

15. Although UP has not certified its portion of the *Sunset Limited* schedules, Amtrak and its host railroad partners have certified more than 95% of Amtrak's published train schedules. Approximately 85% of long-distance schedule segments have been certified.

VERIFICATION

I, Yoel Weiss, declare under penalty of perjury that the foregoing information is true and correct to the best of my knowledge and belief. Further, I certify that I am qualified and authorized to file this statement on behalf of Amtrak.

Executed on this 7th day of October, 2024.

Yoel Weiss
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