

SERVICE DATE — AUGUST 6, 2025

SURFACE TRANSPORTATION BOARD

DECISION

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

Decided: August 6, 2025

On December 8, 2022, Amtrak submitted a Complaint and Petition for Board Investigation and Other Relief requesting that the Board initiate an investigation of the on-time performance of Amtrak’s *Sunset Limited* service. By a decision issued on July 11, 2023, the Board initiated an investigation under Section 213 of the Passenger Rail Investment and Improvement Act of 2008, Pub. L. No. 110-432, 122 Stat. 4848, codified at 49 U.S.C. § 24308(f), to examine the cause(s) of substandard on-time performance of Amtrak’s *Sunset Limited*.

On July 31, 2025, Amtrak filed a notification of settlement with Union Pacific Railroad and motion for dismissal of complaint and termination of investigation. Amtrak notes that it “is authorized to represent that all parties the Board has deemed are necessary parties to this investigation except for Canadian Pacific Kansas City Limited (‘CPKC’) consent to this requested relief.” (Amtrak Mot. to Dismiss 1 (footnote omitted).) On August 1, 2025, CPKC filed a letter explaining that it does not object to termination of the Board’s investigation or dismissal of the proceeding, but CPKC “wished to avoid any implication that its consent constituted assent to the undisclosed terms of Amtrak’s confidential arrangements with Union Pacific.” (CPKC Reply 1, Aug. 1, 2025.)

The Board has long encouraged the private resolution of disputes through voluntary negotiations whenever possible. See *CF Indus. Inc. v. Kaneb Pipe Line Partners, L.P.*, NOR 42084, slip op. at 2 (STB served Nov. 21, 2006). No necessary parties object to Amtrak’s request to dismiss the proceeding, which was initiated by the Board on Amtrak’s complaint. Accordingly, Amtrak’s motion will be granted.

It is ordered:

1. Amtrak’s motion is granted. Amtrak’s complaint is dismissed with prejudice.
2. The Board’s investigation into the *Sunset Limited* is concluded, all pending motions in this docket are denied as moot, and this proceeding is closed.

3. This decision is effective on its date of service.

By the Board, Anika S. Cooper, Chief Counsel, Office of Chief Counsel.