

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 800
Chicago, Illinois 60606-3208

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

ROBERT A. WIMBISH

(312) 252-1504
rwimbish@fletcher-sippel.com

February 14, 2022

303892

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W., Room 1034
Washington, DC 20423-0001

ENTERED
Office of Proceedings
February 14, 2022
Part of
Public Record

Re: FD 36496, *Application of the National Railroad Passenger Corporation under 49 U.S.C. § 24308(e) – CSX Transportation, Inc., and Norfolk Southern Railway Company*

The Alabama State Port Authority (“ASPA”) and its rail common carrier operating division, Terminal Railway Alabama State Docks (“TASD”) – collectively, the “Port” – hereby file in response to the Order (the “Order”) of the Surface Transportation Board (the “Board”) served on February 8, 2022. The Order, among other things, directs each of the Parties (as that term is defined at footnote 1 of the Order) to offer both a list of witnesses that it intends to call for direct examination during the evidentiary phase of the hearing (the “Hearing”) currently scheduled to begin on March 9, 2022, and a list of witnesses that Party wishes to have an opportunity to cross-examine.

The Port hereby advises the Board that it intends to call the following two witnesses for direct examination at the Hearing (and offers for each the estimated duration of direct examination):

Robert M. Golden, General Manager, TASD (1 Hour)

John C. Driscoll, Chief Executive Officer, ASPA (20 minutes)

The Port requests the opportunity to cross-examine every witness that any other Party to this proceeding chooses to call at the Hearing. If not already included among the witnesses that other Parties intend to call pursuant to the witness list filings due today, the Port seeks, in particular, to examine the following witnesses of other Parties:¹

¹ The Port may, subsequent to this request, withdraw its request to examine any of the following witnesses upon further consultation among the Parties. And, if the Port were to withdraw its request with respect to any of the listed witnesses, the Port will so advise the Board promptly.

FLETCHER & SIPPEL LLC

Ms. Cynthia T. Brown
February 14, 2022
Page 2

Jim Blair, Assistant Vice President, Host Railroads,
National Railroad Passenger Corporation (“Amtrak”)

Thomas D. Crowley or Daniel L. Fapp, L.E. Peabody & Associates, Inc.
(or both, if both individuals are called by Amtrak to testify during the Hearing)

Clayton S. Johanson or Michael Weaver or Darkhan Mussanov, DB Engineering & Consulting
USA, Inc. (or all or any combination of the three, if more than one of these individuals is called
by Amtrak to testify during the Hearing)

Ricky Johnson, Senior Vice President of Engineering and Mechanical,
CSX Transportation, Inc. (“CSXT”)

Hannah Rosse, former Director of Service Measurements and Network Modeling,
CSXT

Larry R. Guthrie, R.L. Banks & Associates, Inc.

Respectfully submitted,

/s/ *R. A. Wimbish*

Robert A. Wimbish
James D. Helenhouse
Thomas J. Litwiler
Stephen J. Foland
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 800
Chicago, Illinois 60606-3208
(312) 252-1500

**ATTORNEYS FOR ALABAMA STATE
PORT AUTHORITY AND TERMINAL
RAILWAY ALABAMA STATE DOCKS**

cc: All parties of record