



SIDLEY AUSTIN LLP
1501 K STREET, N.W.
WASHINGTON, D.C. 20005
+1 202 736 8000
+1 202 736 8711 FAX

AMERICA • ASIA PACIFIC • EUROPE

+1 202 736 8889
RATKINS@SIDLEY.COM

304180

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Cynthia T. Brown
Chief of the Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, D.C. 20423

Re: Gulf Coast Passenger Service Between New Orleans and Mobile
STB Finance Docket No. 36496, Coast Guard Outreach

Dear Ms. Brown:

During the pre-hearing conference on February 16, 2022, the Surface Transportation Board directed the Parties to jointly engage with the United States Coast Guard concerning the possibility of “scheduling [] the opening of bridges to minimize train interference” between New Orleans and Mobile.¹

The Parties reached out to Commander Doug Blakemore of the Eighth Coast Guard District and conveyed the Board’s instructions to the Parties. Commander Blakemore requested (among other things) a meeting agenda, proposed meeting dates, and a list of attendees. The parties provided those materials on March 10, 2022. That same day, Commander Blakemore explained that the Coast Guard had decided to engage with the Board directly, rather than with the Parties.

The Board is acting here in an adjudicatory capacity, presiding over a hearing on the record. The transcript of the hearing on the record, together with formal, written submissions, will form the evidentiary bases for the Board’s decision on whether or not to grant Amtrak’s Application. Therefore, the Parties respectfully submit that any communication between the Coast Guard and the Board that may bear on the outcome of this proceeding must be in writing, not conveyed orally.

¹ February 16, 2022 Pre-Evidentiary Hearing Conference, *Application of the Nat’l R.R. Passenger Corp. Under 49 U.S.C. § 24308(e)—CSX Transp., Inc. and Norfolk S. Corp.*, STB Docket No. FD 36496 (posted Mar. 23, 2022), at 45:13–47:15.

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Those communications must also be posted to the docket in advance of the April evidentiary hearing so that each Party has a full and fair opportunity to respond through the presentation of witness testimony or legal argument as needed.² Alternatively, the Parties must be given an opportunity to respond to these communications in writing at a later date to ensure a complete record in this case.

We appreciate the Board's attentiveness to this matter.

Respectfully submitted,

/s/ William A. Mullins

William A. Mullins
Crystal M. Zorbaugh
BAKER & MILLER PLLC
2401 Penn. Ave. N.W.
Suite 300
Washington, D.C. 20037

*Counsel for Norfolk Southern
Railway Company*

/s/ Jessica Ring Amunson

Jessica Ring Amunson
Kali N. Bracey
JENNER & BLOCK LLP
1099 New York Ave., NW
Suite 900
Washington, DC 20001

*Counsel for National Railroad
Passenger Corporation*

/s/ Raymond A. Atkins

Raymond A. Atkins
Matthew J. Warren
SIDLEY AUSTIN LLP

Counsel for CSX Transportation, Inc.

/s/ Robert 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

*Counsel for Alabama State
Port Authority and Terminal
Railway Alabama State Docks*

cc: FD 36496 Service List

² Each Party also reserves the right to call the Coast Guard as a witness during the April evidentiary hearing.