

**BEFORE THE
SURFACE TRANSPORTATION BOARD
DOCKET NO. FD 36496**

**APPLICATION OF THE NATIONAL RAILROAD PASSENGER
CORPORATION UNDER 49 U.S.C. § 24308(e) – CSX
TRANSPORTATION, INC. AND NORFOLK SOUTHERN
CORPORATION**

**CSX TRANSPORTATION, INC.'S
SUPPLEMENTAL RESPONSES TO
THE NATIONAL RAILROAD PASSENGER CORPORATION'S
INTERROGATORY NOS. 10 AND 11**

Pursuant to 49 C.F.R. Part 1114 and other applicable rules and authority, CSX Transportation, Inc. ("CSXT"), through undersigned counsel, provides the following supplement to its responses and objections to the National Railroad Passenger Corporation's ("Amtrak's") Interrogatory Nos. 10 and 11.

INTERROGATORIES

Interrogatory No. 10

Describe in detail the improvements CSXT believes are needed prior to Amtrak reinstating the Gulf Coast Service and identify all documents supporting that belief, including by providing:

- a. A description of each improvement;
- b. The coordinates of where each improvement is needed;
- c. All methodology, criteria, data, and procedures CSXT employed to determine that each improvement was necessary;
- d. The basis upon which CSXT believes the improvement is needed prior to reinstatement of the Gulf Coast Service.

Response: CSXT incorporates by reference the specific and general objections that it made in its initial responses on September 2, 2021. Subject to and without waiving those objections, CSXT responds that it cannot provide a

comprehensive description of what improvements “are needed prior to Amtrak reinstating the Gulf Coast Service.” In the first place, Amtrak is not proposing to “reinstate” pre-2005 service; it is rather proposing significantly more frequent service. CSXT believes that some level of infrastructure improvements would be necessary to accommodate this new passenger operation without unreasonably impairing service to CSXT’s freight operations. As CSXT has maintained consistently, the improvements have to be based on a study modeling the precise operations that Amtrak is proposing. CSXT expects to develop a list of proposed improvements that will be included in its opening evidence.

Interrogatory No. 11

Describe in detail the basis for CSXT’s position that reinstating the Gulf Coast Service would impair unreasonably freight transportation for CSXT.

Response: CSXT incorporates by reference the specific and general objections that it made in its initial responses on September 2, 2021. Subject to and without waiving those objections, CSXT reiterates that it does not oppose the introduction of new passenger service on its rail lines between New Orleans and Mobile. Rather, CSXT believes that an RTC study or equivalent operations modeling study is necessary to determine whether or not the introduction of the proposed passenger service will unreasonably impair freight service without additional infrastructure. CSXT anticipates that some infrastructure will be needed to support the proposed passenger service given certain unique features of the rail line including that it is single-tracked in most places; there are multiple drawbridges that open on marine traffic demand because marine traffic has priority over all rail traffic, freight and passenger alike; and there are multiple ports along this portion of the Gulf Coast that are and will continue to experience significant growth in traffic, thereby increasing congestion on the rail lines and in the yards. These are some of the relevant factors that require careful study in assessing

whether there will be any unreasonable impairment to freight from the introduction of passenger service.

Respectfully submitted,

/s/ Matthew J. Warren

Raymond A. Atkins

Matthew J. Warren

Chike B. Croslin

Stephen S. Laudone

SIDLEY AUSTIN LLP

1501 K Street, NW

Washington, DC 20005

(202) 736-8000

ratkins@sidley.com

mjwarren@sidley.com

ccroslin@sidley.com

slaudone@sidley.com

Counsel for CSX Transportation, Inc.

Dated: September 17, 2021

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of September, 2021, a copy of the foregoing Supplemental Responses to the National Railroad Passenger Corporation's Interrogatory Nos. 10 and 11 was served by email on the National Railroad Passenger Corporation.

/s/ Matthew J. Warren

Matthew J. Warren
SIDLEY AUSTIN LLP