

BAKER & MILLER PLLC

ATTORNEYS and COUNSELLORS

2401 PENNSYLVANIA AVENUE, NW
SUITE 300
WASHINGTON, DC 20037

TELEPHONE: (202) 663-7820

FACSIMILE: (202) 663-7849

WILLIAM A. MULLINS

(202) 663-7823 (Direct Dial)

E-Mail: wmullins@bakerandmiller.com

November 19, 2021

By Email

Kali N. Bracey
Jessica Ring Amunson
1099 New York Avenue, NW, Suite 900
Washington, DC 20001-4412

Re: Finance Docket No. 36496, *Application of the National Railroad Passenger Corp. Under 49 U.S.C. § 24308(e) – CSX Transportation, Inc. and Norfolk Southern*

Dear Counsel:

We are writing in response to your November 17, 2021 letter asking questions about certain workpapers for the opening evidence filed by CSX Transportation, Inc. (“CSXT”) and Norfolk Southern Railway Company (“NSR”) on November 3, 2021. We respond to each of your questions below.

NS RTC Inputs

1. The IDs contained in Columns Eight (8) through Thirteen (13) in e-workpaper “Gulf Coast Simulation NS Bridge Openings.xlsx,” tab “Sheet1” were hidden because they contained irrelevant information from a database. The data was not considered by HNTB or R.L. Banks & Associates, Inc. (“The RTC Modelers”) in preparation for the November 2021 New Orleans – Mobile Gulf Coast Passenger Service RTC Modeling Report, and therefore a decoder for the irrelevant information is unnecessary.
2. NSR objects to further production of the original data supporting the calculations of Average Loads, Empties, Tonnage and Length in tab “NS Locals” of e-workpaper “Gulf Coast Simulation NS Train Data.xlsx” as only the averages were provided to The RTC Modelers. As the averages were reasonable calculations, there was no need for NSR to provide, nor did The RTC Modelers ask for, the original data.

Further, these averages were determined by averaging train consist data for the A65 and A71 trains, which were based on actual consist data from 9/1/2019 – 11/30/2019 (loads/empties/tonnage and length were averaged for that time period). For the A72 train, since there was limited data available for the train consist data, the average was provided by NSR field personnel to Holly Sinkkanen, Capacity Planning Analyst for NSR. She then developed a representative train consist based on their input.

3. NSR objects to further production of the original data supporting the calculations of the Average and Minimum Average Train Consist statistics shown in tab “Interchange (CNIC to NS)” of e-workpaper “Gulf Coast Simulation NS Train Data.xlsx” as only the averages were provided to The RTC Modelers. As the averages were reasonable calculations, there was no need for NSR to provide, nor did The RTC Modelers ask for, the original data. Because there was limited data available for the train consist data, the average train size was provided by NSR field personnel to Holly Sinkkanen, and she then developed a representative train consist based on their input.
4. NSR objects to further production of the original data supporting the calculations of the Average and Minimum Average Train Consist statistics shown in tab “Interchange (CNIC to CSX)” of e-workpaper “Gulf Coast Simulation NS Train Data.xlsx” as only the averages were provided to The RTC Modelers. As the averages were reasonable calculations, there was no need for NSR to provide, nor did The RTC Modelers ask for, the original data. These averages were determined by averaging limited interchange data between CNIC and CSXT. The averages provided were based on actual consist data from 9/1/2019 – 11/30/2019. The data pulled from the database was cleaned and averaged. Minimum and maximums were pulled from the cleaned data (excluding outliers/erroneous data).
5. NSR has examined the tab “Interchange (CNIC to CSX)” in e-workpaper “Gulf Coast Simulation NS Train Data.xlsx” containing two (2) different “Average Train Consist” calculations and determined that the second iteration at row seven (7) is a typo. It should read “Maximum Train Consist.”
6. NSR objects to further production of the original data supporting the calculations of the of the Average and Minimum Average Train Consist statistics shown in tab “Interchange (CSX to CNIC)” of e-workpaper “Gulf Coast Simulation NS Train Data.xlsx” as only the averages were provided to The RTC Modelers. As the averages were reasonable calculations, there was no need for NSR to provide, nor did The RTC Modelers ask for, the original data. These averages were determined by averaging limited interchange data between CSXT and CNIC. The averages provided were based on actual consist data from 9/1/2019 – 11/30/2019. The data pulled from the database was cleaned and averaged. Minimum and maximums were pulled from the cleaned data (excluding outliers/erroneous data).
7. NSR has examined the tab “Interchange (CSX to CNIC)” in e-workpaper “Gulf Coast Simulation NS Train Data.xlsx” containing two (2) different “Average Train

Consist” calculations and determined that the second iteration at row seven (7) is a typo. It should read “Maximum Train Consist.”

HNTB RTC Inputs

8. The source of the calculations underlying the data shown in the “2039” tab of the “Moveable Bridge Analysis.xlsx” workpaper is a query in the Access database titled “FAF4.5.1.accdb” located in folder “1.3 HNTB.” The source of the data is the United States Department of Transportation’s Freight Analysis Framework (“FAF”) and the FAF data can be found in the “FAF4.5.1.accdb” Access database.

RTC Files

9. In conducting their analysis The RTC Modelers did not utilize or rely on most of the RTC file types identified in your letter. Those RTC files therefore do not exist. Of the RTC file types you identified, the RTC Modelers did use or rely on the following files: .DELAY, .REPORT, and .ROUTE. Most of the data contained in these file types is located in the Access database titled “Train Analysis.accdb,” which was provided in the “3.0 RTC Output and Analysis Files” workpaper folder. Nevertheless, we will supplement the RTC Report workpapers by providing the .DELAY, .REPORT, and .ROUTE files for each of the 10 RTC cases analyzed in the report. Counsel for CSXT will provide access to these files by separate email. These files should be treated as Highly Confidential as reflected in the revised RTC Report Workpapers index attached as Appendix A.

If there are any questions about this matter, please contact me directly, either by telephone: 202-663-7823 or by e-mail: wmullins@bakerandmiller.com. If I am unavailable, you may contact Crystal M. Zorbaugh, who can be reached at (202) 663-7831 or by e-mail at czorbaugh@bakerandmiller.com.

Sincerely,

/s/ William A. Mullins

William A. Mullins
Attorney for Norfolk Southern Railway
Company

cc: Matthew J. Warren, Counsel for CSX Transportation, Inc.