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By E-Filing

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20006

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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 Ms. Brown:

CSX Transportation, Inc. (“CSXT”) submits this letter to briefly respond to comments made by the National Railroad Passenger Corporation (“Amtrak”) concerning the above-captioned matter in an entirely separate and unrelated proceeding before the Board. In its Notice of Intent to Participate in Finance Docket 36472, Amtrak asserted that CSXT has failed to agree “to allow Amtrak to restore service between New Orleans and Mobile” and accused CSXT of “recalcitrance” concerning this and other passenger service requests.¹

CSXT is disappointed that Amtrak is now attempting an opportunistic move in an unrelated docket to further its interests in this proceeding. It is unfortunately indicative of the path Amtrak has chosen as it attempts to force passenger service onto the Gulf Coast by January 2022 while abandoning the longstanding practice of an agreed upon impact analysis—a study that many stakeholders in this docket had requested and had been relying upon. This litigation is not about *restoration* of the tri-weekly overnight service (*Sunset Limited*) that Amtrak operated pre-Hurricane Katrina. Instead, Amtrak is requesting *new* and far more extensive twice-daily roundtrip passenger service during peak hours. Amtrak’s allegations of “recalcitrance” are groundless, when it is Amtrak who has unilaterally halted completion of the joint operations modeling study for its proposed new service that Amtrak, CSXT, and Norfolk Southern Railway Company agreed to complete last year.

¹ Amtrak Notice of Intent to Participate, *CSX Corporation and CSX Transportation, Inc., et al.—Control and Merger—Pan Am Systems, Inc., et al.*, STB Fin. Docket No. 36472 (filed May 17, 2021), at 4–5.

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Like CSXT, the stakeholders appearing in this docket are not opposed to passenger service, nor are they “recalcitrant” obstacles to Amtrak’s goals. They simply want to ensure that any new passenger service will not damage the quality of existing freight service for the stakeholders who rely on it. As CSXT has explained, it stands ready to work with Amtrak towards its goal of seeing passenger service return to the Gulf Coast. But Amtrak should work with CSXT and Norfolk Southern Railway Company to complete the operations modeling study that is essential to determine how best to support quality passenger and quality freight service on this route. Misleading characterizations in unrelated proceedings are not productive.

Sincerely,

/s/ Raymond A. Atkins

Raymond A. Atkins

cc: FD 36496 Service List