

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

EX PARTE NO. 724 (Sub-No. 5)

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PETITION FOR RULEMAKING TO AMEND 49 C.F.R. PART 1250

REPLY COMMENTS ON BEHALF OF CN

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Dated: January 6, 2020

The U.S. rail operating subsidiaries of Canadian National Railway Company (hereafter “CN”) respectfully submit these reply comments on the Notice of Proposed Rulemaking that the Board served on September 30, 2019 in the above-captioned proceeding.

CN’s initial comments in this proceeding addressed its proposed method for identifying the “chemical or allied products” commodities to be added to the cars-held metric in 49 C.F.R. § 1250.2(a)(6). CN proposes to create a separate category of “chemicals or allied products” using Railinc’s list to identify commodities at the seven-digit STCC level. CN highlighted the challenges it would have to undertake if it otherwise had to create the “chemical or allied products” category for cars held at a two-digit STCC level.

No other commenter addressed issues similar to those CN raised on opening. CN therefore reiterates its request that the Board confirm that a rail carrier may use the list of seven digit STCCs from Railinc in effect when the Board’s proposed rule becomes effective to comply with the Board’s proposal that a rail carrier separately report the category of “chemicals or allied products” in the cars-held metric under 49 C.F.R. § 1250.2(a)(6).

Both The American Chemistry Council and American Fuel & Petrochemical Manufacturers renewed ACC’s request to extend the terminal reporting requirements applicable to the Chicago gateway to the New Orleans, East St. Louis, and Memphis gateways. CN supports the reply comments of the Association of American Railroads on that issue.

Respectfully submitted,

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