



VAN-KAM Freightways Ltd.
10155 Grace Road
Surrey, BC V3V-3V7

The Honorable Cynthia T. Brown
Chief, Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

Re: Finance Docket No. 36500 – Reply to Objections to KCS Waiver

VanKam Freightways Ltd has previously submitted to the Board a letter supporting approval of the proposed CP-KCS combination, and I have attached a copy of that letter for the Board's convenience. As expressed in our previous letter, VanKam Freightways Ltd supports swift approval of the CP-KCS combination because of the significant benefits we expect to realize from this transaction.

VanKam Freightways Ltd is aware that several parties have filed objections to the application of the pre-2001 merger rules to the CP-KCS transaction under the "waiver" issued in 2001 for transactions involving KCS. VanKam Freightways Ltd wishes to reply to those objections by urging the Board not to revoke the KCS waiver. The pre-2001 rules provide the Board and all interested parties all the tools that are needed to fully evaluate the proposed transaction.

We are fully cognizant of the Board's mandate to ensure that Class I mergers are in the public interest, and do not risk significant disruptions in the railway system. From our perspective, the unique nature of the CP-KCS transaction alleviates the concerns that motivated the new rules adopted in 2001. Reviewing the CP-KCS combination under the tried and true pre-2001 merger standards will prevent undue delay, while still allowing for a thorough public interest assessment by the Board.

As we have mentioned in our first letter, the end-to-end CP-KCS transaction will improve service options, with new single-line hauls and broader access to markets across North America. Our experience shows us that single-line rail service options are far superior to public and private fleets. The unique synergies of a CP-KCS combination promise significant public benefits to VanKam Freightways Ltd and similarly situated shippers, which we are eager to see realized as soon as possible, without the delays and additional burdens that would result from applying the 2001 rules for the first time ever to this transaction.

Our shipping partners are looking forward to a stronger CPKC network that will increase our access to diversified market opportunities. As such, we urge the Board to apply the KCS waiver provision it thoughtfully included in its 2001 Major Merger Rules. An elongated period of review will delay and potentially reduce the positive synergies this merger promises. The KCS waiver will allow the Board to conduct a thorough but efficient and fair review and allow for the benefits of the new CPKC network to come to fruition more quickly.

VanKam Freightways Ltd urges the Board to maintain the KCS waiver and reject calls to revoke it, and to proceed to review and approve the CP-KCS proposed combination as expeditiously as possible. We look forward to seeing CPKC as a stronger competitor in the industry.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Power', with a long horizontal stroke extending to the right.

Derek Power

National Account Director

CC: Parties of Record



VAN-KAM Freightways Ltd.
10155 Grace Road
Surrey, BC V3V-3V7

STB Finance Docket No. 36500
CP-KCS Proposed Combination

To Whom It May Concern:

I am providing written support for the combination of Canadian Pacific Railway (CP) and Kansas City Southern (KCS). I believe this combination of railroads will benefit not only VanKam Freightways Ltd by creating more effective supply chains across the North American. This transaction will open up new opportunities and new markets for businesses by leveraging this much needed supply chain resource. Currently VanKam Freightways Ltd and CP partner together to move Intermodal traffic into Western Canada and the Southwest United States. CP is a line haul carrier that is transporting various commodities and VanKam Freightways Ltd handles the first or final mile drayage component. VanKam Freightways Ltd & CP partnership is strategic and both companies collaborate to create better and more environmentally sustainable supply chains to service the demand of the North American marketplace.

VanKam Freightways Ltd is thrilled about the transaction because it will allow a combined CPKC to provide new, more efficient and reliable rail service options. This will strengthen competition against the other, larger rail carriers and trucks that serve our markets. We are particularly enthusiastic about the role new CPKC single-line routes

will play in expanding access to growing markets across the United States, Mexico and Canada under the USMCA trade agreement. It is important that there be a true USMCA railroad option. This transaction will aid in reducing carbon emission by creating a competitive alternative to Over-the-Road that is considerably more sustainable for the environment.

VanKam Freightways Ltd urges the STB to approve CP's acquisition of KCS as swiftly as possible so that these systems can be integrated and the end-to-end benefits of this deal can be realized for the benefit of all shippers across the USA, Mexico and Canada.

Sincerely,

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Derek Power

National Account Director