



4/16/2021

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

302037

ENTERED
Office of Proceedings
April 19, 2021
Part of
Public Record

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

To the Honorable Ms. Brown:

My name is Bryan Fitzsimmons and I am President/CEO Centerville Iron & Metal with rail operations in the U.S. State of Iowa. We ship scrap to steel mills located in the Midwest area of the U.S and are located in the state of Iowa.

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

Centerville Iron & Metal has become aware of several parties which filed objections to the application of pre-2001 merger rules to this merger. Centerville Iron & Metal is a small business and does not have access to extensive or specialized legal counsel in the area of Surface Transportation mergers and acquisition, however after studying and considering the issues we have come to believe the pre-2001 rules are more applicable to this transaction as it is our belief that the 2001 were designed for more complex situations and have not been applied yet. In our humble opinion, the 'spirit of the law' would lean towards utilization of the pre-2001 rules.

The benefits of a single-line railroad are enormous for small shippers such as Centerville Iron & Metal. We are looking forward to a stronger CPKC network that will increase our access to diversified market opportunities and allow us to grow our business. As such, we respectfully 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 could reduce the positive synergies that this merger promises. We urge the Board to maintain the KCS waiver and reject the calls to revoke it.

Thank you for your consideration Ms. Brown and don't hesitate to reach out to me if you have any questions or would like more information about our support of this transactions and the applicability of the pre-2001 rules.

Bryan L. Fitzsimmons

Bryan Fitzsimmons
President & CEO
Centerville Iron & Metal

bryanf@centervilleiron.com

CC: All Parties of Record



Centerville Iron & Metal Inc.
819 East Elm St.
Centerville, IA 52544
Re: **Support Letter for Merger of CP/KCS**

Attention: **Surface Transportation Board**

Dear Sir/Ma'am:

My name is Bryan Fitzsimmons and I am President/CEO Centerville Iron & Metal with rail operations in the U.S. State of Iowa. We ship scrap to steel mills located in the Midwest area of the U.S.

Canadian Pacific has supported our business with gondola car assignments and shipping throughout the years. There are several individuals inside of Canadian Pacific who routinely have gone above and beyond our expectations in delivering service.

Centerville Iron & Metal is a small shipper and business that completely supports the proposed merger between Canadian Pacific and Kansas City Southern rail companies. We see many benefits however a few of the more prominent ones in our mind is as follows:

- A larger network, with reduced switching fees allowing expansion and growth of business to markets around North America which we don't currently have access to. These markets might include Mexico and customers or mills in that country.
- A larger gondola railcar pool, improving availability and lead time of gondola rail car assignment for shipping.
- A single-line point of service, limiting the possibility for lost time with cars sitting while waiting to be picked up by other shippers (i.e. switching lines). Being a single-line shipper, CP/KCS will provide a seamless interface with which to work to get cars to markets beyond where we currently ship to as well.
- Network efficiency, seeing little to no overlap between the networks means all of the benefits listed should result in a service improvement that is greater than 'the sum of the parts'.

I would like to add that as a small business, it is important for us to have access to these benefits which are not solely helpful to large companies or organizations. Small businesses depend and rely upon access to rail service and the markets they can open up for a company are critical to their growth. This merger does exactly that.

For these reasons Centerville Iron & Metal strongly supports the combination of Canadian Pacific and Kansas City Southern. If you have any questions please don't hesitate to contact me at the email below. I would be happy to expand upon the benefits for us of the merger between CP & KCS further.

Bryan L. Fitzsimmons

March 28, 2021

Bryan Fitzsimmons
President & CEO
Centerville Iron & Metal

bryanf@centervilleiron.com