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April 21, 2021

ATTENTION: Surface Transportation Board

RE: STB Finance Docket No. 36500

CP-KCS Potential Combination

K+S North America Corporation hereby files this letter to express its concerns to the bid by CN to acquire KCS and re-iterate its support for the CP-KCS combination.

As expressed in our initial letter to the Board dated March 26, 2021, K+S North America Corporation supports swift approval of the CP-KCS combination because of the significant benefits the combination would bring, including expanded markets and port options, improved service options, and invigorate transportation competition. The combination of CP and KCS would also provide greater access to fertilizers for farmers in a cost-effective manner.

By contrast, a CN acquisition of KCS would lead to a reduction in competition and deprive many shippers, including K+S, of the many tangible benefits offered by the CP-KCS deal. Specifically, if CN were to acquire KCS, the merged firm would not provide a single-line haul and competitive option into the markets south of Kansas City (which competing fertilizer producers shipping from different regions use to service these markets today). If the CP-KCS deal is not approved because CN prevails—or for any other reason—any competitive opportunity in shipping to these markets would be eliminated and we will be required to continue interlining with other railroads to reach these destinations, which increases costs and reduces efficiency. A CP-KCS combination would place us on a more even playing field and greatly expand access to growing markets across the United States, Mexico, Canada, and globally. The bid by CN jeopardizes this access and the increased competition it would generate.

We expect a combined CPKC network to offer seamless, single-line service that will improve our transportation options and provide a better alternative to the options that already exist. A CN-KCS combination would limit competitive carrier options to markets and ports south of Kansas City.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Richard Pinner', written over a horizontal line.

Richard Pinner

CC: All Parties of Record

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A K+S Company