



Surface Transportation Board
Washington, D.C. 20423-0001

302328

ENTERED
Office of Proceedings
May 12, 2021
Part of
Public Record

MEMORANDUM

TO: Cynthia T. Brown, Chief, Section of Administration, Office of Proceedings

FROM: Ellen Erichsen, Chief of Staff

RE: Ex Parte Communication Related to Docket Nos. FD 36500 & FD 36514

DATE: May 11, 2021

On April 22, 2021, I received a voicemail from GAC Chemical Corporation expressing views regarding the notices by Canadian Pacific Railway Limited (Canadian Pacific) and Canadian National Railway Company (Canadian National) of their respective intents to purchase Kansas City Southern and its railroad affiliates (KCS). In the voicemail, the unnamed individual expresses “support for the [Canadian Pacific] version of this and not the [Canadian National].” Because Canadian Pacific filed a notice of intent to file an application to acquire KCS on March 23, 2021, in Docket No. FD 36500, and Canadian National filed a notice of intent to file an application to acquire KCS on April 20, 2021, in Docket No. FD 36514, this communication is a prohibited ex parte communication pursuant to the Board’s decision in Petition of Fieldston Co., Inc. to Establish Procedures Regarding Ex Parte Communication in Railroad Merger Proceedings, Docket No. EP 619 (STB served Jan. 8, 1997). Please place this memo in the public docket of Docket Nos. FD 36500 and FD 36514.