

Sam Habjan
General Chairperson
GCA 457



708 N. Locust suite C
Pittsburg, Kansas 66762
620-704-5384 (Office)

**General Committee of Adjustment
457**

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ENTERED
Office of Proceedings
June 28, 2021
Part of
Public Record

June 28, 2021

The Honorable Cynthia T. Brown
Chief, Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street S.W.
Washington, DC 20423
Sent via Electronic Filing

**Re: STB Docket No. FD 36514 – Canadian National Railway – Control – Kansas City
Southern**

Dear Madam,

As the General Chairperson of SMART-Transportation Division General Committee GCA- 457, I am writing to communicate our position and the reasons we urge the STB to reject the proposed CN voting trust.

The approval of the CN voting trust by the STB would be risky for the railway industry and quite possibly will negatively impact our involved SMART-TD members. Approval of the CN voting trust proposal would harm employees of the KCS due to the amount of debt CN will carry and the real possibility that the CN transaction would fail the regulatory test in the end.

CN has publicly stated they intend on carrying significant additional debt of approximately \$19B in addition to theirs and KCS current debt load that will exceed \$30B, which has potential to impact jobs, infrastructure and maintenance improvements that will negatively affect employees, shippers, and most importantly public safety.

The CN/KCS transaction is the opposite of an end-to-end merger and would be anti-competitive due to the overlap of existing rail lines and affected customers. The CN already has a high-capacity mainline route from Chicago, IL straight to New Orleans, LA, therefore with CN

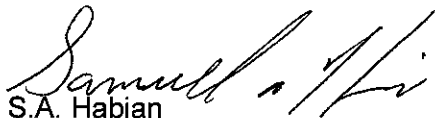
acquiring KCS there would be no need for parallel routes such as the KCS line from Kansas City through to New Orleans.

If the CN voting trust and proposed merger were granted approval, we fully expect significant job losses on KCS because ultimately the transaction would require either a sale or abandonment of duplicative rail lines. The consequences for SMART-TD members would be uncertain, adverse, and certainly contrary to the public interest.

By comparison, CPR has a route that extends south only as far as Kansas City, MO. This is CPR's only connection with the KCS and we anticipate growth in both rail business and jobs for SMART-TD members. The CN/KCS transaction is just the opposite and would be anti-competitive.

Accordingly, for the reasons described above, I encourage the STB to thoroughly consider the implications on this proposed transaction. Consequently, on behalf of the members of the SMART-Transportation Division General Committee GCA-457, I urge the Board to reject CN's motion to approve its proposed voting trust.

Respectfully,


S.A. Habjan
SMART-TD GCA 457
General Chairperson

CC: All Parties of Record

PETITION

The Honorable Cynthia T. Brown
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Surface Transportation Board
395 E Street S.W.
Washington, DC 20423

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Re: STB Docket No. FD 36514 - Canadian National Railway - Control - Kansas City Southern

Dear Madam,

Accordingly, for the reasons described above by General Chairman Sam Habjan, KCS, SMART-Transportation Division I/We are employees of Kansas City Southern Railway, confirm I/We have signed this petition in good faith, and encourage the STB to thoroughly consider the implications and reject CN's motion to approve its proposed voting trust and to reject this proposed transaction:

Location:	Printed Name:	Position:	Date:	Signature:
Baton Rouge	John E. McVea	Local/Chairman	6/24/21	John E McVea
Baton Rouge	Joey D. Stein	yardmaster	6/24/21	Joey D. Stein
Baton Rouge	Michael Anthony	Engineer	6/24/21	Michael Anthony
Baton Rouge	Brandyn Jones	switchmen	6/24/21	Brandyn Jones
Baton Rouge	Tyler Saurin	Conductor / ENT	6/24/21	Tyler Saurin
Baton Rouge	ALEJANDRO CRUZ-RIO	CONDUCTOR/ENT	6-24-21	Alejandro Cruz-Rio
Baton Rouge	STEVEN BICKHAM	Conductor trainee	6-24-21	Steven Bickham
Baton Rouge	Derrick Gros	Engineer	6-24-21	Derrick Gros
Baton Rouge	Eric Scott	Engineer	6/24/21	Eric Scott
Baton Rouge	Neil Ours	conductor	6-24-21	Neil Ours
Baton Rouge	Andrew Agosto	Conductor	6-24-21	Andrew Agosto
Baton Rouge	Rasheed James	Conductor	6-24-21	Rasheed James
Baton Rouge	Trumaine Norwood	Conductor	6-24-21	Trumaine Norwood
Baton Rouge	Randall Lee	Engineer	6-24-21	Randall Lee
Baton Rouge	CLIFTON S. PATIN	YARDMASTER	6-24-2021	Clifton S. Patin
Baton Rouge	TEDRICK WASHINGTON	YARDMASTER	6-24-2021	Tedrick Washington
Baton Rouge	James T. Hall	Engineer	6-24-2021	James T. Hall
Baton Rouge	Coby J. Landry	CONDUCTOR	6-24-2021	Coby J. Landry
Baton Rouge	Jeremy J Wright	conductor	6-24-2021	Jeremy J Wright
Baton Rouge	Sammy M. Smith	Conductor	6-24-2021	Sammy M. Smith
Baton Rouge	DAVID JONES	Conductor	6-24-2021	David Jones
Baton Rouge	Hendrick Causey	Engineer/Con	6-24-2021	Hendrick Causey
Baton Rouge	Kevin Grant St.	Conductor	6-24-2021	Kevin Grant St.
Baton Rouge	Willie L Hall	Engineer	6-24-2021	Willie L Hall
Baton Rouge	TIRON L Biley	Conductor	6-24-21	Tiron L Biley
Baton Rouge	Steven M Cutler	Engineer	6-24-21	Steven M Cutler
Baton Rouge	Eric L Lendeman	Engineer	6-24-21	Eric L Lendeman

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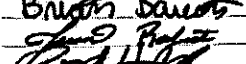
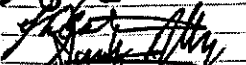
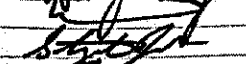
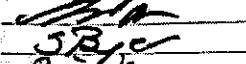
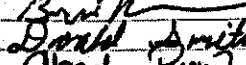
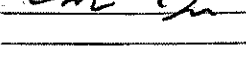
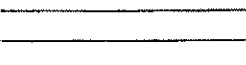
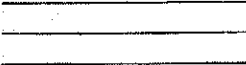
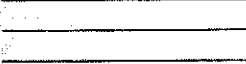
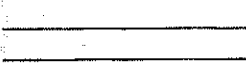
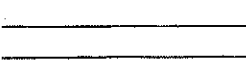
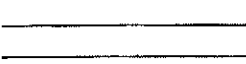
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[illegible]

	Print	Sign	Date	Job Title
1	Anthony W. Winget		6-25-2021	Con/Engineer
2	BRIAN C. BARKETT		6-25-2021	CON/ENGINEER
3	Justin W. Roberts		6-25-2021	Conductor
4	Raymond Haskels		6-25-2021	Con/Ent
5	Jordan Sisk		6-25-2021	LOT
6	Grayson Dieber		6-25-21	RR1
7	Johnny L. Carter		6-25-21	Elg.
8	Sandy Wright		6-25-21	LOT
9	H. W. Atson		6-26-21	CON
10	Stephen Jordan		6-26-21	ENG
11	Wesley Parris		6-26-21	ENG
12	Steven Boyer		6-26-21	ENT
13	Brian Hinkley		6-26-21	LM
14	Donald Smith		6-26-21	Con
15	Chad Ruiz		6-26-21	Con
16	Kenneth Bradley		6-26-21	EWGR
17	Anthony Jordan		6-26-21	Con
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