

BROTHERHOOD OF LOCOMOTIVE ENGINEERS AND TRAINMEN

GENERAL COMMITTEE OF ADJUSTMENT
CPR-US/METRA NORTH/INDIANA SOUTHERN RR/DM&E
125 E. Lake St., Suite 302 • Bloomington, IL 61808



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NICK MUGAVERO
1st Vice Chairman

JOE RAINWATER
2nd Vice Chairman

KYLE DONZE
3rd Vice Chairman

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Secretary Treasurer

PETER SEMENEK
General Chairman

302612

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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

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

Dear Madam,

As the Chairman of the BLE&T CPR-US / Metra North / Indiana Southern / DM&E General Committee of Adjustment, I represent Locomotive Engineers on the SOO Line Railway and Locomotive Engineers, Conductors and Trainman on the DM&E (South) Railroad.

I am writing to communicate my position on behalf of the employees of the above railways whom I represent, and to outline the reasons I am urging the STB to reject the proposed CN voting trust.

The approval of the CN voting trust by the STB will adversely affect both our SOO and DM&E-South Engineers and Trainmen. In addition, it will probably set off a round of mergers that will harm the railway industry. Additionally, it will harm employees of both the KCS and CN by saddling CN with considerable debt, a very tragic outcome if the CN transaction ultimately fails the regulatory test. CN has publicly stated they intend on carrying significant additional debt of approximately \$19B, in addition to their current debt of \$10B, and KCS' current debt of \$3.8B. As history of the US rail industry has shown, it is reasonable to expect that such a reckless obligation will result in necessary maintenance and infrastructure improvements being deferred, and that will negatively affect employees, shippers, and most importantly, public safety.

The CN/KCS transaction (as opposed to a CP/KCS merger) is the opposite of an end-to-end merger and would be anti-competitive due to the overlap of existing rail lines/affected customers. If the CN voting trust and proposed merger were granted approval, job losses on either CN or KCS are

expected soon thereafter because ultimately the transaction would require either a sale or abandonment of duplicative rail lines in addition to what CN has already announced.

CN already has a high-capacity, direct mainline route from Chicago, IL to New Orleans, LA. A CN/KCS merger would produce parallel routes. By comparison, CPR extends south only as far as Kansas City, Missouri, CPR's only connection with KCS, where both carriers operate jointly under a joint agency agreement. A CP/KCS merger would maintain and increase the competition currently in place over the KCS territory by allowing shippers a choice of service options. The CN/KCS transaction is just the opposite and would be anti-competitive. The consequences for BLE&T employees I represent would be uncertain, adverse, and certainly contrary to the public interest.

Accordingly, for the reasons described above, I encourage the STB to thoroughly consider the implications on this proposed transaction. Consequently, on behalf of the BLE&T members this General Committee of Adjustment represents, I urge the Board to reject CN's motion to approve its proposed voting trust.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Peter Semenek", with a long horizontal flourish extending to the right.

Peter Semenek
BLE&T General Chairman

cc: Parties of record

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Secretary Treasurer

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General Chairman

Sent via Electronic Filing

EMPLOYEE PETITION

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

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

Please find attached signed Petition Forms that employees/members of the Dakota, Minnesota and Eastern (DM&E South) have signed and forwarded to me, requesting that on their behalf I file with the Surface Transportation Board in regards to STB **Docket No. FD 36514 confirming they OPPOSE the CN VOTING TRUST**

Respectfully Submitted,

Pete Semenek
BLET General Chairman

cc: Parties of record

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

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

Accordingly, for the reasons described above the undersigned parties confirm that 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:

[illegible]

PETITION

The Honorable Cynthia T. Brown
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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,

Accordingly, for the reasons described above the undersigned parties confirm that 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:
Nahant	Andrew Beggs	Assistant Engineer	6/25/21	
Nahant	Andrew Olson	Engineer	6/25/21	
Nahant	Jerrod Parker	Engineer	6/25/21	
Ottumwa	Taylor Makris	Conductor Trainee	6/25/21	
Nahant	Ryan Hillery	Engineer	6/25/21	
Nahant	Jasch Farsel	Engineer	6-26-21	
Nahant	Taylor Stahl	Conductor	6-26-21	
Nahant	John P. Spensley	Assist Engineer	6-26-21	
Nahant	Ken Smith	Loco Engineer	6/26/21	
Nahant	Rob McKee	Engineer	6/26/21	
Nahant	Tom Hargrave	Conductor	6-26-21	
Nahant	Edward Thurny	Engineer	6-26-21	
Nahant	Austin Sargent	Conductor	6-26-21	
Nahant	Justin Lytle	Engineer	6-26-21	
Nahant	TYLER NEPHEW	CONDUCTOR	6-26-21	
Nahant	Jason Chelwin	Engineer	6-26-21	
Nahant	Justin Ealcus	Engineer	6-26-21	
Nahant	Anthony Cruciani	Engineer	6-26-21	
Nahant	Haron Cady	Engineer	6-26-21	
Nahant	Russell Newberry	Engineer	6-26-21	
Nahant	Doug Stortland	Conductor	6-26-21	
Nahant	Ben French	Engineer	6-26-21	
Nahant	Josh Fitch	CONDUCTOR	6-26-21	
Nahant	Sam Sexton	Engineer	6-26-21	
Nahant	Zach Westfall	Conductor	6-26-21	
Nahant	Jana Ross	conductor	6-26-21	
Nahant	EDHARTROSS	Edh	6-26-21	
Nahant	Justin Debow	Conductor	6-26-21	
Nahant	Omni Whitley	Engineer	6-26-21	
Nahant	Thomas Rikie	Conductor	6/26/21	
Ottumwa	Jarrod Hatfield	Cond. Trainee	6/27/21	

EMPLOYEE PETITION

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Please find attached signed Petition Forms that employees/members of the DM&E (South)
Railroad have signed and forwarded to me, requesting that I on their behalf file with the Surface
Transportation Board in regards to *STB Docket No. FD 36514* confirming they **OPPOSE** the
CN VOTING TRUST

Respectfully Submitted,

Location	Printed Name	Position	Date	Signature
Nahant	Mark Alley	conductor	6-27-21	Mark Alley
Nahant	Bryan Horton	conductor	6-27-21	Bryan Horton
Nahant	Jason Butler	Engineer	6-27-21	Jason Butler
Nahant	Wes Brandenburg	Engineer	6-27-21	Wes Brandenburg
Nahant	Greg Zinke	Engineer	6-27-21	Greg Zinke
Nahant	Joe Garrison	Engineer	6-27-21	Joe Garrison
Nahant	Bret Spranger	conductor	6-27-21	Bret Spranger
Nahant	Chad Muntz	Engineer	6-27-21	Chad Muntz
Nahant	Peter Pletner	Engineer	6-27-21	Peter Pletner