

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. FD 36500

302882
UP-2
ENTERED
Office of Proceedings
August 19, 2021
Part of
Public Record

CANADIAN PACIFIC RAILWAY LIMITED; CANADIAN PACIFIC RAILWAY
COMPANY; SOO LINE RAILROAD COMPANY; CENTRAL MAINE & QUEBEC
RAILWAY US INC.; DAKOTA, MINNESOTA & EASTERN RAILROAD
CORPORATION; AND DELAWARE & HUDSON RAILWAY COMPANY, INC.
—CONTROL—
KANSAS CITY SOUTHERN; THE KANSAS CITY SOUTHERN RAILWAY
COMPANY; GATEWAY EASTERN RAILWAY COMPANY; AND THE TEXAS
MEXICAN RAILWAY COMPANY

**UNION PACIFIC RAILROAD COMPANY'S
FIRST SET OF DISCOVERY REQUESTS TO KANSAS CITY SOUTHERN**

Pursuant to 49 C.F.R. §§ 1114.21-.31, Union Pacific Railroad Company requests that Kansas City Southern, The Kansas City Southern Railway Company, Gateway Eastern Railway Company, and The Texas Mexican Railway Company (collectively, “Kansas City Southern”) respond to the following discovery request in accordance with the Surface Transportation Board’s rules.

Kansas City Southern’s response should be served as soon as possible, and in no event later than 15 days from the date of service hereof. Kansas City Southern is requested to contact the undersigned promptly to discuss any objections or questions regarding this request with a view to resolving any disputes or issues of interpretation informally and expeditiously.

REQUEST

1. Produce copies of all information and documents that Kansas City Southern produces in response to discovery requests submitted by other participants in this proceeding, including discovery requests submitted by Applicants Canadian Pacific Railway Limited, Canadian Pacific Railway Company, Soo Line Railroad Company, Central Maine & Quebec Railway US Inc., Dakota, Minnesota & Eastern Railroad Corporation, and Delaware and Hudson Railway Company, Inc.

Respectfully submitted,

CRAIG V. RICHARDSON
JAMES B. BOLES
TONYA W. CONLEY
JEREMY M. BERMAN
Union Pacific Railroad Company
1400 Douglas Street
Omaha, Nebraska 68179
(402) 544-7004

/s/ Michael L. Rosenthal
MICHAEL L. ROSENTHAL
Covington & Burling LLP
One CityCenter
850 Tenth Street, NW
Washington, D.C. 20001
(202) 662-6000

Attorneys for Union Pacific Railroad Company

August 19, 2021

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of August, 2021, I caused a copy of Union Pacific's First Set of Discovery Requests to Kansas City Southern to be served by email or by first-class mail, postage prepaid, on the Secretary of Transportation, the Attorney General of the United States, Applicants' representatives, Administrative Law Judge Thomas McCarthy, and all other parties of record.

/s/ Michael L. Rosenthal