

Anthony J. LaRocca
202 429 8119
alarocca@steptoe.com

1330 Connecticut Avenue, NW
Washington, DC 20036-1795
202 429 3000 main
www.steptoe.com



302891

ENTERED
Office of Proceedings
August 20, 2021
Part of
Public Record

August 20, 2021

CSXT/PAR-25

VIA E-FILING

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

**Re: STB Docket No. FD 36472, CSX Corporation and CSX Transportation, Inc., et al.—
Control and Merger—Pan Am Systems, Inc., Pan Am Railways, Inc., Boston and
Maine Corporation, Maine Central Railroad Company, Northern Railroad, Pan Am
Southern LLC, Portland Terminal Company, Springfield Terminal Railway
Company, Stony Brook Railroad Company, and Vermont & Massachusetts
Railroad Company**

Dear Ms. Brown:

Enclosed please find (1) an op-ed piece supporting the Application filed in the above-referenced matter, written by Brian Law, president of the Law Family Companies, Inc., published in the NH Journal on August 18, 2021, and (2) a letter in support of the Application from David McCluskey, Connecticut State Representative 1999-2010.

Respectfully submitted,

/s/ Anthony J. LaRocca

Anthony J. LaRocca
Peter W. Denton
Sally Mordi
*Attorneys for CSX Corporation and
CSX Transportation, Inc.*

Enclosures

Cynthia T. Brown

August 20, 2021

Page 2

cc: Louis E. Gitomer
All parties of record

<https://nhjournal.com/law-dont-let-rail-merger-opportunity-pass-us-by/>



(CREDIT: Flickr/Birmingham Photographer J.g)

[IS] OPINIONS

Politics

LAW: Don't Let Rail Merger Opportunity Pass Us By

Posted to [Politics](#) August 18, 2021 by [Brian Law](#)

After five generations in the logistics business, I'd like to think my family understands just how much hard work and careful planning it takes to keep our region's economy running smoothly. It's far from easy, but it's rewarding work because it paves the way for countless businesses to succeed and for families to lead happy, productive lives.

Law Logistics started hauling freight in 1882 with one horse and buggy. We've since grown into one of the largest logistics companies in New England, utilizing a fleet of more than 100 flatbed, van and lift gate trailers. Through our warehousing, transportation, and distribution work, we have deep visibility into the ins-and-outs of our local freight infrastructure – and we've learned some important lessons along the way.

Two of these lessons come to mind when I think about the [proposed merger of CSX](#), a class one national railroad, and Pan Am Railways, a valued regional provider. Both lessons contribute to my strong support for this merger as both a businessman and a part of our regional freight supply chain.

There aren't many railroads as capable as CSX of bringing truly "game-changing" investment, execution, and expertise to the table. Through the merger, CSX will elevate our entire region's freight rail infrastructure. They've indicated they'll invest in things like upgraded tracks that support higher speeds and larger loads, improved terminal infrastructure, and much more.

These improvements don't come cheap and, in my view, simply aren't going to be possible without heavy private investment from a private entity like CSX. Once in place, though, upgrades like these will help shippers of all stripes to realize higher productivity, better dependability, and reduced costs. These benefits trickle down to the customers we serve, putting all of us in a better position to meet our goals and strengthen our margins during these competitive times.

Upgraded infrastructure also benefits passenger rail, with historical performance demonstrating that passenger railways have seen improved on-time performance when working alongside CSX.

These improvements represent a clear win for our industry and our region. To me, the merits of the merger are as plain as day.

That leads me to the second lesson I've learned over the years, which is perhaps even more straightforward than the first: never let a good opportunity pass you by.

It is all too common, in these divided times, to see promising projects or collaborations die on the vine in the face of difficulty arriving at consensus. It is my sincere hope that this does not happen in the case of the CSX/Pan Am merger.

The good news is that the powers that be – [from Gov. Chris Sununu and the New Hampshire Department of Transportation to Sen. Susan Collins in Maine](#) – are enthusiastic about the benefits of this merger to our entire region. New England, after all, is heavily dependent on its rail network, and any steps we can take to improve our infrastructure have the potential to bring outsize benefits to our region.

As the Surface Transportation Board reviews the merger, I hope they'll agree with these local experts and recognize the value and importance of this proposal.

After close to 140 years in the logistics business, I believe that I know a good deal when I see one when it comes to shipping and transportation. This, to me, is a good deal.

I'm eager to work with a new partner like CSX, and I'm confident that we won't let this opportunity pass us by.

Brian Law is the President of the Law Family Companies, Inc.

About the Author



Brian Law

Brian Law is the President of the Law Family Companies, Inc. He wrote this for NHJournal.



DAVID McCLUSKEY
STATE REPRESENTATIVE
1999-2010

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

August 19, 2021

Re: Docket of CSX Corporation and CSX Transportation, Inc. - Control & Merger - Pan Am Systems, Inc., et al.

Dear Ms. Brown;

I write in enthusiastic support of the CSX application to acquire Pan Am Railways.

As the former Co-Chair of the Connecticut General Assembly's Transportation Bonding Subcommittee who helped establish the state's freight rail bonding program, I strongly believe this proposed acquisition has the potential to significantly increase freight rail service in my state. Pan Am Southern which owns the rail line from Berlin to Waterbury Connecticut (as well as having other trackage rights in CT) has not kept it in a state of good repair including numerous derailments and poor communication with the affected towns. A subsidiary of Genesee & Wyoming (G&W) is proposed to take over the operation of Pan Am Southern. As you know, G&W already operates three railroads in Connecticut. It has worked successfully with both state and federal agencies to improve the track it owns and/or operates on here.

I believe a larger CSX Class 1 railroad presence in Connecticut will attract more freight customers due to its extensive, modern rail network throughout our country and its capacity to improve the poor track condition of the Pan Am Southern assets here.

I urge the Surface Transportation Board to give its strongest consideration to CSX's application concerning Pan Am Railways. I thank you for your time and consideration.

Sincerely,

David McCluskey
Connecticut State Representative 1999-2010
Former Deputy Speaker & Co-Chair of Transportation Bonding

CERTIFICATE OF SERVICE

I hereby certify that I have caused this Letter in Docket No. FD-36472, *CSX Corporation and CSX Transportation, Inc.—Control and Merger—Pan Am Systems, Inc., Pan Am Railways, Inc., Boston and Maine Corporation, Maine Central Railroad Company, Northern Railroad, Pan Am Southern LLC, Portland Terminal Company, Springfield Terminal Railway Company, Stony Brook Railroad Company, and Vermont & Massachusetts Railroad Company*, to be served electronically or by first class mail, postage pre-paid, on all parties of record in this proceeding.

/s/ Sally Mordi

Sally Mordi
*Attorney for CSX Corporation and
CSX Transportation, Inc.*

August 20, 2021