

ENTERED
Office of Proceedings
September 23, 2021
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Public Record

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

Office of Economics

September 23, 2021

Re: Waybill Request WB21-39

I have approved the addition of the following individuals from Crowell & Moring LLP to the waybill access letter in WB21-39:

- Ryan Tisch – Crowell & Moring LLP
- Kent Gardiner – Crowell & Moring LLP
- Wm. Randolph Smith – Crowell & Moring LLP
- Connor Ahearn – Crowell & Moring LLP
- Drake Morgan – Crowell & Moring LLP
- Rachel Lesser – Crowell & Moring LLP

Francis X. O'Connor, Jr.
Francis O'Connor
Acting Director
Office of Economics

Waybill Agreement WB21-39

I have read and understand the conditions for release of the CCWS data. I agree to comply fully with these conditions and the provisions of this confidentiality agreement. No later than thirty days before the agreement expires, I will request an extension of this agreement, if necessary. If no extension is requested, I will return or destroy all CCWS data and certify that I have done so. I have the authority to sign this agreement.

By: Ryan Tisch

/s/ Ryan Tisch

Signature

Waybill Agreement WB21-39

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By: Kent Gardiner

/s/ Kent Gardiner

Signature

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By: Wm. Randolph Smith

/s/ Wm. Randolph Smith

Signature

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By: Connor Ahearn

/s/ Connor Ahearn

Signature

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By: Drake Morgan

/s/ Drake Morgan

Signature

Waybill Agreement WB21-39

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By: Rachel Lesser

/s/ Rachel Lesser

Signature

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

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



September 21, 2021

VIA E-MAIL

Director William Brennan
Office of Economics
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423

Re: Finance Docket No. 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 Director Brennan:

On May 27, 2021, we submitted a request, on behalf of CSX Transportation, Inc. ("CSXT"), that CSXT's outside counsel and consultants in the above-referenced proceeding be granted permission to access the confidential Carload Waybill Sample (CCWS) with unmasked revenues in this proceeding (Waybill Request WB21-39). The request was granted on May 28, 2021.

Pursuant to 49 CFR § 1244.9(b)(4), we hereby request that the following additional counsel of CSXT in the above-referenced proceeding, none of whom is a regular employee of CSXT, be granted permission to access the confidential CCWS with unmasked revenues in this proceeding:

Crowell & Moring LLP:

1. Ryan Tisch
2. Kent Gardiner
3. Wm. Randolph Smith
4. Connor Ahearn

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5. Drake Morgan

6. Rachel Lesser

The fee of \$366 was paid using pay.gov. Your prompt attention to this request is appreciated.

Respectfully submitted,

/s/ Anthony J. LaRocca

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