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December 9, 2021

303307

VIA E-FILING

Cynthia T. Brown
Chief of the Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington DC 20423-0001

ENTERED
Office of Proceedings
December 9, 2021
Part of
Public Record

Re: FD 36496
Application of the National Railroad Passenger Corp. Under
49 U.S.C. §24308(e) — CSX Transportation, Inc. and Norfolk Southern

Dear Ms. Brown:

On December 6, 2021, the National Passenger Railroad Corporation (“Amtrak”) filed a Motion To Strike (“Motion”) seeking to strike the comments and evidence submitted by the Alabama State Port Authority and Terminal Railway Alabama State Docks (collectively, the “Port”). Norfolk Southern Railway (“NSR”) and CSX Transportation, Inc. (“CSXT”) have reviewed the Motion. NSR and CSXT intend to jointly respond to the substance of the Motion on or before December 27, 2021, which is consistent with the Surface Transportation Board’s regulations at 49 C.F.R. §1104.13.

NSR and CSXT note that they will oppose the Motion. Amtrak’s Motion seeks to suppress comments and information from the Port and seeks to avoid full consideration of the adverse impacts that its plan to institute service between Mobile and New Orleans will create. NSR and CSXT believe that all members of the public, including ports, shippers, government officials, communities, and other railroads, should have an opportunity to file their views in this proceeding, whether by a letter or a pleading.

Sincerely,

/s/ Raymond A. Atkins

/s/ William A. Mullins

Counsel for CSX
Transportation, Inc.

Counsel for Norfolk Southern Railway

cc: Parties of Record