

Supplemental Testimony of
Congressman Richard E. Neal (MA-01),
Chair of the U.S. House Committee on Ways and Means

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Surface Transportation Board on the CSX Merger Application to Acquire Pan Am Systems, Inc.,
Docket No. FD 36472

January 21, 2022

Thank you Chairman Oberman, Vice Chairman Primus, and distinguished members of the Board for conducting a thorough and informative public hearing to discuss the proposed merger between CSX Transportation and Pan-Am Railways. Creating a platform for local stakeholders to participate is invaluable, and the need for a transparent process is of paramount importance.

As I noted in my written testimony, my experience with CSX is one that is shared by several local and state officials. Earlier this week, the Town of West Springfield submitted their remarks in which they outline their grievances with CSX and the company's unwillingness to engage on local issues. Whether it be the blockages created between Agawam and West Springfield at the Front/Bridge Street crossing, the town's inability to access sewer lines located within CSX's easement, or CSX's failure to maintain the land at the West Springfield yard, concerns raised by the Town of West Springfield have largely been met with silence.

The concerns outlined by West Springfield officials were referenced in an editorial recently published by the Springfield Republican newspaper. The piece entitled "CSX must show much more cooperation if it wants rail deal" brings to light the company's "cavalier disregard" towards issues raised by local and state officials across the Commonwealth. This includes their unresponsiveness to an incident in February 2021 in which a CSX freight train blocked the Vietnam Veterans Memorial Bridge in West Springfield, causing a 38-minute traffic stoppage at the Front/Bridge Street crossing. An ongoing investigation by the Massachusetts Department of Public Utilities resulted from this incident, and I participated in the Department's public hearing on March 22, 2021. During this hearing, I voiced my support for town officials and echoed their concerns. My staff and I have held many discussions with CSX since this incident, and almost a year after the blockage, these concerns have continued to go unaddressed.

Just this week, my office received a letter from a constituent who experienced travel delays at Union Station in Springfield because of CSX. The Valley Flyer, a state-supported passenger rail line launched by Amtrak and the Massachusetts Department of Transportation in August 2019, operates between Greenfield, MA and New Haven, CT. On January 18, 2022, the Valley Flyer

was scheduled to depart Springfield's Union Station at 8:55 am. However, due to a CSX freight train blocking Amtrak's train, the passenger was forced to drive to New Haven after waiting fifty minutes for Amtrak's train to arrive. Springfield's Union Station, a historic and newly redeveloped landmark in the city's downtown, has been transformative in creating an intermodal transportation hub for the Greater Springfield community. With CSX operations already interfering with Amtrak's passenger rail operations, the subsequential increase in CSX operations that would result from this merger, and the impact it would have on passenger rail service in the greater New England region, must be called into question.

I have attached the Springfield Republican Editorials' article and my constituent's letter for your review.



CSX must show much more cooperation if it wants rail deal (Editorial)

Updated: Jan. 20, 2022, 5:00 a.m. | Published: Jan. 20, 2022, 5:00 a.m.



A view of the CSX intermodal train yard in West Springfield. (Patrick Johnson / The Republican) 1/6/2022

By [The Republican Editorials](#)

For CSX to be a trusted partner in developing better rail service for Western Massachusetts, it has to do a much better job of working with authorities and communities than it's shown in the past. And quickly.

Maybe there is reason for hope. [CSX has agreed with Amtrak's requests](#) for conditions attached to [approval process for its purchase of Pan Am Railways](#) and to help identify improvements that would make higher-speed passenger service on CSX tracks from Albany, New York, through Springfield to Worcester safer and better.

For now, U.S. Rep. Richard Neal remains very skeptical or, at the very least, wants more proof than he's seen in the past. He called the company "unresponsive to countless personal requests for action on issues relative to rail operations in my district. This concern is one that is shared by local and state officials, and we all agree that CSX is hindering our regional growth."

Neal, who has been champion of east-west passenger rail from the outset, opposes CSX's attempt at federal approval for the purchase of Pan Am Railways, which has east-west tracks running in northern Massachusetts and operates north-south through Springfield.

CSX has agreed to bring more and faster passenger trains through Western Massachusetts, including east-west rail from Boston through Worcester to Springfield. Amtrak had asked federal regulators to impose conditions on CSX in the approval process.

That may encourage or even force CSX to be more cooperative with authorities and communities than it has been in the past. But it has its own history to overcome.

A tremendous amount is at stake for the future of not just rail but the economy of Western Massachusetts. That is why Neal expects any company to not just work with local officials but show the good faith to understand why that is so necessary.

CSX is not there yet. One glaring example was its [unresponsiveness last March to freight trains blocking the Vietnam Veterans Memorial Bridge in West Springfield](#). It's just one example of years of complaints about what local officials consider CSX's cavalier disregard of their concerns and needs, which led to a state investigation.

The approval process gives CSX a chance to move in the right direction. They are a very important player in the Western Massachusetts economy, given their huge presence in moving our companies' products by freight and involvement in the major West Springfield rail yard. They need to be a better partner, for their own sake and the sake of our communities.

Can a "new CSX" win over the skeptics by the April 15 decision date? It's difficult to say. The company has its work cut out for it.

JAN 20 2022

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The Honorable Richard E. Neal
300 State Street, Suite 200
Springfield, MA 01105

January 18, 2022

Re: AMTRAK/CSX Rail Service

Dear Congressman Neal:

This is not the first time I have written to you about CSX rail service through the Springfield area. For decades now, CSX trains through the freight yards in and around Springfield have impeded traffic between Agawam and West Springfield. I understand that no one in the Massachusetts Congressional Delegation has the power to resolve that problem.

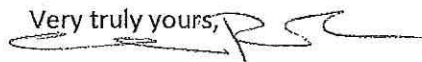
What was experienced between CSX and AMTRAK out of Springfield to New Haven today, however, is inexcusable and must be remediated immediately. This morning I was dropping off a passenger that was booked on The Valley Flyer out of Springfield Union Station, scheduled to depart at 8:55am. This is rail service that has been used in the past without delay. This morning, however, the schedule-board indicated a departure delay until 9:15am. Well, 9:15am came-and-went, with no passenger train in sight.

When I asked the AMTRAK official what was happening, he told me that a CSX freight train was blocking the AMTRAK passenger train from entering the station. He explained that this has become a "fairly regular" occurrence. Sometimes the CSX train blocks the AMTRAK train from making on-time departures, sometimes it doesn't. The situation, as it was explained to me, is "hit-or-miss". "It's between the Engineers" he lamented. We finally left Union Station at 9:45am when required travel time ran short. We had to drive to New Haven.

I remember you took great pride in the opening of the refurbished Union Station and the expansion of North-South passenger rail service. Well, your legacy has become tarnished.

Please give this matter your immediate attention? By copy of this letter, I am putting both our U.S. Senators and the Transportation Secretary on notice of this situation. It is my fervent hope that passenger rail service into and out of Springfield, Massachusetts can become reliable once again.

Thank you for your attention to this matter.

Very truly yours,

Cecilia P. Calabrese

Cc: U.S. Senator Elizabeth Warren
U.S. Senator Ed Markey
Transportation Secretary Pete Buttigieg