



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

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Office of Proceedings
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MEMORANDUM

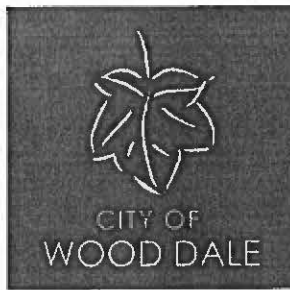
TO: Cynthia T. Brown, Chief, Section of Administration, Office of Proceedings

FROM: Martin J. Oberman, Chairman

RE: Ex Parte Communication Related to Docket No. FD 36500

DATE: June 22, 2022

On June 16, 2022, I received a letter from the City of Wood Dale, Illinois, dated December 1, 2021, expressing views regarding the application by Canadian Pacific Railway Limited (Canadian Pacific) to purchase Kansas City Southern and its railroad affiliates (KCS). I have enclosed a copy of the letter to this memorandum. Because Canadian Pacific filed a notice of intent to file an application to acquire KCS on March 23, 2021, and an application to acquire KCS on October 29, 2021, in Docket No. FD 36500, this communication is a prohibited ex parte communication pursuant to the Board's decision in Petition of Fieldston Co., Inc. to Establish Procedures Regarding Ex Parte Communication in Railroad Merger Proceedings, Docket No. EP 619 (STB served Jan. 8, 1997). Please place this memo and the enclosed material in the public docket of Docket No. FD 36500.



December 1, 2021

The Honorable Martin Oberman
Chairman, Surface Transportation Board
395 E Street S.W.
Washington, DC 20423

Re: Canadian Pacific Railway – Kansas City Southern Merger Proposal
Docket No. FD 36500

Dear Chair Oberman:

As Mayor of the City of Wood Dale, a suburb of Chicago with two railroad tracks that traverse three different crossings through our town, I am writing you with serious concerns about the impact of the merger of Canadian Pacific Railway with Kansas City Southern Railway (CP-KCS).

After a thorough review of the proposed merger and the projected impacts that this merger will have on our community, it is evident that the burdens placed on our residents, commuters, and public safety response times will likely outweigh the benefits cited by the companies in this merger.

Currently, there are approximately 75 trains that pass through our community each day, which includes commuter and freight trains. The documents supporting this merger show that Wood Dale would see an increase in freight trains of over 50 percent per day, increasing from an average of 16 trains per day to 24 trains per day. At an average closure of 6 minutes per 8,500-foot-long train at 40 miles per hour, this would result in another 48 minutes of road closures that separate our town in half, slowing or significantly delaying response to emergency situations.

In addition to the public safety concerns, our residents who live near the tracks will experience a significant increase in noise pollution at all times of the day. Due to our proximity to the Bensenville railyard, there are concerns of substantial slowdowns or complete stoppages of trains due to this increased volume.

While the proposed merger cites some environmental benefits such as reduced truck traffic, this merger would increase the shipping availability of hazardous cargo from states that produce these items that are not currently operating under this rail system. The impact of an accident involving hazardous cargo would far outweigh any environmental benefits achieved in the short-term.

For these above-listed reasons, I respectfully request that the Surface Transportation Board reject this proposed merger until these concerns can be mitigated for our residents.

Respectfully,

Annunziato Pulice
Annunziato Pulice
Mayor, City of Wood Dale