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BY ELECTRONIC FILING

The Honorable Cynthia T. Brown
Chief, Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street S.W.
Washington, D.C. 20423

Re: Finance Docket No. 36500, *Canadian Pacific Ry. – Control – Kansas City Southern*

Dear Ms. Brown:

Applicants are submitting the attached Reply Verified Statement of Chris Boerm, President, Transportation, of the Archer Daniels Midland Company, supporting approval of the Transaction.

Please contact me with any questions.

Respectfully submitted,



David L. Meyer

*Attorney for Canadian Pacific Railway
Limited*

Attachment

cc: William A. Mullins, Esq.
All Parties of Record



Chris Boerm
President, Transportation
4666 Faries Parkway
Decatur, IL 62526

217-454-5200

Verified Statement of Chris Boerm

1. I am Chris Boerm, President, Transportation, Archer Daniels Midland Company ("ADM"), and I am submitting this verified statement in support of the CP/KCS Merger Application in STB Finance Docket 36500.
2. ADM is a leader in human and animal nutrition and the world's premier agricultural origination and processing company.
3. ADM moves numerous commodities from the United States into Mexico and has many options when deciding our supply chain needs. We originate traffic on all Class 1 railroads, and utilize many of the Mexico border crossings in our day-to-day movements. We also utilize the Mexican ports as entry points for our US commodities.
4. ADM believes that the CP/KCS combination could create single-line shipping routes, which do not exist today. A single-line CP-KCS route can compete with current routings and offer additional transportation options to the industry. In ADM's experience, single-line routes are generally preferable to interline routes in most situations. ADM therefore looks forward to being able to potentially utilize these efficient new routings.
5. ADM understands that Comments were filed with the Board alleging that KCS forces KCSM shippers to choose KCS in the United States by foreclosing the use of a KCSM interline route with another carrier. This has not been our experience.
6. Our historical interaction with KCS does not support the assertion that that KCS would foreclose ADM from using a KCSM routing that originates on other than KCS, or that CP would do so following its acquisition of control of KCS.
7. ADM is aware of proposed Conditions intended to remedy the alleged foreclosure that would require KCSM to quote a rate factor that has a mathematical relationship to CPKC single-line rates. ADM is not in alignment with these proposed conditions as they create disincentives to pass along merger efficiencies in the form of lower single-line rates to shippers.



VERIFICATION

I, CHRIS BOERM, declare under penalty of perjury that the foregoing is true and correct.
Further, I certify that I am qualified and authorized to file this verified statement.

Executed April 29, 2022

Chris Boerm

A handwritten signature in blue ink, appearing to read "C. Boerm", with a long horizontal flourish extending to the right.

President, Transportation
Archer Daniels Midland Company