

*Via Electronic Filing***305254**

September 8, 2022

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

ENTERED
Office of Proceedings
September 8, 2022
Part of
Public Record

**Re: STB Finance Docket No. 36641, Eastern Maine Railway Company –
Acquisition and Operation Exemption – Central Maine & Quebec Railway
US Inc., d/b/a Canadian Pacific**

Dear Ms. Brown:

Eastern Maine Railway Company (“EMR”) previously filed the Labor Notice and certification in this proceeding on September 6th pursuant to 49 CFR § 1150.42(e). Copies were posted at the workplace of the subject rail line on September 6th as indicated. As further stated in that filing’s cover letter, copies were also sent that same day via overnight delivery to the two relevant unions. FedEx later informed the undersigned that delivery to one of the unions, SMART-TD, experienced an “operational delay” because “recipient moved.” Thompson Hine personnel contacted SMART-TD via telephone to ensure that delivery occurred, eventually obtaining e-mail confirmation from the SMART-TD legal department that an e-mailed version of the filing was received on September 8th. We were also informed that SMART-TD was in the midst of moving its office, that all FedEx deliveries were received at a temporary location, and a mechanism existed to forward these deliveries to their proper recipients. FedEx confirmed delivery to SMART-TD on September 8th.

Please do not hesitate to contact the undersigned with any questions.

Respectfully,

/s/ David E. Benz

David E. Benz

cc: counsel for CMQR
SMART-TD legal department at <legal_td@smart-union.org>

David.Benz@ThompsonHine.com Phone 202.263.4116 Fax 202.331.8330