

BEFORE THE SURFACE TRANSPORTATION BOARD

ENTERED

Office of Proceedings  
September 13, 2022

Docket No. FD 36500

Part of  
Public Record

CANADIAN PACIFIC RAILWAY LIMITED; CANADIAN PACIFIC RAILWAY  
COMPANY; SOO LINE RAILROAD COMPANY; CENTRAL MAINE & QUEBEC  
RAILWAY US INC.; DAKOTA, MINNESOTA & EASTERN RAILROAD  
CORPORATION; AND DELAWARE & HUDSON RAILWAY COMPANY, INC.

—CONTROL—

KANSAS CITY SOUTHERN; THE KANSAS CITY SOUTHERN RAILWAY COMPANY;  
GATEWAY EASTERN RAILWAY COMPANY; AND  
THE TEXAS MEXICAN RAILWAY COMPANY

**Notice of Intent to Participate in Public Hearing**

Pursuant to Decision No. 22, served in this docket on July 22, 2022, the American Chemistry Council (“ACC”), The Fertilizer Institute (“TFI”), and The National Industrial Transportation League (“NITL”) (collectively “Joint Associations”) hereby submit this Notice of Intent to Participate in the public hearing to be held on September 28, 29 and 30, 2022. The Joint Associations will be represented by the undersigned counsel, Jeff Moreno, who will appear in person. The Joint Associations request 10 minutes to address three requests for conditions to address the following merger impacts:

1. The loss of competition resulting from the extension of Applicants’ origin and destination bottleneck segments.
2. Potential adverse service impacts resulting from implementation of the merger.
3. The extension of CP’s tariff indemnity provisions for the transportation of toxic-by-inhalation (“TIH”) materials to movements that originate, terminate, or traverse the pre-merger KCS network.

Respectfully submitted,



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Dated: September 13, 2022