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Via Electronic Filing

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

ENTERED September 21, 2022
Office of Proceedings
September 21, 2022
Part of
Public Record

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

Dear Ms. Brown:

Attached is Dead River Company, LLC's ("Dead River") filing today of an Updated Notice of Intent to Participate ("NOI") in the public hearing in the above reference proceeding. While the Applicants' request to prohibit Dead River from participating in the hearing was not served on the primary counsel listed for Dead River, the Applicants' filing (CP-66/KCS-52) brought to light a clerical error in Dead River's filing. The words "to address one request for conditions" were not intended to be included. The updated NOI (Dead River-2) makes this correction and updates the NOI to include that Dead River's Vice President will speak by online video conference.

Dead River applauds the Surface Transportation Board in holding a public hearing and for its invitation for all interested persons to participate. As noted above, the language the Applicants' take issue with was inadvertently included and Dead River should be permitted to participate as other interested parties are doing. Furthermore, Applicants' other claims are unfounded and Applicants' will have the ability to respond to any statements at the public hearing in their final briefs that are due after the hearing.

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

Respectfully,

/s/ Sandra L. Brown

Sandra L. Brown

Enclosure

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BEFORE THE SURFACE TRANSPORTATION BOARD

Docket No. FD 36500

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

Updated Notice of Intent to Participate in Public Hearing

Pursuant to Decision No. 22, served in this docket on July 22, 2022, Dead River Company, LLC (“Dead River”) hereby submits this Notice of Intent to Participate in the public hearing to be held on September 28, 29 and 30, 2022. Dead River will attend the hearing by online video conferencing and the proposed speaker will be Alan Dorr, Vice President, Wholesale and Procurement at Dead River. Dead River respectfully requests 10 minutes on September 30, if possible, or September 28th if needed, to address the following:

1. Potential service and service-related terms that could be negatively impacted by the merger.

Respectfully submitted,

/s/ Sandra L. Brown

Sandra L. Brown

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Dated: September 21, 2022

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