

MEMORANDUM

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

FROM: Robert Granatelli, Transportation Industry Analyst (CTR)

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

DATE: September 30, 2022

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On September 28, 2022, I received a phone call from a long-time friend, Norman Carlson. During our conversation, Mr. Carlson began to express skepticism about the presentation that had been made by Canadian Pacific during the oral hearing that day concerning Canadian Pacific's application to acquire Kansas City Southern. Because a conversation about the merits of a pending major merger transaction can be 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), I immediately cut Mr. Carlson off, and we did not discuss the pending matter further. Please place this memo in the public docket of Docket No. FD 36500.