



Surface Transportation Board
Washington, D.C. 20423-0001

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Office of Proceedings
January 3, 2023
Part of
Public Record

MEMORANDUM

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

FROM: Martin J. Oberman, Chairman

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

DATE: January 3, 2023

On January 3, 2023, the Board received a letter from Charles McGibbon expressing views related to the application by Canadian Pacific Railway Limited (Canadian Pacific) to purchase Kansas City Southern and its railroad affiliates (KCS). I have enclosed a copy of the letter to this memorandum. Because Canadian Pacific filed a notice of intent to file an application to acquire KCS on March 23, 2021, and an application to acquire KCS on October 29, 2021, in Docket No. FD 36500, this communication is 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). Please place this memo and the enclosed material in the public docket of Docket No. FD 36500.

Charles McGibbon

792 West Road One North

P.O. Box 1011

Chino Valley, Arizona, 86323

The Surface Transportation Board

395 E Street SW

Washington, D. C., 20423

Dear Sirs:

I am opposed to the proposed merger of the Canadian Pacific Rail Road and the Kansas City Southern Rail Road. Thank you for your time and cooperation.

Yours Truly,



Charles McGibbon

