

January 12, 2023

Kathryn K. Floyd
t 202.344.4696
f 202.344.8300
KKFloyd@Venable.com

Danielle Gosselin
Director
Office of Environmental Analysis
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

Re: Docket No. FD 36500, Voluntary Mitigation Measures and Other
Commitments

Dear Ms. Gosselin:

I'm writing to provide you with a clarification to my prior letter dated November 8, 2022 regarding additional voluntary mitigation measures and other commitments relevant to the Board's environmental review that our client, Canadian Pacific, is willing to implement if its proposed merger with Kansas City Southern is approved.

Specifically, as detailed in the November 8, 2022 letter with respect to Chicago area communities of DuPage County, the Village of Bartlett, the Village of Bensenville, the City of Elgin, the Village of Itasca, the Village of Hanover Park, the Village of Roselle, the City of Wood Dale, and the Village of Schaumburg, if the transaction is approved and implemented and any of these communities are willing, CPKC commits to work with them to accomplish the following four items listed below. To further clarify those four items, CP proposes the following revised bullets:

- Subject to necessary Federal Railroad Administration approvals and practicability, CPKC will fund efforts towards the creation and implementation of quiet zones, including the costs of installation.
- CPKC will install and fund a predictive mobility system, interconnected with existing railroad crossing signals, that will deliver

Danielle Gosselin
January 12, 2023
Page 2

advanced notice of blocked crossings to citizens, police, fire, and rescue operations, and others;

- CPKC will install and fund ITS Interconnect for Advanced Warning Signs at strategic locations to give drivers information about occupied crossings, allowing them to make better on-the-spot decisions; and
- CPKC will install and fund Positive Train Control wireless technology tie-ins at crossings adjacent to Metra platforms, which will minimize the activation of crossing lights and gates.

With respect to the work described above, it is anticipated that CPKC and/or its subcontractors will perform the work. In the case of instances where work may be performed by others (besides CPKC and/or its subcontractors), CPKC would reimburse reasonable and customary charges for such work.

As previously noted in our November 8, 2022 letter, because Metra owns the trackage CP uses in these communities, it will have to approve the implementation of any of these mitigation measures. CPKC would work with Metra, the communities, and any other relevant agencies to seek approval for these mitigation measures.

Thank you for your attention to these matters. Please don't hesitate to contact me if you have any questions.

Sincerely,



Kathryn K. Floyd

cc: Sean Cline
Glen Wilson
Joe Van Humbeck
David L. Meyer
Jeffrey Songer
Kayden Howard
William Mullins

Danielle Gosselin
January 12, 2023
Page 3

Erin Glavich
Joshua Wayland
Victoria Rutson
Alan Summerville