



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

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Meeting under Section 5, STB Reauthorization Act

April 22, 2021

Present: Members Begeman, Fuchs, Oberman, Primus, and Schultz
Staff Stephanie Borges, William Brennan, Jessica Caine, Rachel Campbell,
Ellen Erichsen, Amanda Gorski, Craig Keats, Adam Kress, Lisa Novins, Janie
Sheng, Michael Small, Scott Zimmerman

Topic: Docket No. FD 36500, Canadian Pacific Railway, et al.—Control—
Kansas City Southern, et al.

Summary of the Matters Discussed, Prepared by General Counsel Craig Keats:

In this case, Canadian Pacific Railway (and associated entities) (CP) and Kansas City Southern (and associated entities) (KCS) notified the Board that they intend to file an application seeking authority under 49 U.S.C. §§ 11323-25 for CP to acquire control of KCS. At this meeting, staff and Board Members discussed the arguments made by various parties about which regulations should apply—those in effect prior to July 11, 2001, pursuant to the waiver at 49 C.F.R. § 1180.0(b), or the current regulations.