



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

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Office of the General Counsel

Meeting under Section 5, STB Reauthorization Act

April 15, 2021

Present: Members Begeman, Fuchs, Oberman, Primus, and Schultz
Staff Ian Anderson, Stephanie Borges, William Brennan, Jessica Caine,
Rachel Campbell, Anika Cooper, Allison Davis, Ellen Erichsen, Amanda
Gorski, Kim Hillenbrand, Craig Keats, Richard Klem, Adam Kress, Elizabeth
McGrath, Robert Plum, Janie Sheng, Michael Small, Julie Waddell, 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. In addition, staff and Board members discussed issues relating to the proposed voting trust filed by the Applicants, and the procedures and timing associated with the anticipated next actions by the Board.