



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, 2022

Present: Members Fuchs, Hedlund, Oberman, Primus, and Schultz
Staff Ian Anderson, Stephanie Borges, William Brennan, Rachel Campbell,
Anika Cooper, Ellen Erichsen, Danielle Gosselin, Kim Hillenbrand, Craig
Keats, Evelyn Kitay, Richard Klem, Elizabeth McGrath, Rebecca Morrow,
Robert Plum, Jetta Sandin, Prashant Singh, Michael Small, Drew Van
Denover, Julie Waddell, and 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) filed an application seeking authority under 49 U.S.C. §§ 11323-25 for CP to acquire control of KCS. On March 16, 2022, the Board directed CP and KCS to explain an apparent inconsistency in two sets of 2019 baseline traffic density data CP and KCS submitted in connection with the application. CP and KCS filed a response and other parties filed replies. At this meeting, staff and Board Members discussed issues relating to the filings submitted in response to the Board's March 16 decision.