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July 13, 2023

Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board Office of Proceedings
395 E Street, SW
Washington, DC 20423

ENTERED
Office of Proceedings
August 2, 2023
Part of
Public Record

RE: STB Docket No. FD 36472

CSX Corporation and CSX Transportation, Inc. et al. - Control and Merger - Pan Am Systems, Inc.,
Pan Am Railways, Inc., Boston and Maine Corporation, Maine Central Railroad Company, Northern
Railroad, Pan Am Southern LLC., Portland Terminal Company, Springfield Terminal Railway
Company, Stony Brook Railroad Company and Vermont & Massachusetts Railroad Company

Dear Ms. Brown:

By way of introduction, my name is Robert Bergeron, I have been a member of the IFPTE Local 202 member since 1980. I started my railroad career with the Boston and Maine Corporation and have been in continuous service until the sale of Pan Am Railways to CSX (STB FD 36472). The purpose of this memorandum is to correct the record and update the status from my January 9, 2023 filing - notification to STB on the status and lack of transparency resulting from Decision on the sale of Pan Am Railways to CSX.

I was served notice that Steptoe and Johnson LLC submitted an e-filing of CSX's second biannual report (heavily redacted) on June 1, 2023. I was particularly troubled by this notice about the IFPTE status on page 8 and page 9 of the report and in particular the footnote #5 found on page 9. Since this June 1, 2023 filing, I have made numerous inquiries to our IFPTE stewardship team about this statement (Steptoe and Johnson e-filing). My question is simple - is the Steptoe and Johnson LLC June 1, 2023 declaration / statement true? Did the IFPTE team sign an agreement, without our knowledge, without our consent and without our ratification? If this is true, why haven't we been provided a copy and particulars on reasoning for the agreement to be signed?

Ms. Brown, (a) without reservation, as of this writing there has been no response from the IFPTE union on the subject of an agreement. (Note: Upon request - I would be more than happy to forward the STB all the communications to support this allegation). Essentially due to the lack of sincerity, therefore, I have to conclude that the information in my January 9, 2023 filing, remains intact.

I would just like to assure the you and the STB Board that I am writing this letter in collaboration with the majority membership of the International Federation of Professional and Technical Engineers Local 202, Springfield Terminal Railway Company, a.k.a. Pan Am Railways Systems.

Again, let me reinforce the STB that all we are looking for is fair and honest access to the labor protections provided us in the decision which was the New York Dock. The STB decision to support the sale of Pan Am Railways to CSX Corporation was understood and tolerable, however, the aspect of the apportionment of Pan Am Rail Properties for leasing out Pan Am Southern, which divided the railroad 52% (+/-) on Pan Am Southern and 48% (+/-) is consequential.

I participated in the initial conference calls and based on the observed carrier perspective / demeanor we the local 202 members have been convinced that the only track to a fair outcome was in activation of the provision in the New York Dock for impartial mediation by a referee. We still agree with this direction.

Thank You for your attention to our dilemma. The rumors and misinformation is gaining traction and anxiety is high.

Sincerely;

A handwritten signature in cursive script, appearing to read "Robert Bergeron".

Robert Bergeron

International Federation of Professional and Technical Engineers (IFPTE), Local 202 member since 1980

CC: Parties of Record in FD 36472