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August 7, 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 7, 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:

My name is Robert Bergeron and I have been a member of the IFPTE since 1980. I started my railroad career on the Boston and Maine Corporation and stayed in uninterrupted service up to present day, includes the sale of Pan Am to CSX (STB FD 36472).

I recognize that STB's FD-36472 became more complicated than just a sale of a railroad between two qualified amenable parties. As I see it, the primary complication grew out of the objections from some concerned entities along with comprehensive challenges from Vermont Transportation Agency and the U.S. Department of Justice, etc. These objections primarily emanated from the proposed operation of the Pan Am Southern territory (segment) and its possible competitive impact to freight rail goods movement into New England and Atlantic Canada markets.

From what I was led to believe the STB order was contingent upon and recommended that CSX develop alternative carrier operational solutions / options with periodic reporting back to the Board.

This provision of operational responsibility on the Pan Am Southern in the STB's decision did not specifically reinforce the labor protection directive. Though a quick glance at a Pan Am Railways system map would provide detail that the Pan Am Southern territory represents approximately 52% of the track miles of the STB's decision.

It now appears that this bisection of the Pan Am Southern in the CSX and Genesee and Wyoming (dba Berkshire Eastern) is planned for September 1, 2023. Again, I would like to reinforce to the board that the members of IFPTE Local 202 still have not had any informational presentations on the impacts, no meetings, no teleconferences, no group conferences since September 14, 2022, from either the carriers or the IFPTE. Therefore, we are left to mull over our railroad career, and the implications to family care and stability, with relying upon 'the grape vine' rumors and misinformation, most of which is floated intentionally to be dispersed in maintaining high levels of distraction and anxiety.

Even though this was very much the IFPTE concern from the beginning - the board chairman reassured the IFPTE on page 49 of the 75 page STB #FD 36472 decision that he was comfortable with carriers assurances, that our voices would be heard specifically noting the B&E clear and unambiguous representation on the record.

To the point this informational email is to notify you that we are going to ask the National Mediation Board (NMB) to intervene on our behalf and using the provisions of the New York Dock to make us whole. We will do our due diligence to follow procedures and protocols in this effort before looking for a different venue to resolve our differences.

Sincerely;

A handwritten signature in black ink, appearing to read "Robert Bergeron". The signature is fluid and cursive, with a large initial "R" and "B".

Robert Bergeron

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

CC: Parties of Record in FD 36472