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Ms. Cynthia T. Brown, Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W., Room 1034
Washington, DC 20423-0001

Re: *Complaint and Petition of the National Railroad Passenger Corp. Under 49 U.S.C.
§ 24308(f)–For Substandard Performance of Amtrak’s Sunset Limited Trains 1 and 2*
(Docket No. NOR 42175)

Dear Ms. Brown:

Canadian Pacific Kansas City Limited’s (“CPKC”) Petition to Intervene filed in this proceeding on August 28, 2023 (the “Petition”) stated that “CPKC owns and dispatches 1.8 miles of the Sunset Limited’s route.” Petition at 1 n.1. The Petition thereby raises an issue of consistent party treatment.

The Board has required Illinois Central Railroad Company (“CN”) to participate as an active party in this proceeding, and to be subject to the Board’s interrogatories and document requests, on the grounds that CN owns (2.2 miles) of the Sunset Limited route and dispatches a portion of that segment. Decision served July 11, 2023, at 10. Similarly, the Board found Southern California Railroad Authority and New Orleans Public Belt Railroad Commission for the Port of New Orleans to be “necessary parties to the investigation” because of their ownership of short segments of the Sunset Limited route. *Id.*

CN takes no position as to the Petition, but it believes the Board should treat similarly situated parties alike in this investigation, including assigning them the same status as participants in the proceeding.

Sincerely,

/s/ David A. Hirsh

David A. Hirsh

Counsel for Illinois Central Railroad Company

cc: All Parties of Record