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Via E-Filing

September 25, 2023

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

307198

ENTERED
Office of Proceedings
September 25, 2023
Part of
Public Record

Chris Hollinger
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Re: Docket No. NOR 42175; Complaint and Petition of National Railroad Passenger Corp. under 49 U.S.C. § 24308(f) for Substandard Performance of Amtrak's Sunset Limited Trains 1 and 2

Dear Ms. Brown:

Southern California Regional Rail Authority ("SCRRA") is hereby electronically filing the "Public" version of its response to Appendix A, Part V, of the Surface Transportation Board's July 11, 2023 Order in the above-referenced matter. The entire "Public" version of SCRRA's response, including its written answers to the Board's questions as well as the non-Confidential responsive documents, is contained in the remainder of this pdf file.

This letter, along with the "Public" version of SCRRA's response, is being served by email on Administrative Law Judge McCarthy as well as the parties and non-parties to this proceeding.

If you have any questions, please let me know.

Sincerely,

/s/ Chris A. Hollinger

Chris A. Hollinger
O'MELVENY & MYERS LLP
*Attorney for the Southern California Regional
Rail Authority*

**BEFORE THE
SURFACE TRANSPORTATION BOARD
DOCKET NO. NOR 42175**

IN 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

**SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY'S
INTERROGATORIES AND DOCUMENTS
PRODUCED IN RESPONSE TO JULY 9, 2023 DECISION (APPENDIX A—PART V)**

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Dated: September 25, 2023

Respectfully submitted,

Chris A. Hollinger
Elizabeth Dubeck
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By: /s/ Chris A. Hollinger
Chris A. Hollinger

*Attorneys for Southern California Regional
Rail Authority*

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SCRRA River Subdivision Maps	4	15-19	SCRRA-0000001- SCRRA-0000005	Confidential*
SCRRA Excel Workbook for Interrogatory Response	10	20	SCRRA-0000006	N/A
SCRRA Train Dispatchers Manual (TDM), effective March 13, 2023	12	21-97	SCRRA-0000007- SCRRA-0000083	Confidential*
SCRRA Dispatching Services Comprehensive Training Plan, revised as of August 24, 2021	12	98-154	SCRRA-0000084- SCRRA-0000140	Confidential*
Depot Sheets for LAUS, effective as of August 15, 2023	12	155-165	SCRRA-0000141- SCRRA-0000151	Confidential*

*These documents have been designated “Confidential” and are not included in the public version of the filing.

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SURFACE TRANSPORTATION BOARD

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 SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY’S RESPONSES TO SURFACE TRANSPORTATION BOARD’S INTERROGATORIES AND DOCUMENT REQUIREMENTS
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PROPOUNDING PARTY: SURFACE TRANSPORTATION BOARD

RESPONDING PARTY: SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY

The SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY (“Responding Party” or “SCRRA”), hereby provides the following responses to the Interrogatories and Document Requirements propounded by the SURFACE TRANSPORTATION BOARD (“Propounding Party” or “the Board”) in the above-captioned matter as follows:

PRELIMINARY STATEMENT & GENERAL OBJECTIONS

1. In responding to the Board’s Interrogatories and Document Requirements, SCRRA does not waive its right to invoke any and all applicable privileges, doctrines, and protections. To the contrary, SCRRA objects to each of the Board’s Interrogatories and Document Requirements if and to the extent they expressly or impliedly purport to call for information protected by such privileges, doctrines or protections, and hereby reserves its right to withhold responsive information on the basis thereof. If SCRRA does withhold any responsive

information, it will comply with the procedures set forth in Paragraph 3 of the Instructions contained in Appendix A, Part I, of the Board's July 9, 2023 decision.

2. SCRRRA also reserves its right to assert additional objections or to provide supplemental responses if it discovers additional responsive information or grounds for objection, and to revise, correct, supplement, or clarify any of its responses to the Board's Interrogatories and Document Requirements.

3. SCRRRA objects to each of the Board's Interrogatories and Document Requirements if and to the extent they purport to require SCRRRA to provide information beyond what can be obtained through a reasonably diligent search of its records.

4. Amtrak's Complaint/Petition in this matter asserts that "[t]he Sunset Limited concludes its journey on a final 12.6-mile portion of track hosted by SCRRRA (also referred to as 'Metrolink'), running from El Monte, California to Los Angeles Union Station." (Complaint ¶ 27.) This assertion is incorrect. SCRRRA only hosts the Sunset Limited between Yuma Junction and Los Angeles Union Station. The host between El Monte and Yuma Junction is the Union Pacific Railroad Company. (Cf. Complaint ¶ 27 n.22 ("[d]uring this portion of its journey, the Sunset Limited typically spends approximately 11 miles on UP tracks").) In fact, in an e-mail exchange dated July 27-28 of this year, Amtrak specifically agreed that SCRRRA is not the host between El Monte and Yuma Junction. Accordingly, in responding to the Board's Interrogatories and Document Requirements, SCRRRA will only respond with respect to the line segment between Yuma Junction and Los Angeles Union Station.

* * *

The above Preliminary Statement and General Objections are incorporated by reference into each of SCRRRA's below Responses as if stated in full.

RESPONSES TO SPECIAL INTERROGATORIES & DOCUMENT REQUIREMENTS

INTERROGATORY NO. 1:

Sharing Arrangements. Regarding each segment of the Line in which your company shares ownership, operation, dispatching, maintenance, and/or other responsibilities with one or more other railroads, provide a detailed explanation of the division of responsibilities among the carriers during the relevant period.

RESPONSE TO INTERROGATORY NO. 1:

SCRRA dispatches the *Sunset Limited* line segment between the east limits of Control Point (“CP”) Yuma Junction to and including Los Angeles Union Station (“LAUS”). There is a “handshake” at Yuma Junction. This means that, when an SCRRA dispatcher requests an eastbound signal at Yuma Junction for Amtrak #2, the Union Pacific Railroad Company (“UP”) dispatcher must approve SCRRA’s request (via the dispatching system) before the signal is allowed to clear. This works in reverse for Amtrak #1, from UP to SCRRA.

Maintenance of the CP Yuma Junction track between the east and west limits of CP Yuma Junction is performed by UP, which interacts with the SCRRA dispatchers to perform their required duties. Signal maintenance for the entire segment between Yuma Junction and LAUS is performed by SCRRA’s contractor (Herzog), which interacts with the SCRRA dispatchers to perform their required duties.

INTERROGATORY NO. 2

Scheduling and Amtrak. When scheduling freight trains, and passenger trains as applicable, what steps are taken to avoid conflicts with the *Sunset Limited*?

RESPONSE TO INTERROGATORY NO. 2:

Due to the miniscule nature of the *Sunset Limited*’s operation over SCRRA track,

covering less than two miles, SCRRA has no scheduling issues with freight interference. When there is freight traffic which may potentially cross the path of any Amtrak or SCRRA train, the SCRRA dispatchers plan to have the freight movement (if any) clear at least 10 minutes before any scheduled passenger train movement.

SCRRA does review the *Sunset Limited's* scheduled arrival and departure times in and out of LAUS to ensure there will be adequate capacity for the *Sunset Limited* train to arrive and depart on time with no scheduled conflicts on account of SCRRA's own service.

INTERROGATORY NO. 3:

Unscheduled trains. Describe your protocols for introducing unscheduled trains onto your rail system.

RESPONSE TO INTERROGATORY NO. 3:

Unscheduled passenger trains generally require approval prior to operating over SCRRA's line segment between CP Yuma Junction and LAUS. The approval process begins with the carrier submitting a request through formal documentation to the SCRRA operating group. In the event of an emergency detour, the approval process is expedited and documented later. Any unscheduled passenger trains are treated as second-priority behind all regularly-scheduled passenger and commuter services. Freight trains typically do not have a documented schedule. SCRRA receives "Crew Calls" via email and/or phone call usually at least two hours before a freight train is expected to arrive at a handshake point. SCRRA then coordinates with its partner railroads to project a time when SCRRA can bring the train onto its property without delaying commuter or passenger trains.

INTERROGATORY NO. 4:

Maps. Produce a clear, detailed map or set of maps of the portion(s) of the *Sunset*

Limited that you host, own, operate, dispatch, serve, or lease. You must produce a map in a static format such as a PDF, but also, if available produce a computer-readable version in a format such as a .kml, .kmz, or ESRI shapefile file type. These map(s) should identify:

- a. Mileposts (following the Uniform Milepost Numbers described in Part II of this appendix).
- b. Subdivision.
- c. Control points, such as stations (as listed in Appendix A of Amtrak's Complaint), and non-passenger skeleton "stations."
- d. Where your hosting, ownership, operating, dispatching, servicing, or leasing of the *Sunset Limited* begins and ends.
- e. Single-track territory with mileage identified.
- f. Double-track territory with mileage identified.
- g. Passing sidings on single-track territory:
 1. Under or equal to 10,000 feet in length, with mileposts identified.
 2. Over 10,000 feet in length, with mileposts identified.
- h. Passing sidings on double-track territory:
 1. Under or equal to 10,000 feet in length, with mileposts identified.
 2. Over 10,000 feet in length, with mileposts identified.

RESPONSE TO INTERROGATORY NO. 4:

SCRRA is producing herewith a map for its River Subdivision, which contains the requested information for the segment of the *Sunset Limited* between LAUS and CP Yuma Junction [see SCRRA-0000001-SCRRA-0000005]. The map is being produced in both .pdf and .kml/.kmz formats.

INTERROGATORY NO. 5:

Passing Sidings. On a map, identify all passing sidings on portion(s) of the *Sunset Limited's* route that you hosted, owned, operated, dispatched, served, and/or leased during the Relevant Period. Identify any passing siding that was not long enough to accommodate one or more train(s) that traveled past that passing siding during the Relevant Period.

RESPONSE TO INTERROGATORY NO. 5:

There were no passing sidings on the SCRRA track between CP Yuma Junction and LAUS during the Relevant Period.

INTERROGATORY NO. 6:

Sidings and train length. How many freight trains traveled on portion(s) of the Route you host, own, operate, dispatch, serve, or lease during the Relevant Period, that could not fit into passing sidings that the train traveled past?

RESPONSE TO INTERROGATORY NO. 6:

None. There were no passing sidings on the SCRRA track between CP Yuma Junction and LAUS during the Relevant Period.

INTERROGATORY NO. 7:

Amtrak delays and siding length. List each instance during the Relevant Period, where passing siding length (i.e., when a freight train could not fit onto passing siding due to a lack of length) resulted in an Amtrak train being stopped or slowed on portion(s) of the Route that you host, own, operate, dispatch, serve, or lease. Identify the schedule skeleton segment or skeleton-station involved, and the Amtrak train number affected, with date of departure from origin terminal.

RESPONSE TO INTERROGATORY NO. 7:

None. There were no passing sidings on the SCRRA track between CP Yuma Junction and LAUS during the Relevant Period. Since this Interrogatory is inapplicable, SCRRA has no information to include in the Excel workbook Appendix: Part V, Question 7, Tab labeled “scrra_amtrak_delays_siding.”

INTERROGATORY NO. 8:

Passing sidings or double-track removed. Between October 1, 2016, and December 8, 2022, did you remove or shorten any passing sidings or double-track segments on portions of the *Sunset Limited* that you host, own, operate, dispatch, serve, or lease? If so, describe the location of such sidings or double-track segments, the sidings’ or doubletrack segment’s original length (and new length, if shortened), and the circumstances leading to their removal.

RESPONSE TO INTERROGATORY NO. 8:

No.

INTERROGATORY NO. 9:

Passing sidings blocked or unavailable. Provide a list of each instance during the Relevant Period where a passing siding on a portion of the *Sunset Limited* that you hosted, owned, operated, dispatched, served, and/or leased was unavailable for meeting or passing trains for five consecutive days or longer. This list should clearly identify each passing siding in a way that corresponds with at least one map submitted in response to this Appendix. The list should also include the date range that each passing siding was blocked or otherwise unavailable, and a reason for the unavailability; for example, stored cars causing a blockage, maintenance, or track condition.

RESPONSE TO INTERROGATORY NO. 9:

None. There were no passing sidings on the SCRRA track between CP Yuma Junction and LAUS during the Relevant Period. Since this Interrogatory is inapplicable, SCRRA has no information to include in the Excel workbook Appendix: Part V, Question 9, Tab labeled “scrra-sidings_blocked_or_un.”

INTERROGATORY NO. 10:

Freight train speeds. For each of your segments where the *Sunset Limited* operates, provide the actual average freight train speed between each successive pair of control points during the Relevant Period. Provide notation of any equalization calculations used with any calculations.

RESPONSE TO INTERROGATORY NO. 10:

The requested freight-train speed information is contained in the individual response template in the Excel workbook Appendix: Part V, Question 10, Tab labeled “scrra_freight_train_speed,” which is being produced contemporaneously herewith [*see* SCRRA-0000006].

INTERROGATORY NO. 11:

Plans for improving passenger OTP. Provide a narrative and any relevant documents explaining any measures or plans you have for improving passenger service and on-time performance of Amtrak trains.

RESPONSE TO INTERROGATORY NO. 11:

SCRRA actively monitors all passenger trains which operate over its lines and reviews the delays and on-time performance of passenger service on a regular basis. SCRRA participates in a quarterly scheduling call with the Corridor Improvement Team, which includes all host

railroads and operators in Southern California (i.e., UP, BNSF Railway Company, SCRRA, North County Transit District, Los Angeles-San Diego-San Luis Obispo (LOSSAN) Rail Corridor Agency, and Amtrak). These calls/meeting address any concerns, upcoming projects, projected delays, and schedule changes or improvements which could enhance on-time performance or the customer experience. Additionally, SCRRA and Amtrak/LOSSAN review schedules and interact on a regular basis regarding special train movements, anticipated times between stations, and any reroutes which may be required.

INTERROGATORY NO. 12:

Dispatching protocols. Explain your dispatching protocols on the portion(s) of the Route for which you provide dispatching. Produce documentation about your dispatching procedures used during the Relevant Period. Include standard operating procedures, employee training manuals, guidelines, instructions, and other relevant material.

RESPONSE TO INTERROGATORY NO. 12:

SCRRA is producing contemporaneously herewith the following documents: SCRRA Train Dispatchers Manual (TDM), effective March 13, 2023 [SCRRA-0000007-SCRRA-0000083]; SCRRA Dispatching Services Comprehensive Training Plan, revised as of August 24, 2021 [SCRRA-0000084-SCRRA-0000140]; and Depot Sheets for LAUS, effective as of August 15, 2023. [SCRRA-0000140- SCRRA-0000151].

INTERROGATORY NO. 13:

Computer/automated dispatching. Produce documentation about any computer assisted dispatching used during the Relevant Period on the portion(s) of the Route for which you provided dispatching. This includes automated dispatching and any time a computer provided a recommendation.

RESPONSE TO INTERROGATORY NO. 13:

SCRRA does not utilize automated dispatching and also does not have the ability to receive or act upon a recommendation from a computer.

INTERROGATORY NO. 14:

Dispatching algorithms. Explain the rule(s)/algorithm(s) programed into any computer system that either determines dispatching or recommends dispatching solutions; include a decision tree explaining how the program makes its decisions.

RESPONSE TO INTERROGATORY NO. 14:

SCRRA does not utilize automated dispatching and also does not have the ability to receive or act upon a recommendation from a computer.

INTERROGATORY NO. 15:

Train length and priority. To what extent, if any, does train length impact a train's priority under your dispatching protocols?

RESPONSE TO INTERROGATORY NO. 15:

When freight traffic operates across SCRRA's lines on a single-track territory, SCRRA must ensure that it has a "location," meaning either a siding or a "Multiple Main Track" site. The location must be able to fit the freight train and the freight train must be able to operate to the location and clear any routes necessary for passenger/commuter trains at least 10 minutes prior to the arrival of the passenger/commuter trains. However, the SCRRA line segment between CP Yuma Junction and LAUS does not present any challenges in this regard.

INTERROGATORY NO. 16:

Coordination with other railroads. Describe the procedures used to coordinate the handoff of Amtrak trains on the *Sunset Limited* to other railroads.

RESPONSE TO INTERROGATORY NO. 16:

SCRRA hands off the *Sunset Limited* train to the UP at CP Yuma Junction. The SCRRA dispatcher will request a signal onto UP's track at that location. If no lineup is provided, the SCRRA dispatcher will call the UP dispatcher who controls the adjoining UP Alhambra Subdivision and notify them of the approaching *Sunset Limited* train to ensure a lineup establishing a signal is provided. SCRRA accepts the *Sunset Limited* train from the UP in the same manner at CP Yuma Junction.

Dated: September 25, 2023.

Respectfully submitted,

By: /s/ Chris A. Hollinger
Chris A. Hollinger

Chris A. Hollinger

O'MELVENY & MYERS LLP

Attorney for Responding Party
SOUTHERN CALIFORNIA REGIONAL RAIL
AUTHORITY

Appendix: Part V (SCRRA)

Question 10

	A	B	C	D
1	uniform_milepost_ctrl_pt _segment_start	uniform_milepost_ctrl_pt _segment_end	average_train_speed (passenger)	average_train_speed (freight)
2	H 0.0	H 0.220	25	5
3	H 0.220	H 0.3	25	5
4	H 0.3	H 0.48	25	5
5	H 0.48	H 0.7	25	5
6	H 0.7	H 0.76	25	5
7	H 0.76	H 0.8	25	5
8	H 0.8	H 0.9	15	5
9	H 0.9	H 1.1	15	5
10	H 1.1	H 1.14	15	10