



Jim Tylick
AVP Passenger Operations

BNSF Railway
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May 14, 2021

Mr. James Blair
Senior Director, Host Railroad Group
Amtrak
30th Street Station
4th Floor North, Box 20
Philadelphia, PA 19104

Dear Mr. Blair:

Pursuant to the requirements of the Metrics and Minimum Standards for Intercity Passenger Rail Service final rule published on November 16, 2020, BNSF is writing to inform you that BNSF agrees that the existing schedules including those with recent agreed upon minor adjustments for the following trains operating on BNSF are aligned with the customer on-time performance standard found in Section 273.5(a)(1) and (2) of the rule:

- 1) California Zephyr Train Number 5
- 2) California Zephyr Train Number 6
- 3) Empire Builder Train Number 7
- 4) Empire Builder Train Number 27
- 5) Heartland Flyer Train Number 821
- 6) Sunset Limited Train Number 1
- 7) Sunset Limited Train Number 2
- 8) Texas Eagle Train Number 21
- 9) Texas Eagle Train Number 22
- 10) Coast Starlight Train 14

Amtrak trains 1, 2, 11, 14, 21, and 22 operate on BNSF as a very low percentage of overall route miles. Train performance across BNSF can be impacted when arriving late and 'off slot' such as, but not limited to, unscheduled train meets, additional conflicting or opposing train traffic. Furthermore, it should be noted BNSF and Amtrak have contractual on time performance exceptions in certain situations, such as when Amtrak 21 and Amtrak 22 have an unscheduled BNSF meet based on a late arrival to BNSF territory.

BNSF's desire is to continue to collaborate on the disputed schedules listed below without resorting to a non-binding dispute resolution process:

- 1) Southwest Chief Train Number 3
- 2) Southwest Chief Train Number 4
- 3) Empire Builder Train Number 8
- 4) Empire Builder Train Number 28
- 5) Cascade Train Number 500
- 6) Cascade Train Number 501 (Soon to be renumbered Train 503)

- 7) Cascade Train Number 502
- 8) Cascade Train Number 504
- 9) Cascade Train Number 505
- 10) Cascade Train Number 506
- 11) Cascade Train Number 507
- 12) Cascade Train Number 508
- 13) Cascade Train Number 516
- 14) Cascade Train Number 517
- 15) Cascade Train Number 518
- 16) Cascade Train Number 519
- 17) Heartland Flyer Train Number 822

In the event we are unable to certify train schedules in disputed status, we are reviewing your proposal for a non-binding dispute resolution process as outlined in your letter dated May 12, 2021 and will respond soon.

We look forward to continuing our discussions related to Amtrak train schedules operating over BNSF.

Sincerely,



Jim Tylick
AVP Passenger Operations

CC – Tamara Noel, BNSF
CC – DJ Mitchell, BNSF