

BEFORE THE
SURFACE TRANSPORTATION BOARD

ENTERED
Office of Proceedings
November 13, 2023
Part of
Public Record

Docket No. FD 36732

CANADIAN PACIFIC KANSAS CITY LIMITED AND THE KANSAS CITY
SOUTHERN RAILWAY COMPANY, D/B/A CPKC – ACQUISITION AND OPERATION
– CERTAIN RAIL LINE OF MERIDIAN & BIGBEE RAILROAD, L.L.C., IN
LAUDERDALE COUNTY, MISS. AND CHOCTAW AND MARENGO
COUNTIES, ALA.

Docket No. AB 55 (Sub-No.814X)

CSX TRANSPORTATION, INC. – DISCONTINUANCE OF TRACKAGE RIGHTS
EXEMPTION – IN MARENGO AND CHOCTAW COUNTIES, ALA. AND LAUDERDALE
COUNTY, MISS.

Docket No. 36731

ALABAMA & GULF COAST RAILWAY LLC – TRACKAGE RIGHTS EXEMPTION –
KANSAS CITY SOUTHERN RAILWAY COMPANY D/B/A CANADIAN PACIFIC
KANSAS CITY

Docket No. 36730

CSX TRANSPORTATION, INC. – TRACKAGE RIGHTS EXEMPTION – KANSAS
CITY SOUTHERN RAILWAY

**CERTIFICATE OF SERVICE OF
ILLINOIS CENTRAL RAILROAD COMPANY**

In compliance with Decision No. 1, served by the Board in these proceedings on
November 3, 2023, Illinois Central Railroad Company (“CN”) hereby certifies that it has served
the Department of Justice, the Department of Transportation, Applicants’ representative, and all
Parties of Record with copies of CN’s Notice of Intent to Participate, filed on October 31, 2023

(copy attached as Exhibit 1) and copies of all other filings made by CN to date in these proceedings.

Respectfully submitted,

Kathryn J. Gainey
CN
975 F Street, N.W., Suite 550
Washington, DC 20004
kathryn.gainey@cn.ca

/s/David A. Hirsh
David A. Hirsh
Theodore L. Hunt
James M. Guinivan
Katie Daw
DENTONS US LLP
1900 K Street, N.W.
Washington, DC 20006
(202) 496-7500
david.hirsh@dentons.com

Counsel for Illinois Central Railroad Company

Dated: November 10, 2023

EXHIBIT 1

CN-1

BEFORE THE SURFACE TRANSPORTATION BOARD

CANADIAN PACIFIC KANSAS CITY LIMITED AND THE KANSAS CITY
SOUTHERN RAILWAY COMPANY, D/B/A CPKC – ACQUISITION AND OPERATION
– CERTAIN RAIL LINE OF MERIDIAN & BIGBEE RAILROAD, L.L.C., IN
LAUDERDALE COUNTY, MISSISSIPPI AND CHOCTAW AND MARENGO
COUNTIES, ALABAMA, FD 36732;
ALABAMA & GULF COAST RAILWAY LLC – TRACKAGE RIGHTS EXEMPTION –
THE KANSAS CITY SOUTHERN RAILWAY COMPANY D/B/A CANADIAN PACIFIC
KANSAS CITY, FD 36731;
CSX TRANSPORTATION, INC. – ACQUISITION AND OPERATION – RAIL LINE OF
MERIDIAN & BIGBEE RAILROAD, L.L.C., FD 36727;
CSX TRANSPORTATION, INC. – TRACKAGE RIGHTS EXEMPTION – KANSAS
CITY SOUTHERN RAILWAY COMPANY, FD 36730;
ALABAMA & GULF COAST RAILWAY LLC – TRACKAGE RIGHTS EXEMPTION –
CSX TRANSPORTATION, INC., FD 36724;
MERIDIAN & BIGBEE RAILROAD, L.L.C. – DISCONTINUANCE OF INCIDENTAL
OVERHEAD TRACKAGE RIGHTS – IN LOWNDES AND MONTGOMERY
COUNTIES, AL, AB 1335X;
CSX TRANSPORTATION, INC. – DISCONTINUANCE OF TRACKAGE RIGHTS
EXEMPTION – IN MARENGO AND CHOCTAW COUNTIES, AL AND LAUDERDALE
COUNTY, MS, AB 55 (SUB-NO. 814X)

NOTICE OF INTENT TO PARTICIPATE

Illinois Central Railroad Company (“CN”) hereby gives notice of its intent to participate
in the above-captioned proceedings as a party of record. Service of all filings and decisions may

be made on counsel for CN at david.hirsh@dentons.com.

Respectfully submitted,

Kathryn J. Gainey
CN
975 F Street, N.W., Suite 550
Washington, DC 20004
kathryn.gainey@cn.ca

/s/David A. Hirsh
David A. Hirsh
Theodore L. Hunt
James M. Guinivan
Katie Daw
DENTONS US LLP
1900 K Street, N.W.
Washington, DC 20006
(202) 496-7500
david.hirsh@dentons.com

Counsel for Illinois Central Railroad Company

Dated: October 31, 2023

CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of October 2023, a copy of the preceding Notice of Intent to Participate was served electronically on all Parties of Record for the following proceedings:

CANADIAN PACIFIC KANSAS CITY LIMITED AND THE KANSAS CITY SOUTHERN RAILWAY COMPANY, D/B/A CPKC – ACQUISITION AND OPERATION – CERTAIN RAIL LINE OF MERIDIAN & BIGBEE RAILROAD, L.L.C., IN LAUDERDALE COUNTY, MISSISSIPPI AND CHOCTAW AND MARENGO COUNTIES, ALABAMA, FD 36732;

ALABAMA & GULF COAST RAILWAY LLC – TRACKAGE RIGHTS EXEMPTION – THE KANSAS CITY SOUTHERN RAILWAY COMPANY D/B/A CANADIAN PACIFIC KANSAS CITY, FD 36731;

CSX TRANSPORTATION, INC. – ACQUISITION AND OPERATION – RAIL LINE OF MERIDIAN & BIGBEE RAILROAD, L.L.C., FD 36727;

CSX TRANSPORTATION, INC. – TRACKAGE RIGHTS EXEMPTION – KANSAS CITY SOUTHERN RAILWAY COMPANY, FD 36730;

ALABAMA & GULF COAST RAILWAY LLC – TRACKAGE RIGHTS EXEMPTION – CSX TRANSPORTATION, INC., FD 36724;

MERIDIAN & BIGBEE RAILROAD, L.L.C. – DISCONTINUANCE OF INCIDENTAL OVERHEAD TRACKAGE RIGHTS – IN LOWNDES AND MONTGOMERY COUNTIES, AL, AB 1335X

CSX TRANSPORTATION, INC. – DISCONTINUANCE OF TRACKAGE RIGHTS EXEMPTION – IN MARENGO AND CHOCTAW COUNTIES, AL AND LAUDERDALE COUNTY, MS, AB 55 (SUB-NO. 814X)

/s/James M. Guinivan
James M. Guinivan

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of November, 2023, I caused a copy of the foregoing Certificate of Service of Illinois Central Railroad Company to be served on the following by first-class mail:

Attorney General of the United States
c/o Assistant Attorney General
Department of Justice—Antitrust Division
Room 3109
Washington, DC 20530

Secretary of Transportation
1200 New Jersey Avenue, S.E.
Washington, DC 20590

and electronically on Applicants' representative and on all Parties of Record in these proceedings.

/s/James M. Guinivan
James M. Guinivan