

January 15, 2024

Sent via E-Filing

The Honorable Martin J. Oberman, Chairman
United States Surface Transportation Board
395 E Street, S.W.
Washington D.C. 20423

ENTERED
Office of Proceedings
January 16, 2024
Part of
Public Record

Re: Docket No. EP 774 (Sub-No. 1, *Notice of Passenger Rail Advisory Committee Vacancies*)

Dear Chairman Oberman:

In response to the Federal Register Notice of the establishment of a Passenger Rail Advisory Committee (PRAC) and the Surface Transportation Board's (STB) Notice of January 4, 2024 inviting nominations to staff the committee, I would like to nominate myself to fill one of the "at large" positions on the PRAC.

I am the retired Chief Legal Officer of Consolidated Rail Corporation (Conrail), having begun my career as commerce counsel in 1988, and then serving as General Counsel for almost 20 years starting in 2000. In that capacity, I assumed additional areas of responsibility for what is colloquially referred to as Conrail Shared Assets after the split up of "Big Conrail", and managed the legal, real estate, business development, risk management, governance, as well as government and public affairs functions for Conrail. Included in this experience was substantial work with passenger rail agencies that Conrail either hosted or on which Conrail was the host; Amtrak, New Jersey Transit, and SEPTA. Thus, I gained substantial experience both as legal counsel and as principal negotiator on a range of transactions between freight and passenger rail entities, participated in and managed disputes and litigation over many years as between freight and passenger carriers, as well as became well-versed in the many agreements and arrangements between freight and passenger railroads.

In addition, as a result of the unique history surrounding the formation of Conrail, I am very familiar with the restructuring of the railroad network that divided the responsibility for passenger and freight rail, and worked on a number of initiatives to assist with the transition and establishment of the original relationships between rail and freight from the late 1980s forward. This history and these arrangements continue to influence and frame today's policy discussions around the interface between freight and passenger operations.

Further, former commerce counsel, I frequently practiced before the STB on a number of matters as well as in the courts to resolve and clarify many of the issues that arose over time between passenger and freight railroads. Thus, I think I would bring a unique perspective to the

PRAC, with a deep understanding of the interests of both freight and passenger carriers on a plethora of different issues.

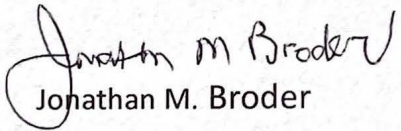
I also worked very closely with our operating and engineering departments on many freight-passenger issues, and am very cognizant of the operating challenges, technical specifications required related to performance, and the infrastructure projects needed to support rail and freight requirements on a number of rail corridors. For example, I worked on a number of infrastructure grants with NJT to support enhanced rail capacity and safety improvements. I was integrally involved with the enormous work surrounding the implementation of Positive Train Control (PTC). I also served for many years on the Northeast Corridor Commission as Conrail's representative. I negotiated a number of agreements with Amtrak to expand freight capacity on the Northeast Corridor as well.

Pursuant to the January 4, 2024 notice requesting certain information:

1. Contact: Jonathan M. Broder, Retired Chief Legal Officer of Conrail, 1111 Locust Street, Unit 11F, Philadelphia, PA 19107, broderj58@gmail.com, (215) 680-9861.
2. I would be an "at large" member
3. Candidate experience and qualifications set forth above.
4. I am willing to serve as a member of the PRAC.
5. I agree to serve in an "at large" capacity.

Thank you for your consideration of my nomination to serve on the PRAC. Should you have any questions, please feel free to contact me.

Sincerely,



Jonathan M. Broder