



308320

Dennis J. Newman
Executive Vice President, Strategy and Planning

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

May 16, 2024

VIA E-FILING

Chairman Robert E. Primus
c/o Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

**Re: Docket No. FD 36472
CSX Corporation and CSX Transportation, Inc., et al.—Control and Merger—
Pan Am Systems, Inc., Pan Am Railways, Inc., Boston and Maine Corporation, Maine Central
Railroad Company, Northern Railroad, Pan Am Southern LLC, Portland Terminal Company,
Springfield Terminal Railway Company, Stony Brook Railroad Company, and Vermont &
Massachusetts Railroad Company**

Dear Chairman Primus:

I am writing on behalf of the National Railroad Passenger Corporation ("Amtrak") to provide an update to the Surface Transportation Board regarding the state-supported, Amtrak-operated *Berkshire Flyer* pilot service, funded primarily by the Commonwealth of Massachusetts, which was initiated in connection with this proceeding involving CSX's acquisition of Pan Am Systems, Inc.

As the Board is aware, while this matter was pending, Amtrak and CSX reached an agreement to allow for the operation of the *Berkshire Flyer* service between Albany, New York and Pittsfield, Massachusetts in 2022 and 2023. See Decision No. 9 at 66 (Apr. 14, 2022). As a result of this agreement, Amtrak has operated the *Berkshire Flyer* as a seasonal summer weekend service between New York City and the Berkshire Mountains in Pittsfield, Massachusetts via the Hudson Valley.

Amtrak has been very satisfied with CSX's hosting of the *Berkshire Flyer* service. Amtrak is also pleased to report that CSX has agreed to extend the *Berkshire Flyer* pilot program for an additional year, through the 2024 season.

Amtrak appreciates CSX's willingness to work cooperatively with Amtrak on this matter and looks forward to continuing to partner with CSX on the successful operation of *Berkshire Flyer* service and to enhance other Amtrak services. Amtrak also appreciates the Board's consideration of Amtrak's interests in this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D.J.N.", written over a light blue rectangular background.

Dennis J. Newman

cc: Eleanor D. Acheson, Executive Vice President, General Counsel & Corporate Secretary (Amtrak)

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of May, 2024, I have caused a copy of the foregoing to be served electronically or by first class mail, postage pre-paid, on all parties of record in this proceeding.

/s/ Christopher S. Perry

Christopher S. Perry
Associate General Counsel
Amtrak
1 Massachusetts Ave., N.W.
Washington, D.C. 20001
christopher.perry@amtrak.com
Tel. (202) 294-2434