

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. NOR 42175

ENTERED
Office of Proceedings
May 20, 2024
Part of
Public Record

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

**UNION PACIFIC RAILROAD COMPANY'S
REQUEST FOR EXTENSION OF TIME**

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Pursuant to 49 C.F.R. § 1104.7, Union Pacific Railroad Company respectfully requests a 55-day extension of the deadline established by the Board's April 5, 2024, decision in this proceeding to complete its production of narrative explanations of root causes of the "Host-Responsible Delays on a Run-by-Run Basis" listed in Part I of the Appendix to the Board's decision in this matter served February 13, 2024.

Good cause exists to grant the extension. Union Pacific is continuing to work diligently to provide the large quantity of information requested in the Board's February 13 Decision. On April 15, 2024, Union Pacific responded to the Board's questions in the "II. Host-Responsible Delays—Focused Questions: Slow Orders by Subdivision," and the "IV. Site-and Party-Specific Questions" sections of the February 13 Decision. Union Pacific also provided narrative explanations and supporting documentation that address the root causes of the "Select Host-Responsible Delays of 90 Minutes or More" listed in Part II of the Appendix to the February 13 Decision.

On March 26, 2024, Union Pacific moved for a 90-day extension of time to address the root causes of host-responsible delays identified in Part I of the February 13 Decision's Appendix. As Union Pacific explained in its motion, developing narrative explanations of the root causes of specific delays to *Sunset Limited* trains is a time-

consuming and resource-intensive process. Understanding the root causes of delays requires an analysis of the circumstances surrounding each delay. The analysis process takes substantial time because it requires Union Pacific to mine an extraordinarily large amount of data through a mostly manual process. The analysis involves constructing and studying stringline graphs to identify trains in areas in which delays occurred and potential operational causes of delays; collecting and reviewing train sheets for trains identified by Amtrak and stringline graphs as potentially involved in delays; reviewing records of incidents from various other sources to determine whether trains in the area in which delays occurred experienced mechanical or other issues that caused or contributed to delays; reviewing signal incident records to the extent Amtrak records, Union Pacific records, or train behavior as revealed by stringline graphs suggest signal issues may have caused or contributed to delays; reviewing records of maintenance activity to the extent Amtrak records, Union Pacific records, or train behavior as revealed by stringline graphs suggest maintenance activity may have caused or contributed to delays; analyzing detailed dispatching records to understand the timing and sequence of movements of trains involved in delays; and then, in many cases, consulting with knowledgeable individuals who can help interpret and explain the data in light of their operational experience. At the time, Union Pacific stated it was optimistic the time required to analyze the delays would grow shorter with experience, and it hoped some of the 948 delays would be related in ways that allow some grouping of events and explanations. *See* February 13 Decision at 2–3. Given its experience analyzing the delays identified in Part II of the February 13 Decision’s Appendix, Union Pacific requested a 90-day extension. The Board extended the due date by 45 days, until May 30, 2024.

Despite diligent efforts, Union Pacific cannot finish its root cause analyses of the remaining 948 delays by May 30. Union Pacific currently believes it can complete, or at least substantially complete, its root cause analyses of delays to Amtrak Train 1 by May 30. With diligent efforts, the Part II root-cause analysis of the 43 delays took four weeks to complete. The Amtrak Train 1 delays that Union Pacific is required to analyze in Part I are more than 10 times the number it was required to analyze in Part II—approximately 500 delays. The completion of the Amtrak Train 1 analysis in 45 days would represent a 1,160% increase in the speed of analysis, as compared to the time required to complete the analyses of the initial 43 delays. But even at its current pace, Union Pacific will be unable to complete all its Part I root-cause analyses by the current May 30 deadline. Furthermore, based on its now-significant experience analyzing the delays identified in Part I of the Appendix—which often raise different issues than the Part II delays of 90 minutes or more and which have not proven nearly as susceptible to grouping of events and explanations as initially hoped—Union Pacific does not believe the speed of its analyses can increase any further.

Union Pacific understands and appreciates the Board’s concern that further delay would “unduly hinder this stage of the proceeding.” April 5 Decision at 2. By the same token, Union Pacific hopes that, after reviewing Union Pacific’s analyses of delays of 90 minutes or more, the Board understands and appreciates the effort being devoted to the task. If the Board remains concerned that the time required to complete the analyses will unduly hinder this stage of the proceeding, Union Pacific respectfully suggests the Board consider hosting a technical conference to discuss potential modifications to the analyses Union Pacific has been producing that would allow further acceleration of the process.

For example, if the Board concludes that certain supporting information Union Pacific has been providing is not helpful to its own analysis, Union Pacific would save the time required to collect and process that information. As another example, if the Board has already obtained sufficient information about the root causes of certain types of delays, it could consider reducing the total number of delays to be addressed or limiting the types of delays to be addressed. However, if the Board wants Union Pacific to complete its analysis of all the delays identified in Part I of the February 13 Decision’s Appendix with the same level of detail it has been providing, then Union Pacific will need an additional 55 days.¹

Accordingly, Union Pacific respectfully requests an extension of the deadline for providing explanations of the root causes of the “Host-Responsible Delays on a Run-by-Run Basis” listed in Part I of the February 13 Decision’s Appendix by 55 days, or until Monday, July 24, 2024.

¹ Union Pacific is requesting 55 days, rather than 45 days, to avoid creating conflicts with schedules in other significant proceedings, particularly the July 17, 2024, reply filing deadline in STB Docket No. FD 22218.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of May, 2024, I caused a copy of the foregoing document to be served by email on Administrative Law Judge McCarthy and all parties of record in Docket No. NOR 42175.

/s/ Michael L. Rosenthal