

MOONEY, GREEN, SAINDON, MURPHY & WELCH, P.C.

INTERNET: www.mooneygreen.com

SUITE 400
1920 L STREET, N.W.
WASHINGTON, DC 20036

TELEPHONE (202) 783-0010

FACSIMILE (202) 783-6088



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January 30, 2025

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street S.W.
Washington, DC
20423

ENTERED
Office of Proceedings
January 30, 2025
Part of
Public Record

Re: Docket No. FD 36744, *Canadian National Railway Company and Grand Trunk Corporation—Control—Iowa Northern Railway Company*

Dear Ms. Brown,

The Brotherhood of Maintenance of Way Employees Division/IBT (“BMWED”); Brotherhood of Railroad Signalmen (“BRS”); International Association of Sheet Metal, Air, Rail and Transportation Workers-Mechanical Division (“SMART-MD”); National Conference of Firemen and Oilers, 32BJ/SEIU (“NCFO”); Brotherhood of Locomotive Engineers and Trainmen (“BLET”); International Brotherhood of Boilermakers (“IBB”); and the International Association of Machinists and Aerospace Workers District #19 (“IAM #19”) (collectively the “Allied Rail Unions” or “ARU”) support the request of the Applicants in the above-referenced matter that the Board correct the employee protective conditions imposed in its Decision No. 3.

Applicants noted in their Application that the transaction would be subject to the standard *New York Dock* employee protective conditions (*New York Dock Railway—Control—Brooklyn Eastern District Terminal*, 360 I.C.C. 60 (1979)). The ARU in their Comments sought imposition of the *New York Dock* conditions. While the Board initially noted the views of the Applicants and ARU, the Board subsequently described the transaction as “a line sale” and subject to the *Wilmington Terminal* variant of the *New York Dock* employee protections (*Wilmington Terminal Railroad—Purchase & Lease—CSX Transportation, Inc.*, 6 I.C.C.2d 799, 814-26 (1990)). The CN-IANR transaction is undoubtedly a control transaction and the Board’s Decision No. 3 titled it as a control transaction. Accordingly, the Board’s approval of the transaction should be subject to the standard *New York Dock* conditions. Because Applicants intend to initiate implementing agreement negotiations, and Applicants and the Unions should do so with clarity as to the nature of the protections imposed, the ARU join Applicants’ request that the Board expeditiously correct Decision No. 3.

In the event that this request should be presented as a petition to reopen, the ARU ask the Board to treat it as such.

Respectfully submitted,

/s/ Richard S. Edelman

Richard S. Edelman

Counsel for the Allied Rail Unions

CERTIFICATE OF SERVICE

I hereby certify that this day I arranged for the attached letter to be served on all parties to Finance Docket No. 36744.

January 30, 2025

/s/Richard S. Edelman

Richard S. Edelman