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VIA E-FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

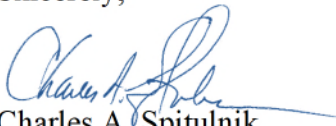
Re: *Complaint and Petition of the National Railroad Passenger Corp. Under 49 U.S.C. § 24308(F) – For Substandard Performance of Amtrak’s Sunset Limited Trains 1 and 2, STB Docket No. NOR 42175*

Dear Ms. Brown:

I have attached for e-filing the Reply of the Northern Indiana Commuter Transportation District in the above-referenced proceeding.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Charles A. Spitulnik

Enclosure

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. NOR 42175

**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**

**REPLY OF THE
NORTHERN INDIANA COMMUTER TRANSPORTATION DISTRICT**

Communications with respect to this pleading should
be addressed to:

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*Counsel for the Northern Indiana Commuter
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Dated: January 22, 2025

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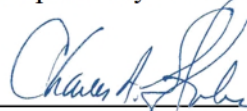
The Northern Indiana Commuter Transportation District (“NICTD”) submits this Reply to Amtrak’s Opening Statement and the Replies of Canadian Pacific Kansas City Limited, BNSF Railway Company, the New Orleans Public Belt Railroad Commission for the Port of New Orleans, Illinois Central Railroad Company, the Southern California Regional Rail Authority, and Union Pacific Railroad Company. NICTD writes in support of the arguments made by the Commuter Rail Coalition (“CRC”) in its Reply.

NICTD operates the South Shore Line commuter rail service between South Bend, Indiana, and Chicago, Illinois. It shares right of way with both Amtrak and freight trains for a portion of its route and has multiple crossings with Amtrak routes. As such, it is concerned that the arguments that Amtrak raises and the aggressive implementation of its preference that Amtrak proposes could have deleterious effects on NICTD’s operations. NICTD has experience with Amtrak asserting preference over commuter operations when Amtrak is dispatching territory served by NICTD. Amtrak is the dispatcher on a portion of the territory serviced by NICTD, and has held NICTD trains to allow Amtrak trains to go ahead at Michigan City, IN, to the detriment of NICTD trains even Amtrak trains are already delayed.

CRC's proposals mitigate those risks. First, the Board's clarification that Amtrak's preference only extends to freight transportation will allow dispatchers the continued flexibility to dispatch Amtrak trains and NICTD in a manner that does not impact NICTD operations. Second, restricting the scope of the Board's recommendations and Amtrak's statutory preference will ensure that the preference afforded Amtrak over freight traffic does not come at the expense of commuter traffic—a result that Congress could not have intended. Third, CRC's proposals ensure that NICTD and other commuter railroads will not be penalized for any wrongful actions of a third party, namely the Class I hosts of the Sunset Limited.

The Board should therefore adopt the clarifying, mitigating, and narrowing proposals in CRC's Reply.

Respectfully submitted,



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Dated: January 22, 2025

CERTIFICATE OF SERVICE

I hereby certify that I have on the 22nd day of January 2025, caused to be served a copy of the foregoing Reply of the Northern Indiana Commuter Transportation District upon all parties of record in this proceeding by email.



Charles A. Spitulnik

Dated: January 22, 2025