

SURFACE TRANSPORTATION BOARD

Docket No. EP 788

**ELIMINATING REGULATORY BARRIERS TO
COMPETITION: REVIEW OF PART 1144**

**Summary of Ex Parte Meeting Between CN
and STB Member Karen Hedlund**

April 2, 2026

CN Attendees:

- Kathryn Gainey, Senior Director, Head of Global Regulatory Affairs
- Christopher Diamond, Counsel, Regulatory Affairs

STB Attendees:

- Karen Hedlund, Member
- John Rackson, Attorney Advisor

Meeting Summary:

CN thanked Member Hedlund for the opportunity to meet. CN expressed its appreciation for the Board's anticipated focus on the context of individual cases and their unique fact patterns. CN noted the benefits of clarifying background principles in advance of a merits decision for efficient use of case-by-case adjudication. How some of these principles would apply is a matter for individual cases, but there is value for potential litigants in knowing that these principles would be part of the Board's determination.

Member Hedlund and CN talked about interswitching rules and practices in Canada, including requirements, a recent decision regarding how interswitching rates should be set, and the concentration of interswitching in a small number of locations.

CN described the principles that it proposed in its comments, including ineligibility of contract and exempt traffic, the definition of reciprocal switching as occurring in

a terminal area, the need to consider practicability, burden of proof, and the appropriateness of addressing petitioners' cases individually rather than as a group, given the fact-specific inquiries to be performed.

CN and Member Hedlund thanked each other for their time and concluded the meeting.