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Surface Transportation Board
Finance Docket No. 36025

October 15, 2018

RE: Texas Central Railroad Material Misrepresentation

Texas Central Railroad (TCR) and Texas Central Railroad and Infrastructure have made material misrepresentation in regards to the operator of the proposed high speed rail. In all petitions made to the Surface Transportation Board, TCR clearly stated they will be the operator. When TCR made a petition to reopen/reconsider due to a substantially changed circumstance on May 4, 2018, the Board was not informed that they were working with foreign entities seeking an operator, nor another party, to handle ticketing. Just recently Texas Central Railroad made a press release and news broadcast that they have a new operator, Renfe Operadora in partnership with Adif, which are foreign entities. Find the announcement http://www.texascentral.com/wp-content/uploads/2018/10/TCR_Renfe_release_20181010.pdf

These are quotes directly from Texas Central Railroad's news announcement; "After an intense review of the world's best railroad operators, we were proud to select Renfe as the operator for the Texas Central Railroad..." said Texas Central CEO Carlos Aguilar. "Renfe, in partnership with Adif, which manages Spanish railway infrastructure, was chosen after a highly competitive review of global railroad operating companies. *The operator will run the trains; maintain system components, such as the engines, signals and other equipment; oversee ticketing, passenger loyalty programs and other services.*"

It may benefit the Surface Transportation Board to request all agreements between Renfe Operadora, Adif, Texas Central Railroad and AmTrak. Those agreements should be made public. Not only did Texas Central Railroad deceive the Surface Transportation Board, the Federal Rail Administration, and other federal and state departments, but they have actively engaged in deceiving the public as well.

Has TCR made any notifications to the STB in regards to the change of operator prior to making the public announcement? If so, these have not been made public. Ignorance at this stage of the game is not an excuse for non-filing. It is my understanding the Board must approve of any change in operators.

There is no documentation made available to prove these two new entities have been approved to operate a train system in the United States by any federal or state agencies. TCR could not find an operator here in the United States. TCR has also demonstrated by this action that they are not capable of operating a train system which will only operate in one state.

TCR made the following statements on their website in April 8, 2015; (archive website link: <https://web.archive.org/web/20150408062211/http://texascentral.com:80/answers-to-your-questions/>). Screen shot provided below.

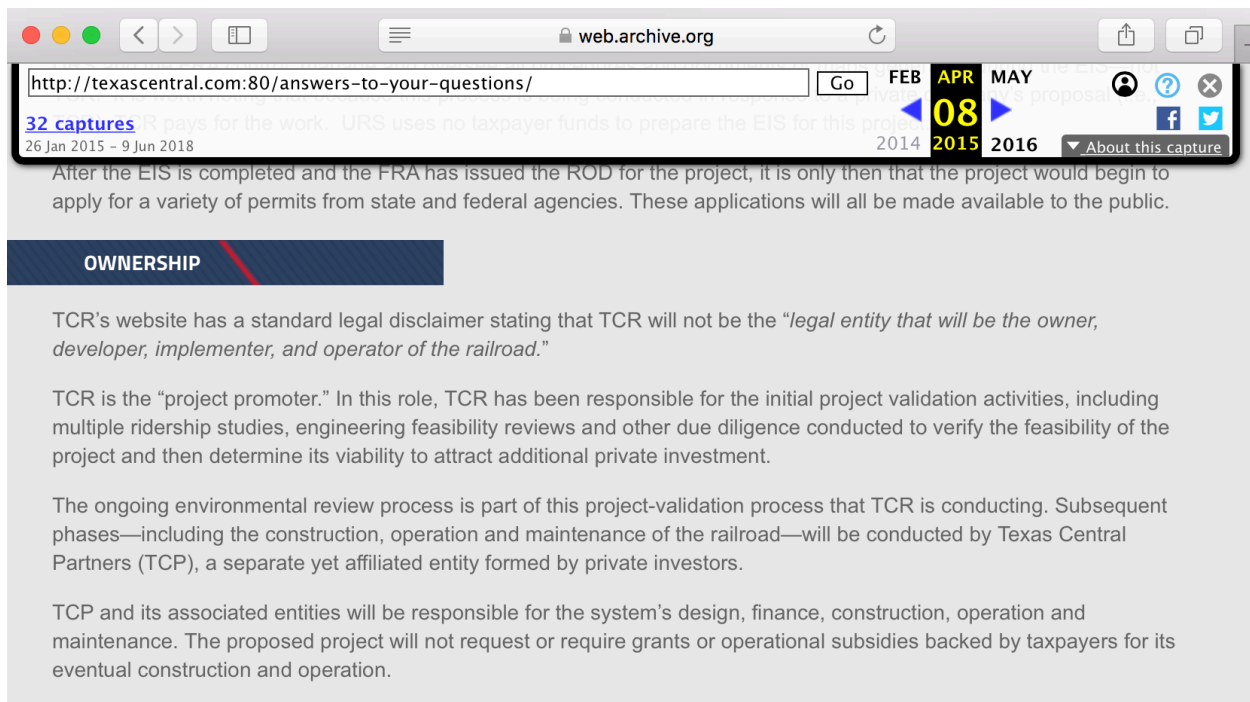
“TCR’s website has a standard legal disclaimer stating that **TCR will not be the “legal entity that will be the owner, developer, implementer, and operator of the railroad.”** TCR is the “project promoter.” In this role, TCR has been responsible for the initial project validation activities, including multiple ridership studies, engineering feasibility reviews and other due diligence conducted to verify the feasibility of the project and then determine its viability to attract additional private investment.”

I believe Texas Central Railroad and Infrastructure is deliberately falsifying their position to the Surface Transportation Board to gain federal jurisdiction and eminent domain authority. Keep in mind TCR reminds the Board in their original petition that in the State of Texas their right to eminent domain is challengeable, thus they need the Board jurisdiction to solidify the powers of eminent domain. Eminent domain should not be granted so that foreign entities have control over our land.

This material misrepresentation should not be excused nor dismissed. I continue to request that all petitions made by Texas Central Railroad that are in review with the Surface Transportation Board be denied.

Respectfully,

Connie Shivers



Cc: all parties of record via email or regular mail