

March 19, 2019

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

Kathryn K. Floyd

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ENTERED
Office of Proceedings
March 19, 2019
Part of
Public Record

Re: Texas Central Railroad and Infrastructure, Inc. & Texas Central Railroad,
LLC – Authority to Construct and Operate – Petition for Exemption from 49
U.S.C. § 10901 and Subtitle IV – Passenger Rail Line Between Dallas, Tex.
And Houston, Tex., Docket No. FD 36025

Dear Ms. Brown:

I am enclosing for filing in the above-named matter a Request for Oral Argument on the
Petition to Reopen filed by Texas Central Railroad and Infrastructure, Inc. and Texas
Central Railroad, LLC on May 4, 2018.

Please acknowledge your receipt of this filing by returning a date-stamped copy of this
cover letter. Do not hesitate to contact me if you have any questions.

Sincerely,



Kathryn Kusske Floyd



encl.

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Finance Docket No. 36025

**TEXAS CENTRAL RAILROAD AND INFRASTRUCTURE, INC. &
TEXAS CENTRAL RAILROAD, LLC
-AUTHORITY TO CONSTRUCT AND OPERATE-
PETITION FOR EXEMPTION FROM 49 U.S.C. § 10901 AND SUBTITLE IV -
PASSENGER RAIL LINE BETWEEN DALLAS, TX AND HOUSTON, TX**

PETITIONERS' REQUEST FOR ORAL ARGUMENT

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**Counsel to Texas Central Railroad and Infrastructure, Inc.
& Texas Central Railroad, LLC**

Dated: March 19, 2019

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Finance Docket No. 36025

**TEXAS CENTRAL RAILROAD AND INFRASTRUCTURE, INC. &
TEXAS CENTRAL RAILROAD, LLC
-AUTHORITY TO CONSTRUCT AND OPERATE-
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PETITIONERS' REQUEST FOR ORAL ARGUMENT

Petitioners Texas Central Railroad and Infrastructure, Inc. ("TCRI") and Texas Central Railroad, LLC ("TCRR") (collectively "Texas Central") respectfully request that the Board hold oral argument in the above-referenced proceeding. Texas Central believes that oral argument would be helpful to the Board due to the important nature of this matter and the numerous filings that may warrant further clarification and argument. Oral argument would assist the Board in sorting through the significant issues raised by Texas Central's Petition to Reopen in a transparent and open process.

As the Board knows, Texas Central is proposing to construct and operate a 240-mile high-speed passenger rail line between Dallas and Houston, Texas utilizing state-of-the-art Shinkansen technology—a first in the United States. From the beginning, Texas Central envisioned the investor-led project as filling a missing link in the nation's interstate passenger rail network. When Texas Central first approached the Board in 2016, it explained that although no formal arrangement had been reached, Amtrak had expressed interest in coordinating rail

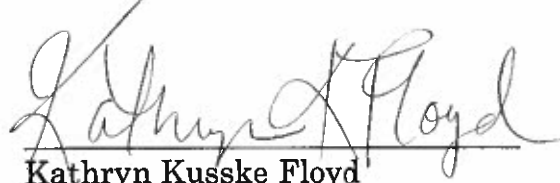
service with Texas Central for interstate passengers. However, in the absence of “concrete plans” for through ticketing with Amtrak, the Board declined jurisdiction over the project based on the record before it.

Following the Board’s decision, Texas Central and Amtrak executed a Through Ticketing Agreement that will offer interstate passengers the ability to travel on both Texas Central and Amtrak trains, and to transfer between Amtrak and Texas Central stations, on a single through ticket. Under the Through Ticketing Agreement, passengers traveling to Dallas or Houston on a Texas Central or Amtrak train, and connecting to a train operated by the other party from those cities, will be able to purchase a single through ticket good for transportation on both the Texas Central and Amtrak portions of their journey. Thus, although it is not practicable, for safety and technological reasons, to physically connect the Texas Central Line to Amtrak’s conventional rail network, the Through Ticketing Agreement will allow passengers to travel seamlessly between the two carriers on this country’s interstate rail network.

The question presented in this matter—namely, how the Board will interpret its jurisdiction over the emerging high-speed passenger rail sector—will establish a significant precedent moving forward, as more high-speed passenger rail projects are developed in the United States. The Texas Central project has received strong bipartisan Congressional support, recognizing the need for this very important infrastructure project that will enhance this region’s connectivity. *See Attachment A.*

In this unique situation, Texas Central believes the Board would benefit from oral argument that would allow it to ask questions about the substantial record in this matter and the important precedential issues mentioned above.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Kathryn Kusske Floyd", written over a horizontal line.

Kathryn Kusske Floyd
Jay C. Johnson

Raymond A. Atkins
Terence M. Hynes
Louis P. Warchot
Hanna M. Chouest

Counsel to Texas Central Railroad
and Infrastructure, Inc. & Texas
Central Railroad, LLC

Date: March 19, 2019

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Finance Docket No. 36025

**TEXAS CENTRAL RAILROAD AND INFRASTRUCTURE, INC. &
TEXAS CENTRAL RAILROAD, LLC
-AUTHORITY TO CONSTRUCT AND OPERATE-
PETITION FOR EXEMPTION FROM 49 U.S.C. § 10901 AND SUBTITLE IV -
PASSENGER RAIL LINE BETWEEN DALLAS, TX AND HOUSTON, TX**

PETITIONERS' REQUEST FOR ORAL ARGUMENT

ATTACHMENT A:

Letters of Congressional Support

Congress of the United States
Washington, DC 20515

FD 36025

June 6, 2018

245922

The Honorable Ann D. Begeman
Chairman
US Surface Transportation Board
395 E St., SW
Washington, D.C. 20423

ENTERED
Office of Proceedings
June 12, 2018
Part of
Public Record

Dear Chairman Begeman:

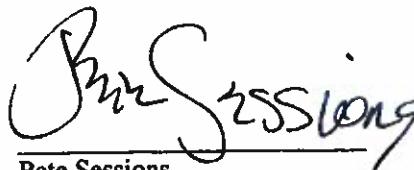
We write today to express our strong support for the Texas Central proposal to bring state-of-the-art high-speed rail to connect Houston and Dallas. We have indicated our support for this Project to the Federal Railroad Administration (FRA) and to US Department of Transportation (USDOT) Secretary Chao, and have encouraged both to move expeditiously to process the regulations needed for the Project to move forward.

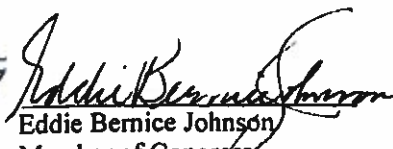
Texas Central and Amtrak recently announced that they had agreed to terms on a joint ticketing agreement. As the Board suggested in its 2016 opinion, such an agreement demonstrates connectivity to the interstate rail network and triggers Surface Transportation Board jurisdiction. We understand that Texas Central is now petitioning the Surface Transportation Board to assert its jurisdiction and reopen proceedings regarding authority over that project.

Texas Central is a private entity, thus schedule and regulatory certainty are critical. The Environmental Impact Statement (EIS) for this project was begun in 2014, and a Draft EIS was published last year. In keeping with Congressional and Administration priorities to advance infrastructure projects of regional and national significance, we stand ready to support, as consistent with applicable statute and regulation, the Surface Transportation Board's participation in the ongoing EIS process, so that it may continue its progress toward a timely completion.

Please do not hesitate to reach out if we can answer any questions related to our support for this important project to the State of Texas.

Sincerely,


Pete Sessions
Member of Congress


Eddie Bernice Johnson
Member of Congress


Kay Granger
Member of Congress



Al Green
Member of Congress



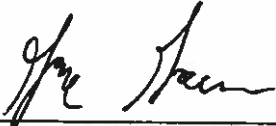
John Carter
Member of Congress



Marc Veasey
Member of Congress



Sheila Jackson Lee
Member of Congress



Gene Green
Member of Congress



Ted Poe
Member of Congress



Roger Williams
Member of Congress



**Committee on Transportation and Infrastructure
U.S. House of Representatives**

Washington, DC 20515

June 15, 2018

**Bill Shuster
Chairman**

Christopher W. Vieson, Staff Director

**ENTERED
Office of Proceedings
June 15, 2018
Part of
Public Record
Peter A. DeMazio
Ranking Member**

Katherine W. Dedrick, Democratic Staff Director

**The Honorable Ann D. Begeman
Chairman
Surface Transportation Board
395 E Street, SW
Washington, DC 20423**

Dear Chairman Begeman:

We write today to express our strong support for the Texas Central proposal to bring high-speed rail to connect Houston and Dallas. Generally, we encourage innovative approaches to meet our nation's transportation infrastructure challenges, and we support projects like this one that encourage significant private sector investment in transportation.

Texas Central's proposal will have a substantial and long-lasting positive impact on the state and national economy. Spurred by Texas Central's direct investment of \$10 billion, the total economic impact of construction and operation from 2015 to 2040 is expected to be more than \$36 billion. This type of private investment will result in increased economic development, help create jobs, and infuse substantial tax revenue into the federal, state, and local communities.

We understand that Texas Central is now petitioning the Surface Transportation Board to assert its jurisdiction and reopen proceedings regarding authority over that project. Relevant to that analysis, it has also come to our attention that Texas Central and Amtrak recently announced they had agreed to terms on a joint ticketing agreement. We urge your full, fair, and timely consideration in this matter.

In addition, as a private project, schedule and regulatory certainty are critical. Therefore, to the extent appropriate given your review of the project, we would urge the Board to participate in the ongoing environmental review process of the project. Such action will ensure that the review process may continue toward fulsome and timely completion, while not delaying the project with consecutive regulatory reviews.

Again, we support the substantial transportation and economic benefits this project will bring to the state of Texas and the country, and urge your full, fair, and timely resolution of these matters. Thank you in advance for attention to this issue. Please contact Dennis Wirtz, Staff Director, Subcommittee on Railroads, Pipelines, and Hazardous Materials, at (202) 226-0727, if you have any questions.

Sincerely,



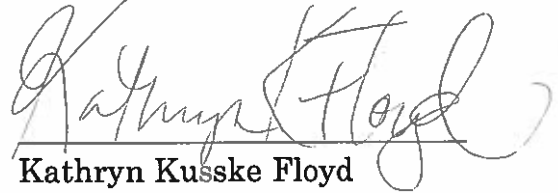
Bill Shuster
Chairman
Committee on Transportation
and Infrastructure



Jeff Denham
Chairman
Subcommittee on Railroads, Pipelines,
and Hazardous Materials

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of March 2019, I caused a copy of the foregoing Request for Oral Argument to be served on all parties of record by hand delivery or first class mail, postage prepaid.


Kathryn Kusske Floyd