



VIA E- FILING

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

March 21, 2018

Re: STB Finance Docket No. 35743: Application of the National Railroad Passenger Corporation Under 49 USC § 24308(A)—Canadian National Railway Company

Dear Ms. Brown:

The Rail Passengers Association, also known as the National Association of Railroad Passengers, is the nation's oldest and largest organization speaking for the nearly 40 million Americans who rely on passenger rail every year. In response to the letter submitted March 2 by the National Industrial Transportation League (NITL), the Association is submitting this letter to the above-referenced docket based on the significant interest of our members who travel on Amtrak, who are among the millions of fare-paying passengers who ride on routes hosted by Canadian National.

Intercity passenger trains are critical to the citizens and communities they serve, economic engines in countless towns large and small. Trains must run on time and on competitive schedules, a fact that Congress has recognized repeatedly in legislation concerning intercity passenger rail. [49 USC § 24101(c)(4)]

Late trains remain the single most significant cause of passenger dissatisfaction. Our members are neither naïve nor intransigent, and recognize that capacity challenges exist on certain parts of the US rail network. While we are sympathetic, the fact remains that our members rely on—and pay for—timely and regular service. We believe that NITL is incorrect to suggest that there is a conflict between quality passenger and freight service; we see no reason why CN should not be expected to meet its obligations both to freight shippers and to passengers.

Together, the six CN-hosted routes—the *City of New Orleans*, *Illini/Saluki* service, *Lincoln* service, *Texas Eagle*, *Wolverine*, and *Blue Water*—carried over 2 million American passengers last year, and our members on those trains have suffered through extraordinary host-railroad delay (HRD) minutes. In Fiscal 2017, CN imposed on the fare-paying public an average of 1,634 minutes of delay per 10,000 train miles, by far the worst performance of any of Amtrak's host railroads.

Faced with this chronic underachievement, Amtrak has proposed an arrangement with CN that re-balances the incentives so that CN is no longer rewarded for stranding passengers for hours on

end, as it is today. But CN is instead demanding millions of dollars in additional compensation from Amtrak, a demand for which there is no legal basis. Astonishingly, CN makes this demand despite notching a 42% worse record of HRD minutes than the average of all other Amtrak host railroads.

Behind those statistics are real people: many irreplaceable personal moments have been disrupted, with crucial medical transports affected, weddings and funerals missed and rare home visits by deployed service-members cut short or even cancelled altogether. From missed connections and cancelled hotel rooms to ruined weddings and military leaves, our members continue to bear real costs from these kinds of delays. There must be a real penalty for poor CN performance.

The Rail Passengers Association believes that any outcome that requires Amtrak to pay millions of dollars in additional compensation, to accept even worse OTP than today, and/or to make schedules even longer than they already are would put the future of intercity passenger rail service at risk—an unacceptable outcome from the point of view of our members nationwide who rely on the National Network to travel for work, leisure and vital personal needs.

Respectfully submitted,



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Cc: Parties of Record

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RAIL PASSENGERS
ASSOCIATION