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CSXT/PAR-62

**VIA E-FILING**

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

**Re: STB Docket No. FD 36472, CSX Corporation and CSX Transportation, Inc., et al.—Control and Merger—Pan Am Systems, Inc., Pan Am Railways, Inc., Boston and Maine Corporation, Maine Central Railroad Company, Northern Railroad, Pan Am Southern LLC, Portland Terminal Company, Springfield Terminal Railway Company, Stony Brook Railroad Company, and Vermont & Massachusetts Railroad Company**

Dear Ms. Brown:

In *Decision No. 9* in this proceeding, served April 14, 2022, the Board<sup>1</sup> stated that “[d]eveloping mechanisms to keep B&E commercial information segregated from the rest of the GWI subsidiary railroads is critically important to preserving the competitive independence of B&E.” *Decision No. 9*, slip op. at 20. To ensure that B&E’s independence is preserved, as part of the Board’s oversight in this proceeding, the Board directed CSX to report the protocols and implementation steps that are being put in place to prevent the improper sharing of competitive information. *Id.* The Board stated that this report shall be filed six months after B&E closes on its transaction to take over PAS’s operations. *Id.*

On September 1, 2023, B&E replaced Springfield Terminal as the operator of PAS, thereby completing the B&E transaction authorized by the Board. *See* CSXT/PAR-60, FD 36472 (Sub-No. 5), filed Sept. 1, 2023.

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<sup>1</sup> The acronyms and defined terms used in this Letter are the same as those used in *Decision No. 9* in this proceeding, served by the Board on April 14, 2022, or in the Revised Application filed in this proceeding on July 1, 2021.

Pursuant to the Board's direction, CSX is reporting to the Board the following protocols and implementation steps that B&E has put in place to prevent the improper sharing of competitive information:

1. All rate documents (e.g., exempt rate quotations) are kept in a separate electronic folder with access limited to those people responsible for PAS rates.
2. All PAS rates have been excluded from GWI's online rate database (except for those rates that may include another GWI railroad in the route).
3. All PAS information contained in GWI's online rate database that may show commodities, connections, origins or destinations of traffic has been restricted to a limited number of people.
4. All PAS commercial and rate contracts (e.g., rail transportation contracts, haulage agreements and other contracts with customers) are kept in a separate electronic folder with access limited to those people responsible for PAS rates.
5. GWI employees who have access to the protected information have executed an acknowledgement that they are aware of the restrictions and will comply with them.

Please contact me with any questions.

Respectfully submitted,

/s/ Anthony J. LaRocca

Anthony J. LaRocca

Peter W. Denton

Sally Mordi

*Attorneys for CSX Corporation and  
CSX Transportation, Inc.*

cc: Louis E. Gitomer  
All parties of record

## CERTIFICATE OF SERVICE

I hereby certify that I have caused this Letter in Docket No. FD-36472, *CSX Corporation and CSX Transportation, Inc.—Control and Merger—Pan Am Systems, Inc., Pan Am Railways, Inc., Boston and Maine Corporation, Maine Central Railroad Company, Northern Railroad, Pan Am Southern LLC, Portland Terminal Company, Springfield Terminal Railway Company, Stony Brook Railroad Company, and Vermont & Massachusetts Railroad Company*, to be served electronically or by first class mail, postage pre-paid, on all parties of record in this proceeding.

/s/ Sally Mordi

Sally Mordi  
*Attorney for CSX Corporation and  
CSX Transportation, Inc.*

March 1, 2024