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BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. FD 36800

APPLICATION OF UNION PACIFIC RAILROAD COMPANY
FOR MEDIATION UNDER 49 U.S.C. § 28502

ENTERED
Office of Proceedings
August 9, 2024
Part of
Public Record

REPLY TO METRA'S "ALTERNATIVE PROPOSAL"

CRAIG V. RICHARDSON
JAMES B. BOLES
JOSEPHINE JORDAN
Union Pacific Railroad Company
1400 Douglas Street
Omaha, NE 68179

MICHAEL L. ROSENTHAL
Covington & Burling LLP
One CityCenter
850 Tenth Street, N.W.
Washington, DC 20001
(202) 662-6000

Attorneys for Union Pacific Railroad Company

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REPLY TO METRA’S “ALTERNATIVE PROPOSAL”

Union Pacific Railroad Company (“Union Pacific”) hereby replies to the “alternative proposal” offered by the Commuter Rail Division of the Regional Transportation Authority, d/b/a Metra (“Metra”) in response to Union Pacific’s application for mediation.

As Metra acknowledges, “Metra and UP have been engaged in negotiations for several years over the terms and conditions under which UP will continue to provide access to three of its interstate rail lines and related services to Metra for the agency’s passenger operations.” Metra Resp. in Opp. at 1. Although Union Pacific disagrees with Metra’s view of the reason why the negotiations have not yet reached a successful conclusion, it does not believe trading recriminations is productive. In the Rail Safety Improvement Act of 2008, Congress established a mediation process to help parties reach agreement under circumstances like those present here. Union Pacific has significant experience with similar Board-sponsored mediation, and it believes that process is better-suited to provide the facilitation and focus needed to bridge the remaining gaps between the parties’ positions than an undefined, informal process involving Board staff. Union Pacific appreciates Metra’s statement that it “will participate fully and constructively” if the Board initiates mediation. Metra Resp. in Opp. at 8.

Respectfully submitted,

CRAIG V. RICHARDSON
JAMES B. BOLES
JOSEPHINE JORDAN
Union Pacific Railroad Company
1400 Douglas Street
Omaha, NE 68179

/s/ Michael L. Rosenthal
MICHAEL L. ROSENTHAL
Covington & Burling LLP
One CityCenter
850 Tenth Street, N.W.
Washington, DC 20001
(202) 662-6000

Attorneys for Union Pacific Railroad Company

August 9, 2024

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of August, 2024, I caused a copy of the foregoing document to be served by email on all parties of record.

/s/ Michael L. Rosenthal