

March 15, 2022

304109

**VIA E-FILING**

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

ENTERED  
Office of Proceedings  
March 15, 2022  
Part of  
Public Record

Re: STB Finance Docket No. 36500, *Canadian Pacific Railway Limited, et al. – Control – Kansas City Southern et al.*

Dear Ms. Brown:

I am attaching for e-filing the Comments and Request for Conditions of the Commuter Rail Division of the Regional Transportation Authority d/b/a Metra, in the above-referenced proceeding.

Please note that this filing comprises three volumes. Volumes 1 and 2 are Public documents and include no Highly Confidential information. We are filing a Public version of Volume 3, which includes a redacted version of Exhibit C, and a Highly Confidential Version of Volume 3, which includes the full text (including Highly Confidential information) of Exhibit C. We are serving all parties of record with the Public version of Volume 3, and will provide a copy of the Highly Confidential version of Volume 3 to any party that confirms that they have signed the Highly Confidential undertaking that the Board approved as part of the Protective Order in this proceeding.

If you have any questions, please do not hesitate to contact me.

Sincerely,

  
Charles A. Spitulnik

Enclosure

cc: All Parties of Record

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

---

**STB Finance Docket No. 36500**

---

**CANADIAN PACIFIC RAILWAY LIMITED; CANADIAN PACIFIC RAILWAY  
COMPANY; SOO LINE RAILROAD COMPANY; CENTRAL MAINE & QUEBEC  
RAILWAY US INC.; DAKOTA, MINNESOTA & EASTERN RAILROAD  
CORPORATION; AND DELAWARE & HUDSON RAILWAY COMPANY, INC. –  
CONTROL – KANSAS CITY SOUTHERN, THE KANSAS CITY SOUTHERN  
RAILWAY COMPANY, GATEWAY EASTERN RAILWAY COMPANY,  
AND THE TEXAS MEXICAN RAILWAY COMPANY**

---

**COMMENTS AND REQUEST FOR CONDITIONS OF  
THE COMMUTER RAIL DIVISION OF  
THE REGIONAL TRANSPORTATION AUTHORITY D/B/A/ METRA**

---

**VOLUME 1 OF 3**

---

Communications with respect to this pleading  
should be addressed to:

Charles A. Spitulnik  
Christian L. Alexander  
Kaplan Kirsch & Rockwell LLP  
1634 I (Eye) Street, Suite 300  
Washington, DC 20006  
(202) 955-5600  
[cspitulnik@kaplankirsch.com](mailto:cspitulnik@kaplankirsch.com)  
[calexander@kaplankirsch.com](mailto:calexander@kaplankirsch.com)

Sue-Ann Rosen  
Metra  
547 W. Jackson Blvd  
Chicago, IL 60661  
[srosen@METRARR.COM](mailto:srosen@METRARR.COM)

*Counsel for the Commuter Rail Division of the  
Regional Transportation Authority d/b/a Metra*

Dated: March 15, 2022

**THIS FILING CONTAINS COLOR IMAGES**



**COMMENTS AND REQUEST FOR CONDITIONS OF  
THE COMMUTER RAIL DIVISION OF  
THE REGIONAL TRANSPORTATION AUTHORITY D/B/A/ METRA**

**MASTER TABLE OF CONTENTS**

**VOLUME 1**

Metra Comments in FD 36500 .....	METR-7
Verified Statement of Rocio Gentil .....	Exhibit A
RTA 1982 Trackage Agreement.....	Exhibit A-1
SLRCO 1985 Inc. Trackage Agreement.....	Exhibit A-2
Metra-CP 1993 Supplement.....	Exhibit A-3
Metra-CP 2003 Amendment Agreement .....	Exhibit A-4

**VOLUME 2**

Verified Statement of Rich Oppenheim.....	Exhibit B
Rich Oppenheim Resume .....	Exhibit B-1
Metra Emails 2016-2022.....	Exhibit B-2
Table Summary of Emails .....	Exhibit B-3
Metra Letter 20190426 Instituting Trains.....	Exhibit B-4
Metra Letter 20190305 to CP re: Peak Period Trains.....	Exhibit B-5
CP Letter 20190312 to Metra re: Reverse Commute Trains .....	Exhibit B-6
Metra Letter 20190326 to CP re: Reverse Commute Trains .....	Exhibit B-7
CP Letter 20190402 to Metra re: Reverse Commute Trains .....	Exhibit B-8
Metra Letter 2008 re: CP Hot Line Dispatcher Phones .....	Exhibit B-9

**VOLUME 3 - CONTAINS HIGHLY CONFIDENTIAL INFORMATION**

Verified Statement of Thomas D. Crowley and Robert D. Mulholland .....	Exhibit C
Thomas D. Crowley Qualifications .....	Exhibit C-1
Robert D. Mulholland Qualifications .....	Exhibit C-2
Schematics of Select Metra and CP Rail Lines .....	Exhibit C-3
Review of Metra Provided Freight Train ID's not included in CP Train Event Data ....	Exhibit C-4

Summary of CP Freight Trains Operating Over Metra’s Milwaukee District Lines (January 1 through December 14, 2021) .....	Exhibit C-5
Summary of CP Train Delays Incurred on Select Subdivisions, January 1, 2019 through December 14, 2021 .....	Exhibit C-6
Summary of CP Delays Attributed to Other Carriers’ Operations, January 1, 2019 through December 14, 2021 .....	Exhibit C-7
RTC Modeling Inputs and Procedures.....	Exhibit C-8
RTC Simulation Assumptions and Inputs that are Favorable to CP/KCS.....	Exhibit C-9
Summary of Trains Modeled in Base Case RTC.....	Exhibit C-10a
Summary of Trains Modeled in Future Case RTC .....	Exhibit C-10b
Verified Statement of David Rodriguez .....	Exhibit D
Spreadsheet of 2020-2021 CP delays .....	Exhibit D-1
Verified Statement of Greg Godfrey.....	Exhibit E
Greg Godfrey Resume .....	Exhibit E-1
Verified Statement of Aaron Maertins.....	Exhibit F
Verified Statement of Brian Stepp.....	Exhibit G
Discovery Requests and Responses.....	Exhibit H
Metra’s First Set of Interrogatories.....	Exhibit H-1
Applicants’ Joint Response to Metra’s First Interrogatories .....	Exhibit H-2
Metra’s Second Set of Interrogatories .....	Exhibit H-3
Applicants’ Joint Response to Metra’s Second Interrogatories.....	Exhibit H-4

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

---

**STB Finance Docket No. 36500**

---

**CANADIAN PACIFIC RAILWAY LIMITED; CANADIAN PACIFIC RAILWAY COMPANY; SOO LINE RAILROAD COMPANY; CENTRAL MAINE & QUEBEC RAILWAY US INC.; DAKOTA, MINNESOTA & EASTERN RAILROAD CORPORATION; AND DELAWARE & HUDSON RAILWAY COMPANY, INC. – CONTROL – KANSAS CITY SOUTHERN, THE KANSAS CITY SOUTHERN RAILWAY COMPANY, GATEWAY EASTERN RAILWAY COMPANY, AND THE TEXAS MEXICAN RAILWAY COMPANY**

---

**COMMENTS AND REQUEST FOR CONDITIONS OF  
THE COMMUTER RAIL DIVISION OF  
THE REGIONAL TRANSPORTATION AUTHORITY D/B/A/ METRA**

---

Communications with respect to this pleading should be addressed to:

Charles A. Spitulnik  
Christian L. Alexander  
Kaplan Kirsch & Rockwell LLP  
1634 I (Eye) Street, Suite 300  
Washington, DC 20006  
(202) 955-5600  
[cspitulnik@kaplankirsch.com](mailto:cspitulnik@kaplankirsch.com)  
[calexander@kaplankirsch.com](mailto:calexander@kaplankirsch.com)

Sue-Ann Rosen  
Metra  
547 W. Jackson Blvd  
Chicago, IL 60661  
[srosen@METRARR.COM](mailto:srosen@METRARR.COM)

*Counsel for the Commuter Rail Division of the  
Regional Transportation Authority d/b/a Metra*

Dated: March 15, 2022

## TABLE OF CONTENTS

I.	Introduction.....	1
II.	Background: Metra’s Interest in the Proceedings and Relationship to the Transaction .....	4
A.	Metra’s Commuter Service .....	4
B.	Rail Service on Metra’s MD-W and MD-N Lines.....	7
C.	CP’s Trackage and Dispatching Rights on MD-W and MD-N Lines .....	10
D.	Description of the Transaction in Relation to MD-W and MD-N.....	12
III.	Metra’s train modeling analysis shows that the Transaction will significantly interfere with Metra’s service.....	18
IV.	CP’s Operation on and Dispatch on Metra’s Lines Already Interfere with Metra’s Commuter Rail Service and the Transaction Portends Worsening of an Already Problematic Operation .....	23
A.	Measuring CP’s Impacts .....	23
B.	Metra’s Documentation of Endangered Passenger Experiences and Metra Operating Delays Reflects Years of CP Operations and Dispatching Decisions Causing Substantial and Frequent Delays to Metra’s Service .....	26
C.	CP rejected Metra’s proposals to reinstitute and expand passenger service based on an asserted lack of capacity .....	41
D.	CP’s past practice confirms that it cannot be trusted to allow the Transaction to go forward unless this Board gives Metra more control over the MD-W and MD-N lines. ....	43
E.	CP does not pay its fair share of capital projects to address capacity and operational issues.....	46
V.	In Light of Existing Conditions, the Application Cannot be Approved Absent Conditions that Will Address the Significant Additional Interference with Metra’s Commuter Rail Service That Will Occur Following Implementation of the Transaction .....	47
A.	Applicants’ methods for assessing existing and projected rail line and yard capacity are grossly inadequate .....	47
B.	The Application fails to explain, in light of Applicants’ projections, how the Transaction will not interfere with Metra’s commuter rail service .....	54
C.	CP’s assertions regarding capacity on Metra’s lines are based on misstated, incomplete, and incorrect information.....	56
D.	The proposed Transaction that will exacerbate the serious issues CP’s disregard for Metra’s service already creates. ....	63
VI.	Legal Standards for Reviewing the Application Confirm That the Board Cannot Approve the Proposed Transaction Because It Is Not Consistent With the Public Interest .....	66

VII. If the Board elects to approve the proposed transaction, Metra proposes Remedies that are Necessary to Avoid or Mitigate the Reasonably Foreseeable Impact of the Transaction on Metra’s Commuter Rail Service ..... 69

VIII. Conclusion ..... 80

## I. INTRODUCTION

Under federal law, this Board cannot approve a merger of two Class I carriers when the proposed transaction is not consistent with the public interest. 49 U.S.C. § 11324(c). Here, Canadian Pacific Railway Limited and its corporate affiliates (“CP”)<sup>1</sup> and Kansas City Southern and its corporate affiliates (“KCS”)<sup>2</sup> (together, “Applicants”) seek approval of a proposed Transaction<sup>3</sup> that CP’s own data in the Application and associated workpapers indicates will increase new freight traffic up to 380% on commuter rail lines owned by the Commuter Rail Division of the Regional Transportation Authority (“Metra”). Because CP dispatches the lines under a 99-year Trackage Agreement entered into over 40 years ago by the parties’ predecessors, Metra and Illinois taxpayers can expect additional new disruptive delays to commuter rail schedules and an exacerbation of safety issues caused by CP trains traveling through stations at busy commuter times, forcing Metra trains to serve passengers on the “wrong” side of station tracks, and blocking routes to Metra trains and crossings. Taxpayers can also expect CP to further ignore commuter needs such as when CP recently denied Metra’s requests to add four trains daily to serve job centers in in Lake Forest, Illinois, stating that there is no capacity on the line. Finally, Illinois taxpayers can anticipate paying for the costs attributable to these new freight trains on Metra’s lines, burdening an infrastructure that never anticipated the length and weight of freight trains that CP currently runs. As a result, the Transaction proposed here is inconsistent with the public interest and cannot be approved.

---

<sup>1</sup> Canadian Pacific Railway Limited (“Canadian Pacific”), Canadian Pacific Railway Company (“CPRC”), and their U.S. rail carrier subsidiaries Soo Line Railroad Company, Central Maine & Quebec Railway U.S. Inc., Dakota, Minnesota & Eastern Railroad Corporation, and Delaware and Hudson Railway Company, Inc. (collectively, “CP”).

<sup>2</sup> Kansas City Southern and its U.S. rail carrier subsidiaries The Kansas City Southern Railway Company, Gateway Eastern Railway Company, and the Texas Mexican Railway Company (collectively, “KCS”).

<sup>3</sup> The “Transaction” is the proposed merger between CP and KCS as accepted in the Board’s Decision No. 11 in Docket No. FD 36500, served November 23, 2021. Unless otherwise indicated, capitalized terms in these comments have the meaning as defined in Board Decision No. 11.

“Rail Traffic Controller” (“RTC”) modeling is the gold standard that provides information on rail patterns and the abilities of trains to operate efficiently on the same line. The *only* RTC modeling conducted for this Transaction supports Metra’s concerns that the merger will undermine the safety and reliability of commuter service. This modeling demonstrates that Applicants’ proposed Operating Plan will not work, and that CP’s freight traffic will increase Metra train delays per 100 train miles by more than 400% on Metra’s Milwaukee District-West Line (“MD-W”) and Milwaukee District-North Line (“MD-N”).<sup>4</sup> Without explanation, CP stated, under oath, that it declined to perform RTC modeling, and has instead relied on an inferior model for these purposes, i.e. MultiRail software and spreadsheet analysis, which this Board has found to be inadequate to assess the impacts of this Transaction.<sup>5</sup>

In reviewing the Application, the Board should consider that CP has a history of non-cooperation and contractual breaches with Metra, that CP’s poor dispatching leads to regular — weekly, and in some cases daily — interference with Metra’s peak and non-peak train service, endangering and inconveniencing riders, and that the infrastructure on the Metra lines cannot accommodate the trains that the Transaction will bring to Metra’s lines. The additional freight and Amtrak trains that Applicants propose to bring to Metra’s lines will degrade the safety and reliability of Metra’s service.

---

<sup>4</sup> See *infra.* at Section III.

<sup>5</sup> Months after Metra requested from CP any modeling and data related to modeling Metra’s lines and adjacent lines, with less than two weeks before the deadline for submitting comments, CP produced 39 modeling simulations covering the subdivisions for which Metra requested data. CP produced these without any explanation regarding even what request they were responsive to or why they were produced so late and produced them in a manner that was initially unusable. CP has consistently confirmed, however, that the conclusions in the Application do not rely on the results of those late-supplied modeling results.

In view of the direct harm to commuter rail services, on behalf of Illinois citizens, Metra requests that the Board deny the merger Application. Alternatively, if the Board elects to approve the Application, Metra requests the following:

1. Require CP to amend its agreement with Metra to transfer dispatching control to Metra.
2. Require CP to adopt Metra's RTC modeling or cooperate in refining RTC modeling to objectively gauge capacity and assess the impact of future proposals.
3. Require Metra and CP to agree to a binding standard and process for Metra schedule changes and new trains based on an accurate and objective capacity assessments.
4. Complete a series of capital enhancements to the right-of-way and facilities (described more fully in Section VII.3., below) that will reduce (although not eliminate entirely) the adverse impacts of the proposed Transaction if it is approved.
5. Impose a 10-year STB oversight condition with respect to CP dispatching practices (if dispatching is not transferred) and require that CP and Metra agree to binding workable dispatching standards that do not interfere with Metra's service and that prioritize Metra's peak period service.
6. Impose a 10-year STB oversight condition of any other conditions imposed with respect to Metra's service.
7. Require CP to incorporate all new terms imposed into a binding agreement between the parties.



## **II. BACKGROUND: METRA'S INTEREST IN THE PROCEEDINGS AND RELATIONSHIP TO THE TRANSACTION**

### **A. Metra's Commuter Service**

Metra operates and oversees commuter rail services in northeast Illinois, owning lines, facilities and rolling stock, setting fare and service levels, and implementing capital improvements and system planning. Metra provides for service to and from downtown Chicago via a rail network of 11 routes including 242 stations, nearly 500 route miles, and almost 1,200 miles of track.<sup>6</sup> As a critical part of the region's transportation and economic network, Metra provides commuter rail service upon which much of Chicago's workforce relies<sup>7</sup> and that enhances the economic and environmental health of northeastern Illinois.

Safety and on-time performance are key drivers for Metra's "precision" commuter railroading. Safety is crucial to Metra's service and ingrained in Metra's operational philosophy and practices. Metra also prioritizes operational reliability: Metra operates a time-critical service, where passengers expect and deserve on-time transportation, and where even a few minutes' delay impacts passengers' work schedules, experience, and satisfaction. Accordingly, Metra's business model requires that it avoid delays, which are detrimental to maintaining ridership and the trust of Metra's customers.

Since Metra's establishment in 1984, the largely suburban counties surrounding Chicago that Metra serves have grown dramatically, with three—Kane (served by MD-W), McHenry (served by MD-N via terminus at Fox Lake), and Will counties—nearly or more than doubling in population.<sup>8</sup> In response, Metra has also increased its service levels by double-digit percentages,

---

<sup>6</sup> Metra, 2020 State of the System Report, 3 (Nov. 2020) (hereinafter "2020 System Report"), [https://metra.com/sites/default/files/2021-02/2020\\_State\\_of\\_the\\_System\\_Report.pdf](https://metra.com/sites/default/files/2021-02/2020_State_of_the_System_Report.pdf).

<sup>7</sup> In 2019, commuters were responsible for 91% of Metra's 74 million passenger trips. 2020 System Report at 4.

<sup>8</sup> Resident Population in DuPage County, IL, Fed. Reserve Bank of St. Louis (updated May 5, 2021), <https://fred.stlouisfed.org/series/ILDUPA0POP>; Resident Population in Kane County, IL, Fed. Reserve Bank of St.

adding 26 more trains during off-peak periods and 13 more trains during peak times.<sup>9</sup> This growth has meant greater demand for reliable, timely commuter rail service by a more geographically dispersed customer base along a more complex network.

The COVID-19 pandemic caused a dramatic drop in ridership during 2020. Ridership climbed sharply in 2021, though it remains below pre-pandemic levels.<sup>10</sup> Metra expects ridership to steadily recover during the next few years, growing by 45% to 67% annually between 2022 and 2024 and reaching 80% of 2019 passenger trips by the end of 2024.<sup>11</sup> Metra expects that many changes to working and commuting practices that arose due to the pandemic, i.e. the rise in remote and hybrid work and flexible commuting schedules, will continue, and will evolve. Metra is preparing for these shifts, including by adapting its service schedules to offer better reverse-commute and express services to meet customer needs and grow ridership to maintain financial sustainability.<sup>12</sup> For example, in 2021 Metra launched pilot schedules on the BNSF, Metra Electric, Rock Island, and Union Pacific North lines. These pilot schedules step away from pre-pandemic service models that prioritized peak rush-hour service in favor of offering off-peak operations.<sup>13</sup> Metra has seen ridership gains following the implementation of the new pilot schedules.<sup>14</sup> Several projects that will expand the vitality of Metra's reverse

---

Louis (updated May 5, 2021), <https://fred.stlouisfed.org/series/ILKANE2POP>; Resident Population in Lake County, IL, Fed. Reserve Bank of St. Louis (updated May 5, 2021), <https://fred.stlouisfed.org/series/ILLAKE7POP>; Resident Population in McHenry County, IL, Fed. Rsrv. Bank of St. Louis (updated May 5, 2021), <https://fred.stlouisfed.org/series/ILMCHE0POP>; Resident Population in Will County, IL, Fed. Reserve Bank of St. Louis (updated May 5, 2021), <https://fred.stlouisfed.org/series/ILWILL7POP>.

<sup>9</sup> Metra, Ridership Trends: Annual Report 2020, 26 (Feb. 2021), [https://metra.com/sites/default/files/inline-files/2020\\_annual\\_ridership\\_report\\_v5.pdf](https://metra.com/sites/default/files/inline-files/2020_annual_ridership_report_v5.pdf).

<sup>10</sup> Metra Rail Summary, Reg'l Transp. Auth. Mapping & Stat. (accessed Jan. 25, 2022), <https://rtams.org/ridership/metra/summary>.

<sup>11</sup> Metra, 2022 Proposed Operating & Capital Program & Budget, 7, 58 (2021), [https://metra.com/sites/default/files/inline-files/Brochure\\_8.5x11\\_ProposedBudgetBookElectronic\\_2022\\_VFINAL.pdf](https://metra.com/sites/default/files/inline-files/Brochure_8.5x11_ProposedBudgetBookElectronic_2022_VFINAL.pdf).

<sup>12</sup> *Id.* at 1, 2.

<sup>13</sup> *Id.* at 13.

<sup>14</sup> *Id.*

commute and non-peak period service on MD-W and MD-N have been identified as priority projects in planning.<sup>15</sup> Metra is currently taking steps to initiate direct service to O’Hare International Airport, which abuts MD-W and CP’s Bensenville Yard. These and other projects require Metra to know that it can use any available capacity on its lines, capacity which it spent over \$1.4 billion to acquire, maintain, and enhance,<sup>16</sup> and plans for increased service using the excess capacity that may be available on its lines.

The federal government indicated the critical place that commuter rail holds in the passage of the Infrastructure Investment and Jobs Act (“Infrastructure Act”)<sup>17</sup> passed last year. Growing support for environmentally sustainable transit options supported by numerous studies makes clear that Millennial and Generation Z Americans are concerned about climate change and reducing carbon emissions.<sup>18</sup> Millennials have expressed substantially lower affinity for car ownership than have older Americans<sup>19</sup> while reporting an especially strong desire to live near, and to expand, public transit.<sup>20</sup> Metra, with its existing environmental advantages and its commitment to reduce carbon emissions, is well-positioned to attract more of those riders as the size and nature of the workforce and commuting public grows.

---

<sup>15</sup> Metra, Systemwide Cost Benefit Analysis of Major Capital Improvements, Final Report (Jan. 16, 2019), App. A-7 and A-8, [https://metra.com/sites/default/files/assets/cba\\_final\\_report\\_20190116.pdf](https://metra.com/sites/default/files/assets/cba_final_report_20190116.pdf); Chicago Metropolitan Agency for Planning, Transit Projects, <https://www.cmap.illinois.gov/2050/mobility/regionally-significant-projects/transit#MetraMilwaukeeDistrictWest> (visited Mar. 6, 2022).

<sup>16</sup> 2020 System Report, Introduction at 10, Table 11.

<sup>17</sup> Infrastructure Investment and Jobs Act, Pub. L. 117–58, 135 Stat. 429.

<sup>18</sup> *E.g.*, Alec Tyson et al., Gen Z, Millennials Stand Out for Climate Change Activism, Social Media Engagement with Issue, Pew Res. Ctr. (May 26, 2021), <https://www.pewresearch.org/science/2021/05/26/gen-z-millennials-stand-out-for-climate-change-activism-social-media-engagement-with-issue>; Matthew Ballew et al., Do Younger Generations Care More About Global Warming?, Yale Prog. on Climate Change Comms. (June 11, 2019), <https://climatecommunication.yale.edu/publications/do-younger-generations-care-more-about-global-warming>.

<sup>19</sup> Angie Schmitt, Millennials Unhappily Stuck in Their Parents’ Transportation System, Streetsblog USA (Nov. 13, 2018), <https://usa.streetsblog.org/2018/11/13/millennials-unhappily-stuck-in-their-parents-transportation-system>.

<sup>20</sup> Nicole Dungca, Millennials Love Public Transit, Survey Says, Boston Globe (Nov. 14, 2015), <https://www.bostonglobe.com/metro/2015/11/14/millennials-love-public-transit-survey-says/CM5X2zbmO0brsaQqL5tC0N/story.html>; News Release: Millennials Favor Walkable Communities, Says New NAR Poll, Nat’l Ass’n of Realtors (July 28, 2015), [https://nacto.org/wp-content/uploads/2016/02/1\\_Natl-Assoc-of-Realtors-2015-Community-Preference-Survey.pdf](https://nacto.org/wp-content/uploads/2016/02/1_Natl-Assoc-of-Realtors-2015-Community-Preference-Survey.pdf).

**B. Rail Service on Metra's MD-W and MD-N Lines**

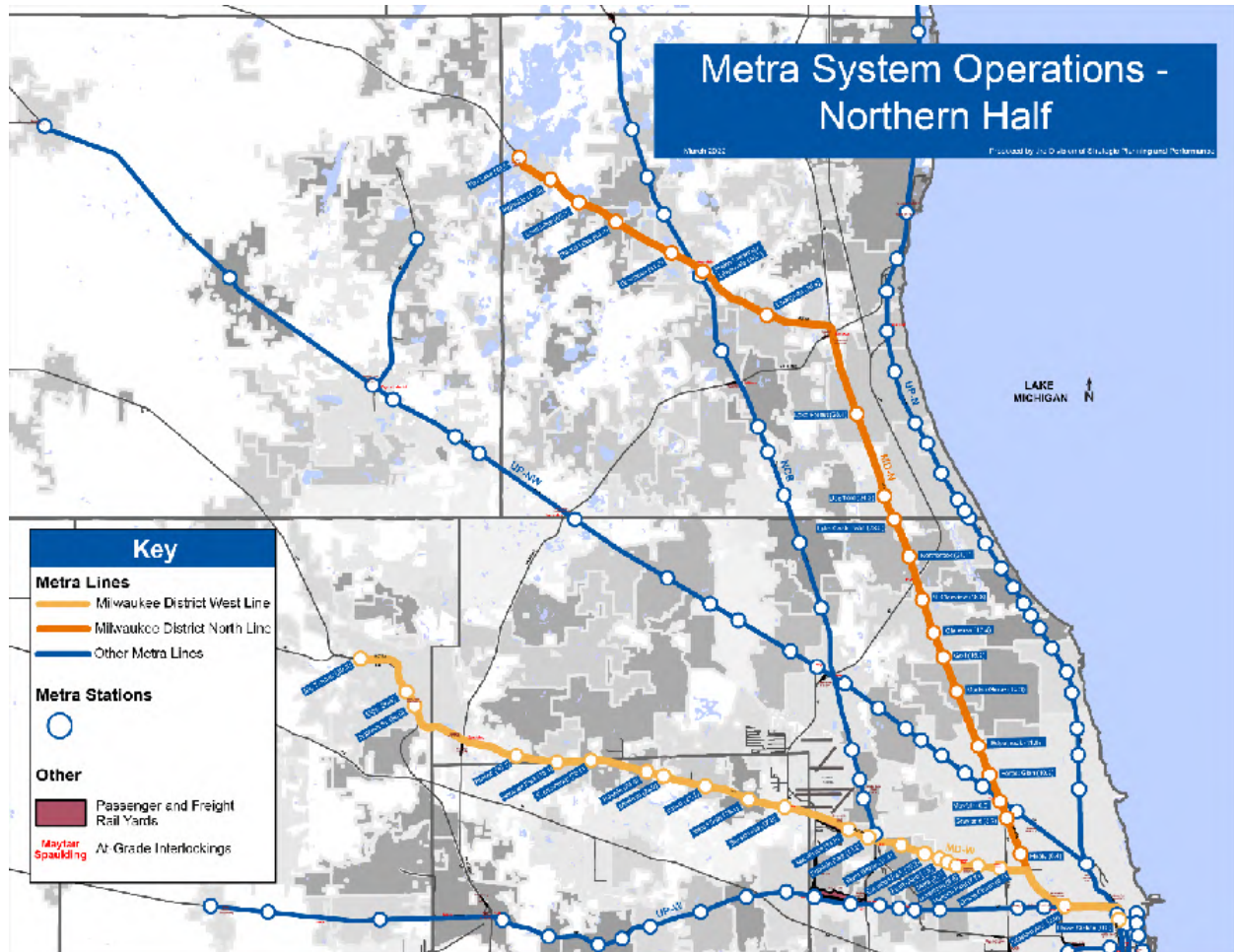
Applicants repeatedly refer in the Application to Metra's lines as CP's. To be clear, Metra and not CP owns MD-W, which CP uses as its Elgin Subdivision, and MD-N, which CP uses as its C&M Subdivision. CP operates over these two lines under the Trackage Agreement with Metra.

CP's increased traffic will impact Metra's MD-W and MD-N, which constitute an integral part of Metra's service and operations in the Chicago region. MD-N operates between Chicago Union Station ("CUS") in downtown Chicago to Rondout on the C&M Subdivision, and then to Fox Lake, Illinois, on the Fox Lake Subdivision, a total of 50 miles north of Chicago. Along MD-W are 22 stations serving communities with a combined population of over half a million people and with burgeoning new job centers.<sup>21</sup> MD-W operates between CUS and Elgin, Illinois, approximately 40 miles west of Chicago's downtown, and likewise is home to 22 stations and serves an area with a population of nearly one million people.<sup>22</sup>

---

<sup>21</sup> 2020 System Report, MD-N at 9.

<sup>22</sup> *Id.* MD-W at 9.



*Figure 1*

In 2019, pre-pandemic, Metra operated 800 scheduled passenger revenue trains on MD-W and MD-N combined each week, including morning and evening “peak period” trains, which are outnumbered by non-peak period trains on these two routes.<sup>23</sup> The MD-N and MD-W provided more than 12.45 million passenger trips in 2019 and accounted for almost 17% of Metra’s systemwide ridership.<sup>24</sup> While ridership decreased during the COVID-19 pandemic in

<sup>23</sup> 2020 System Report, MD-N at 1, MD-W at 1. In 2020 frequency on both lines was reduced in response to the pandemic.

<sup>24</sup> See Metra, 2021 Proposed Operating & Capital Program & Budget, Exhibit 19 (2021), [https://metra.com/sites/default/files/assets/brochure\\_8.5x11\\_budgetbookelectronic\\_2021\\_nov\\_final\\_0.pdf](https://metra.com/sites/default/files/assets/brochure_8.5x11_budgetbookelectronic_2021_nov_final_0.pdf).

2020 and 2021,<sup>25</sup> Metra expects the eventual return of ridership towards pre-pandemic levels and is planning and budgeting accordingly.<sup>26</sup>

Between Metra's creation by the State of Illinois in 1984 and November 2020, Metra has made capital improvements of nearly \$1.45 billion to MD-N and MD-W, representing 17% of Metra's capital investments system-wide.<sup>27</sup> Capital investments included \$269 million for track and structure, \$246 million for signal, electrical, and communication upgrades, and \$141 million for stations and parking.<sup>28</sup>

CP's C&M and Elgin lines, of which MD-N and MD-W, respectively, are a part, serve as part of a critical juncture connecting traffic south and west of Chicago with Chicago and points east. These lines are located on one of CP's busiest rail segments, and connect to Bensenville Yard, one of CP's busiest yards. As shown in Figure 2, MD-W and MD-N connect with Indiana Harbor Belt Railroad ("IHB") and Belt Railway Company of Chicago ("BRC") to create interchanges for CP with five other Class I railroads, sending traffic from the Quad Cities region<sup>29</sup> to Detroit, eastern Canada, and Buffalo, New York.<sup>30</sup> According to Applicants, CP currently operates 16 trains daily on MD-W and 11 trains daily on MD-N.<sup>31</sup> According to the Application, these freight trains carry "intermodal containers from the Port of Vancouver,

---

<sup>25</sup> For instance, MD-W and MD-N only saw 1.2 million from July 2020 through June 2021. 2020 System Report, MD-N at 1, MD-W at 1.

<sup>26</sup> 2022 Metra Budget, at 29.

<sup>27</sup> 2020 System Report, Introduction a 10, Table 11.

<sup>28</sup> *Id.*

<sup>29</sup> This refers to a web of communities on the Iowa- Illinois border. The five largest communities are Rock Island, Moline and East Moline, Illinois, and Davenport and Bettendorf, Iowa. There are also a number of smaller communities in that region.

<sup>30</sup> See Appl. 2-267 to 2-270, Ex. 13, Operating Plan at 11-14 (Redacted Version).

<sup>31</sup> Appl. 2-364 and 2-365, Ex. 13, Operating Plan at 8-9 (Redacted Version).

fertilizers, chemicals, crude oil, frac sand, automotive, grain, and other agricultural products.”<sup>32</sup>

Two to three Wisconsin Southern (“WSOR”) freight movements also occur on the lines daily.<sup>33</sup>

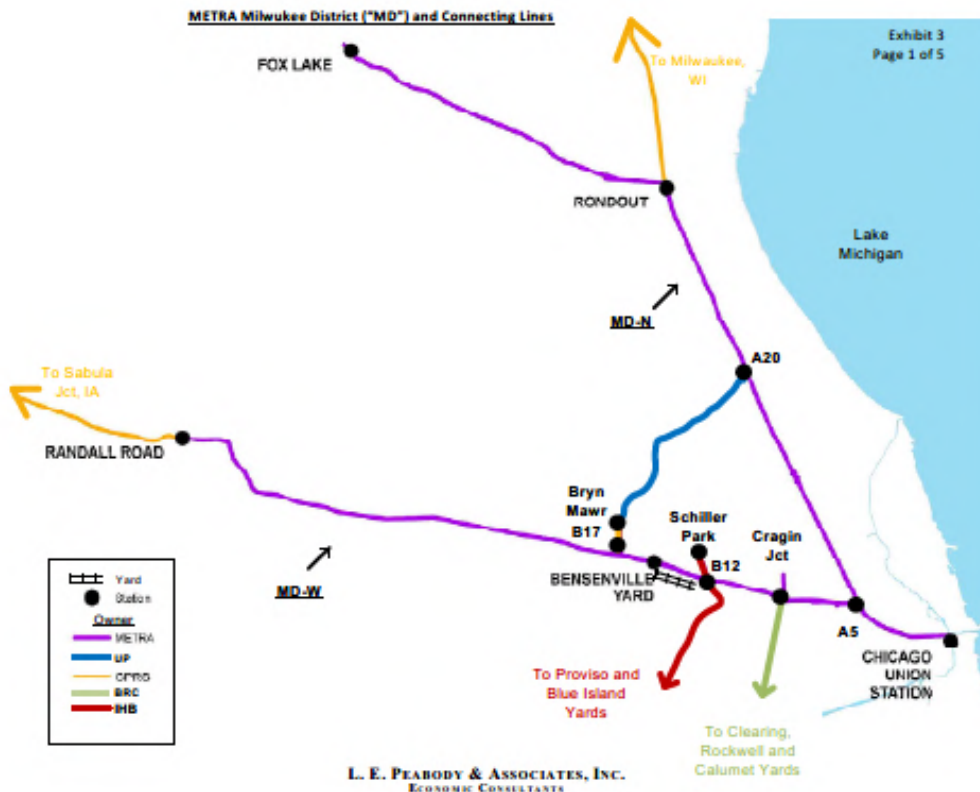


Figure 2

**C. CP’s Trackage and Dispatching Rights on MD-W and MD-N Lines**

CP dispatches and operates freight service over MD-N and MD-W pursuant to the Trackage Agreement<sup>34</sup> that Metra inherited through acquisition of ownership interest in the lines from the Trustee for the bankrupt Chicago, Milwaukee, St. Paul and Pacific Railroad nearly 40 years ago.

<sup>32</sup> Appl. 2-270, Ex. 13, Operating Plan at 14 (Redacted Version).

<sup>33</sup> Appl. 3-142, Letter from WATCO to STB (Redacted Version).

<sup>34</sup> The agreement is valid through December 31, 2083. See Ex. A, V.S. Gentil at 1.

The Trackage Agreement requires that CP's operation over Metra's lines "shall at all times be in accordance with reasonable safety and operating rules."<sup>35</sup> The Trackage Agreement as amended expressly requires that "[CP] shall not interfere or permit any third party to interfere with peak period trains," and "[CP] may make *reasonable adjustments* to the operations of traffic on the Joint Line *which do not unreasonably disrupt or delay trains which are not peak period trains*. [Emphasis added.]"<sup>36</sup> As explained below, CP violates this contractual obligation regularly.

For changes to Metra's service, the Trackage Agreement provides that Metra must seek CP's prior written consent, "which may not be unreasonably withheld [by CP]; providing that such change shall not materially interfere with freight operations."<sup>37</sup> Yet, CP has not complied with this contractual obligation. The Trackage Agreement does not allocate a maximum number of trains or proportion of excess capacity to either Metra or CP. It is up to the parties to the Trackage Agreement to confer about capacity and determine what space is available for increased numbers of trains to operate on the corridor—the decision is not unilaterally reserved to CP, as CP has claimed.<sup>38</sup> Regarding capital improvements, the Trackage Agreement as amended calls for cost-sharing for capital projects that benefit both parties and outlines an annual planning and approval process, and caps CP's contribution on capital projects at 50%.<sup>39</sup>

At the time the respective parties entered the agreements that now govern the relationship between CP and Metra on these line segments, train operating characteristics were different – freight trains have become longer and thus take longer to cross the territory, and longer sidings

---

<sup>35</sup> Ex. A, V.S. Gentil at 2, Ex. A-2, SLRCO 1985 Trackage Agreement, Section 8.3.

<sup>36</sup> Ex. A, V.S. Gentil at 2, Ex. A-3, Metra-CP 1993 Supplement, Art. 7 (adding Section 8.15).

<sup>37</sup> Ex. A-3, Metra-CP 1993 Supplement, Art. 7 (adding Section 8.16).

<sup>38</sup> Ex. B, V.S. Oppenheim at 15-16.

<sup>39</sup> Ex. A-3, Metra-CP 1993 Supplement, Art. 6 (amending Section 7.2).



are required to ensure that they do not disrupt the passenger trains that move across the network at higher speeds and more frequently.<sup>40</sup>

#### **D. Description of the Transaction in Relation to MD-W and MD-N**

CP is a Class I common carrier railroad<sup>41</sup> serving the United States and Canada, providing transportation subject to the jurisdiction of the STB. KCS is a Class I common carrier railroad<sup>42</sup> serving the United States and Mexico, providing transportation subject to the jurisdiction of the STB. On October 29, 2021, CP and KCS filed their Application with the STB proposing the merger of CP and KCS.<sup>43</sup> The Application seeks STB approval for CP's acquisition of KCS and common control by CP of KCS's U.S. railroad subsidiaries and affiliates.<sup>44</sup> On November 23, 2021, the STB accepted the Application.<sup>45</sup>

As described below, Applicants downplay the anticipated negative impact on Metra while their own statements contradict that approach with their projection of increases in traffic on already congested lines. Metra's territory, and particularly MD-W and MD-N, sits at an important juncture in Applicants' rail system, and comprises one of the busiest segments of CP's entire system.<sup>46</sup>

The Application incorrectly and, as discussed more fully below, without RTC modeling evidence, describes "moderately increased freight traffic on lines used by passenger trains," including increased traffic flows into the Chicago area.<sup>47</sup> "The highly integrated nature of rail

---

<sup>40</sup> Ex. B, V.S. Oppenheim at 6.

<sup>41</sup> More specifically, CP-affiliated Soo Line Railroad Company is a Class I railroad. *See* Appl. 1-57.

<sup>42</sup> More specifically, KCS-affiliated Kansas City Southern Railway Company is a Class I railroad. *See* Appl. 1-57.

<sup>43</sup> *Canadian Pac. Ry.—Control—Kan. City S. (Decision No. 11)*, FD 36500, slip op. at 1 (STB served Nov. 23, 2021).

<sup>44</sup> *Decision No. 11*, slip op. at 1.

<sup>45</sup> *Id.* at 9.

<sup>46</sup> *See* Appl. 2-267, Ex. 13, Operating Plan at 11 (Redacted Version).

<sup>47</sup> Appl. 1-172–1-174, V.S. Creel at 17-19 (Redacted Version).

operations means that disruptions in one location have the potential to affect all carriers” and “Chicago remains vulnerable to disruptions that can create chokepoints for multiple carriers and impact freight movements across broad swaths of the rail network.”<sup>48</sup>

Applicants hinge much of the public benefit of the Transaction on the “North-South” Corridor that will create a direct route from Canadian ports to Mexican ports.<sup>49</sup> In the north, this North-South Corridor will connect with CP’s Canadian network via two separate U.S. hubs in Chicago and the Twin Cities. Applicants’ proposed North-South corridor will connect with Chicago via Metra’s MD-W and MD-N lines. Bensenville Yard, CP’s primary classification yard in the Chicago region and one of the busiest in its system, is located on MD-W and will play a critical role in accommodating the new traffic expected under the Transaction.<sup>50</sup> As further set forth below, Metra currently experiences an unreasonable number of commuter delays during “peak periods” due to CP dispatch interference including operating issues at Bensenville Yard such as conducting crew changes on the main line that CP and Metra share when the Yard is too congested to handle the trains. After the Transaction, Bensenville will “see an increase of 112 cars for processing daily” and “face additional demand from anticipated growth in automotive and intermodal traffic”<sup>51</sup> and Metra can reasonably anticipate further delays. The Application acknowledges that Bensenville will see an 11% increase in processing demands, which will influence traffic flows “beyond Chicago to other parts of the CP/KCS system.”<sup>52</sup>

---

<sup>48</sup> Appl. 2-312, Ex. 13, Operating Plan at 56 (Redacted Version).

<sup>49</sup> Appl. 1-15–1-16, 1-19 (Redacted Version); Appl. 1-160–1-162, V.S. Creel at 5 (Redacted Version); Appl. 1-191–1-196, V.S. Ottensmeyer at 5-10 (Redacted Version).

<sup>50</sup> Appl. 2-267–2-269, Ex. 13, Operating Plan at 11-13 (Redacted Version).

<sup>51</sup> Appl. 2-306, Ex. 13, Operating Plan at 59 (Redacted Version).

<sup>52</sup> Appl. 2-315, Ex. 13, Operating Plan at 51, 89-90 (Redacted Version).

Meanwhile, Applicants assert that Bensenville will undergo a reconfiguration project, although no details are given regarding what the improvements are or how they will help congestion.<sup>53</sup>

To reach Bensenville from the North-South Corridor via the Elgin Subdivision, Applicants misleadingly state that there will be an increase of 7.1 trains per day on the Elgin Subdivision between Almore and Bensenville—in fact CP’s figures show that the increase on MD-W will be higher, and the proportionate change several times higher than Applicants’ cited numbers suggest.<sup>54</sup> The Application asserts, without support, that “there is ample capacity for these additional train frequencies” because the Elgin Subdivision is double track, with triple track east of Bensenville.<sup>55</sup> CP further claims in its Application that MD-N will not see any additional traffic,<sup>56</sup> although in the Application’s documentation, Applicants disclose that they plan to add an average of 0.9 additional line-haul freight trains to that segment to account for “organic growth” on the system.<sup>57</sup> In general, Applicants’ statements on train increases are internally contradictory and misleading, and are not supported by evidence, including RTC modeling, as discussed in further detail in Section V.C.

One of Applicants’ major, although unsubstantiated, claims is that the Transaction will divert traffic from the heavily trafficked Chicago area by way of Applicants’ Twin Cities connection via Applicants’ North-South Corridor.<sup>58</sup> Applicants assert that CP’s Soo Line

---

<sup>53</sup> Appl. 2-307, 2-345–2-346, Ex. 13, Operating Plan at 51, 89-90 (Redacted Version).

<sup>54</sup> Appl. 2-364 to -367, Ex. 13, Operating Plan Appendix A at 1-4 (Redacted Version). In Exhibit A to their Operating Plan Applicants report 16.3 current trains per day on the Elgin Subdivision, and 23.4 trains after the Transaction, amounting to a 7.1—or 44%—increase. However, as discussed further below in Section V.C.1., the number that Applicants state is extremely misleading and understated because it only applies to part of MD-W east of Bensenville Yard, whereas the freight traffic west of Bensenville Yard is expected to change from 2.9 to 11.1 trains per day, an increase of 380%.

<sup>55</sup> Appl. 2-322, Ex. 13, Operating Plan at 66 (Redacted Version).

<sup>56</sup> Appl. 2-321–2-322, Ex. 13, Operating Plan at 65-66 (Redacted Version).

<sup>57</sup> Appl. 2-324, Ex. 13, Operating Plan (Redacted Version); Appl. 2-365, Ex. 13, Operating Plan Appx. A: Trains Per Day by Subdivision (Redacted Version). As discussed further below in Section V.C.1., on the C&M Subdivision, Applicants report 11.1 current trains per day and 12.0 future trains per day, amounting to a 0.9—or 8%—increase.

<sup>58</sup> Appl. 1-169–1-170, 1-174 V.S. Creel at 14-15 (Redacted Version); Appl. 1-196, V.S. Ottensmeyer at 10 (Redacted Version); Appl. 2-313, Ex. 13, Operating Plan at 57 (Redacted Version).

between the Twin Cities and Kansas City, consisting of the Marquette, Davenport, Ottumwa, Laredo, and Kansas City Subdivisions, would serve as this alternative to the Chicago gateway.<sup>59</sup> Applicants expect significant increases in traffic on the Marquette Subdivision and other subdivisions that constitute the Twin Cities connection to the new North-South Corridor. The Application argues that the Marquette Subdivision provides an “efficient pathway” between Mexico, the South Central United States, and Western Canada “without having to traverse the congested Chicago area.”<sup>60</sup> Following the Transaction, the Marquette Subdivision is expected to see an increase of 6.6 trains per day by routing trains around Chicago,<sup>61</sup> nearly doubling existing freight traffic.<sup>62</sup> The Application predicts this increase in traffic from “likely future growth in bulk commodities (especially grain and crude oil) that would have moved via this line to interchange in Chicago” that “will now be routed in single-line service via the Marquette Subdivision, far to the west of Chicago.”<sup>63</sup> Because the Marquette Subdivision currently does not have capacity to handle additional traffic, Applicants propose to construct improvements *over the course of 5 years*.<sup>64</sup> Critically, the Application is silent on how Applicants will handle that additional traffic while they build the facilities they say will arrive.

As illustrated in the diagram below, Figure 3, the Marquette, Chicago, Elgin, C&M, Watertown, and Tomah Subdivisions form a diamond with vertices located at River Junction, MN, Sabula, IA, Chicago, IL, and Milwaukee, WI. The four sides of the diamond are made up of (1) Marquette Subdivision; (2) Chicago and Elgin Subdivisions; (3) C&M Subdivisions; and

---

<sup>59</sup> See Appl. 1-32 (Redacted Version) (Soo Line operates lines from Twin Cities to Kansas City); Appl. 1-169–1-170, 1-174 V.S. Creel at 14-15, 19 (Redacted Version) (explaining plan to bypass Chicago area and showing subdivisions routed from Minnesota around Chicago area to Kansas City).

<sup>60</sup> Appl. 1-164, V.S. Creel at 9 (Redacted Version).

<sup>61</sup> Appl. 2-313, Ex. 13, Operating Plan at 57 (Redacted Version).

<sup>62</sup> See Appl. 2-364, Ex. 13, Operating Plan Appx. A: Trains Per Day by Subdivision (Redacted Version).

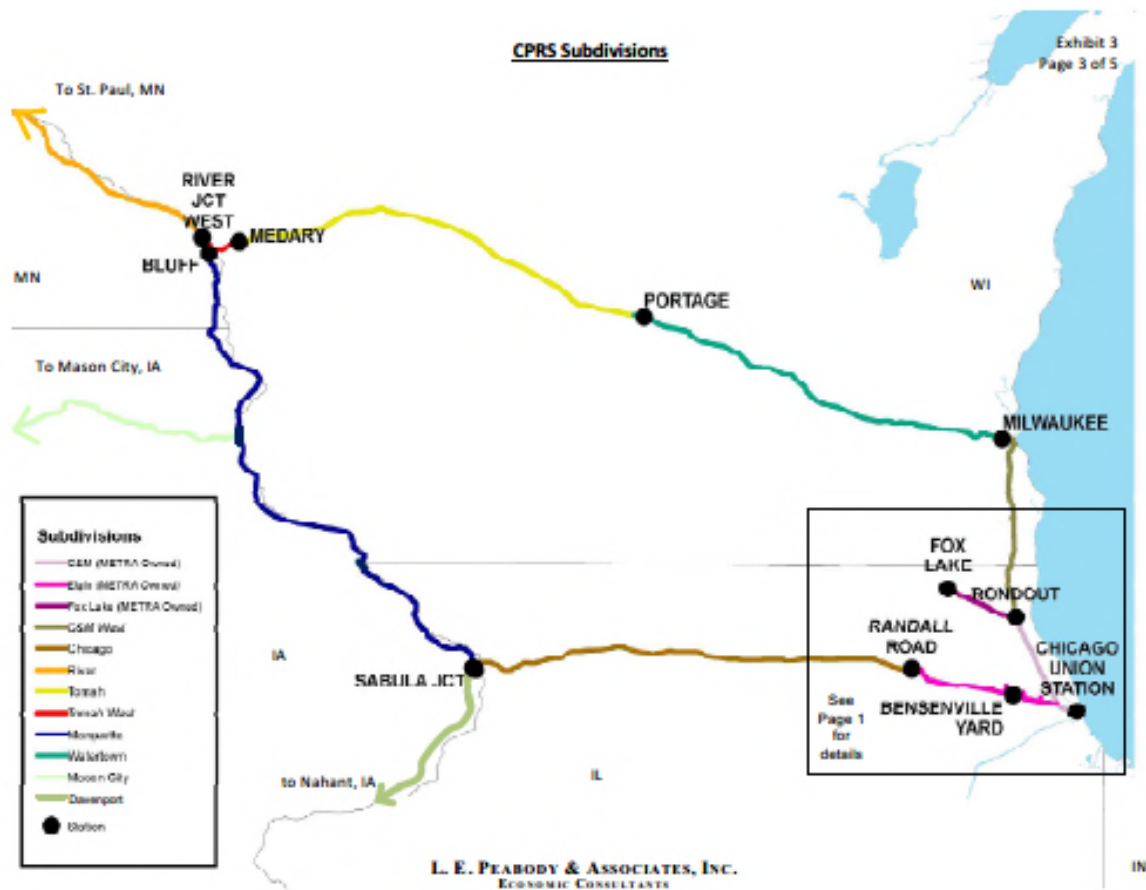
<sup>63</sup> Appl. 2-314–2-315, Ex. 13, Operating Plan at 58-59 (Redacted Version).

<sup>64</sup> Appl. 2-337, 2-341, Ex. 13, Operating Plan at 81, 85 (Redacted Version); Appl. 2-460, Ex. 13, Operating Plan, Appx. R: Line Capacity Improvement Projects (Redacted Version).

(4) Tomah and Watertown Subdivisions. Combined, this diamond is situated at a critical juncture point that connects Applicants' combined U.S. and Mexican rail network south of Sabula, Iowa, to CP's vast network north via either the Twin Cities or Chicago. To avoid Chicago and travel via the Twin Cities, trains must travel over the Marquette Subdivision, which is largely single-tracked and contains timber bridges<sup>65</sup> and other dated structures. Alternatively, to reach the Twin Cities, trains may travel over the CP Chicago Subdivision and Metra's heavily trafficked Milwaukee District lines. If one of these two (2) routing alternatives becomes congested, the other becomes the only alternative for moving the massive volume of international freight flows that CP/KCS project will result from the proposed merger. Because the Tomah/Watertown/C&M and the Chicago/Elgin routes are clear alternatives to the Marquette Subdivision, those routes can expect increased traffic along the North-South Corridor if the Marquette Subdivision were congested, undergoing improvements, or otherwise unavailable.

---

<sup>65</sup> See Appl. 2-332, Operating Plan at 76 (Redacted Version).



*Figure 3*

Another proceeding currently before the Board regarding interchange between the Canadian National Railway's Wisconsin Central, Ltd. and CP's Soo Line Railroad Company, in Finance Docket No. 36397 could further complicate and exacerbate the impact of the Transaction on Metra's service. The determination of interchange point between these parties could significantly alter traffic patterns and return to a state of affairs in the 2000s during which Metra's service experienced serious delays due to interchange of these two parties. That proceeding is revived, and the outcome is uncertain, but the Board must take it into account in considering this Application and ensure that the combination does not interfere with Metra's service even further.

### III. METRA’S TRAIN MODELING ANALYSIS SHOWS THAT THE TRANSACTION WILL SIGNIFICANTLY INTERFERE WITH METRA’S SERVICE

Astonishingly, Applicants did not conduct RTC modeling of the potential impacts of the proposed Transaction. Instead, they used a less rigorous methodology that the STB has previously confirmed does not adequately determine the impacts of transactions of the size and scope of the one before this Board.<sup>66</sup> Because CP’s capacity analysis on the Transaction was insufficient, Metra conducted its own study using RTC modeling. Metra’s modeling reveals a stark reality: that Applicants’ proposed Transaction will break the rail system at the critical “diamond” juncture that serves as the only connection between Applicants’ northern and southern continental systems. Applicants’ much-promoted North-South Corridor—specifically the Marquette Subdivision—cannot handle the additional traffic resulting from the Transaction, which means that even more traffic than is already projected will be re-routed onto Metra’s lines.

Metra’s modeling reveals that Applicants’ operating plan is unworkable and the proposed volume increase cannot be accommodated on Metra’s lines without causing significant additional interference with Metra’s service. Not only will expected freight train increases on MD-W and MD-N significantly deteriorate service, Metra’s modeling also shows that Applicants’ new North-South Corridor, and specifically the Marquette Subdivision, cannot handle expected new traffic on it, even with proposed capital improvements. As a result, Applicants will likely divert even more traffic to Metra’s lines.

Using conservative estimated and available data,<sup>67</sup> Metra’s experts ran base case and future case RTC modeling of Metra’s lines and adjacent lines that would impact Metra’s lines,

---

<sup>66</sup> See, discussion *infra* at Section V.A.

<sup>67</sup> Metra encountered significant challenges in obtaining accurate information from CP, as indicated in Metra’s First and Second Motions to Compel in these proceedings, METR-3 and METR-5, respectively, as well as Metra’s Request for Extension of Time, METR-4.

including the Marquette Subdivision on Applicants' North-South Corridor. Metra's experts explain the methodology they used to conduct their analysis of the impacts of the proposed Transaction on Metra's service in their attached Verified Statement.<sup>68</sup>

The RTC base case simulation, which was run using conservative pre-existing conditions and actual train event data from April 2021, support Metra's experience that CP intentionally prioritizes freight trains over Metra trains in CP's dispatching of Metra's lines. Interference with Metra's service was reduced in the Base Case model because it did not take intentional decisions to prioritize freight trains, as CP does in some cases into account.<sup>69</sup> In real-world operations, as described in the Verified Statement of Rich Oppenheim,<sup>70</sup> CP dispatchers regularly prioritize freight trains over Metra's trains, as reflected in Metra's well-documented experience and communications with CP.<sup>71</sup> Mr. Oppenheim also notes that additional capacity is available if CP were to make use of nighttime hours, rather than daytime hours when Metra' operates.<sup>72</sup>

To further test the impact of CP's current dispatching practices, Metra's experts attempted to run a base case sensitivity analysis preventing CP trains from running on Metra's lines during peak periods in order to avoid the regular interference that Metra encounters during those times.<sup>73</sup> After imposing the restrictions on CP freight trains in the commuter peak periods, the RTC simulation would not run to completion.<sup>74</sup> This may explain why CP's dispatchers moves CP freight trains during the commuter peak periods—its current operations depend on such interference.<sup>75</sup>

---

<sup>68</sup> Ex. C, V.S. Crowley and Mulholland.

<sup>69</sup> *Id.* at 60.

<sup>70</sup> V.S. Rich Oppenheim attached to this Comment as Exhibit B.

<sup>71</sup> See discussion *infra* at Section IV.B. and in Exhibit B, V.S. Oppenheim.

<sup>72</sup> Ex. B, V.S. Oppenheim at 10.

<sup>73</sup> Ex. C, V.S. Crowley and Mulholland at 62.

<sup>74</sup> *Id.*

<sup>75</sup> *Id.*



In Metra's base case model, most delays to Metra's service stemmed from CP's operations along the Marquette Subdivision, a critical segment of the North-South Corridor that Applicants assert will help divert traffic from Chicago. Existing sidings on the Marquette Subdivision struggle to handle the congestion caused by the longer trains that CP operates over this line.<sup>76</sup> The base case model reflects that the Marquette Subdivision is presently at or near capacity, and Applicants' proposed addition of trains along this segment of the merged railroads' network will increase future delays, both on the Marquette Subdivision and on Metra's lines due to re-routed trains.<sup>77</sup>

When Metra's experts ran the future case based on CP's projected increases in freight and Amtrak traffic, as well as CP's proposed line improvements meant to alleviate increased congestion, the RTC modelling software could not execute the simulation—i.e., the program could not find a resolution that would accommodate the number of trains expected to operate over the simulated network even with additional infrastructure added to the system.<sup>78</sup> Only after removing 13 trains that CP predicts will be added to the system, both from the Marquette Subdivision and from routes operating in and out of Bensenville Yard, from the seven-day simulation was the future case simulation able to run.<sup>79</sup> This result indicates that Applicants' operating plan is unworkable given the projected increases in traffic. That is, the operations following the implementation of the proposed Transaction will inflict enormous disruption on Metra's operations.

Furthermore, even after removing trains to allow the model to run, the simulated results indicated declines in average train speeds across all train types—freight and passenger—and

---

<sup>76</sup> *Id.* at 65-66.

<sup>77</sup> *Id.*

<sup>78</sup> *Id.* at 65.

<sup>79</sup> *Id.* at 66-67.

increases in delay statistics above and beyond those currently experienced.<sup>80</sup> Specifically, Metra incurred a nearly 600% increase in delay hours, and a 400% increase in train delays per 100 train miles.<sup>81</sup> Just as importantly, freight trains also incurred considerable increases in delays in the future model—far higher than Metra in absolute hours delayed, and two to three times higher than currently experienced<sup>82</sup>—which CP would try to offset by delaying Metra trains even more, based on CP’s current practices. In short, the future base case shows that the Transaction will hurt both passenger and freight performance significantly across the board, although CP currently can mitigate the impact to its own trains at Metra’s expense through its dispatching power on Metra’s lines.

Further analysis on the future case model indicated that the infrastructure of the Marquette Subdivision is inadequate to accommodate the new projected traffic on that line, and that Applicants’ proposed infrastructure additions to the Marquette Subdivision are woefully insufficient to accommodate the projected increase in train volumes.<sup>83</sup> Moreover, the topography along the Marquette Subdivision makes it extremely difficult for Applicants to make additional infrastructure investment that would be required to accommodate their planned volume increases.<sup>84</sup> The only alternative is to re-route even more trains through Chicago, including over Metra’s MD-W and MD-N, as CP already does at times, resulting in even greater traffic increases than Applicants already project. Applicants provided no discussion or analysis of this scenario. This likely re-routing scenario makes it even clearer that Applicants’ analysis of the

---

<sup>80</sup> *Id.* at 66

<sup>81</sup> *Id.* at 67-68 (594% and 405%, respectively).

<sup>82</sup> *Id.* at 67

<sup>83</sup> *Id.* at 66-67.

<sup>84</sup> *Id.* at 5-6, 15.

impact on Metra's lines is completely inadequate, given that Applicants have not sufficiently analyzed even the added traffic that they do predict over Metra's lines.

Metra also tested what additional infrastructure improvements on Metra's lines might help alleviate the adverse impacts to Metra's service projected by Metra's RTC modeling. These improvements included:

- Eight additional infrastructure expansion projects on the MD-W:
  1. Addition of receiving tracks at Bensenville Yard equal to the maximum length of incoming trains;
  2. Addition of receiving tracks at Galewood Yard equal to the maximum length of incoming trains;
  3. Addition of new powered cross-overs at Bartlett and Itasca;
  4. Addition of two (2) new mainline tracks between Tower B12 and Tower B17;
  5. Separation of the CP and Metra Milwaukee West tracks and construction of a fly-over from south of Tower A5 to northerly dedicated west bound Metra track;
  6. Reduction of the curves at Tower A5 to allow increased speeds from 10 MPH to 25 MPH; and
  7. Addition of a new southeasterly wye leg at Cragin Junction to direct CP traffic south onto BRC without a reverse move; and
  8. Addition of two new mainline tracks between Tower A5 and Tower B12.
- Three additional infrastructure expansion projects on the MD-N:
  1. Addition of new universal cross-overs at Lake Forest and Glenview;
  2. Addition of a new third main line between Rondout and Tower A20; and
  3. Addition of a new connection at Tower A20 to allow CP trains to exit the Metra mainline before entering UP territory.

The modeling results showed that, although these infrastructure additions on Metra's lines would improve performance, even these were not enough to return Metra's service to current baseline levels.<sup>85</sup>

Metra used RTC modeling to determine far more accurately than Applicants have done the potential impact of the Transaction on Metra's operations. The bottom line is that Metra's passengers will suffer. Serious delays and interference are inevitable. As discussed in Section VII.1., only by providing Metra with dispatching authority over its own lines, which will allow Metra to control the movement of its trains to avoid the impacts of the likely increase in traffic volumes, can the Board help mitigate the impact on commuter rail service. Without this adjustment of control over the movement of trains on the MD-N and MD-W, this Board cannot mitigate the adverse impacts of the Transaction on the safety and reliability of Metra's service.

**IV. CP'S OPERATION ON AND DISPATCH OF METRA'S LINES ALREADY INTERFERE WITH METRA'S COMMUTER RAIL SERVICE AND THE TRANSACTION PORTENDS WORSENING OF AN ALREADY PROBLEMATIC OPERATION**

**A. Measuring CP's Impacts**

Safety and on-time performance are the keystones of successful, responsive commuter service and commuter "precision railroading." Metra has described above the negative impacts of the proposed Transaction on Metra's operations. To be clear, the history of Metra's operating relationship with CP explains why Metra is so deeply concerned about the potential for increased traffic, increased delays, and increased interference with passengers' access to trains at stations. As Metra's testimony, summarized below, explains, the history of that relationship causes Metra to fear for the safety of its passengers and the integrity of its operations if the Transaction is

---

<sup>85</sup> *Id.* at 70.

approved without allowing Metra to control dispatching of the operations on the MD-W and MD-N lines.

Metra tracks and reports on-time performance of its trains monthly.<sup>86</sup> Consistent with commuter railroad standards, a Metra train is on time if it reaches its final destination within five minutes and 59 seconds of its scheduled arrival.<sup>87</sup> Metra collects reportable delay data in its Train Operations and Performance System (“TOPS”) data warehouse. When a Metra train does not meet this threshold, it is recorded as a “reportable delay.”<sup>88</sup> This standard filters out some delays that are beyond Metra’s control. Thus, to be consistent with industry standards, Metra must achieve at least 95% on time performance for all of its trains, based on the above metric.<sup>89</sup>

Reportable delays used to calculate Metra’s official on-time performance do not encompass all types of delays, nor do they reflect other types of serious interference with Metra’s service. Notably, reportable delays are measured at a train’s final destination, and do not register delays that passengers encounter at interim stations, which have been significant. Thus, while Metra trains can make up time along a route to mitigate intermittent delays encountered during their trips, greater delays at particular interim stops, or small but consistent delays, have seriously impacted customers and diminish their perception of Metra’s reliability, decreasing passengers’ goodwill towards the system.

For Metra, safety is primary. On-time performance data does not reflect the unsafe conditions created by CP’s dispatching when CP trains block passengers’ access to Metra trains.

---

<sup>86</sup> See Metra.com, On-Time Performance Reports, <https://metra.com/time-performance-reports> (accessed Jan. 23, 2021).

<sup>87</sup> Ex. B, V.S. Oppenheim at 7.

<sup>88</sup> For “Construction Schedules”, which include most midday trains from April through November, the arrival time at final destination is generally restated to 10 minutes later than the standard scheduled time that is advertised to the public —i.e., a train can officially be reported as “on time” so long as it is no later than 15 minutes and 59 seconds off its scheduled arrival at its final destination.

<sup>89</sup> Ex. B, V.S. Oppenheim at 7.

CP's dispatching decisions too often require passengers to cross tracks unnecessarily, dodge oncoming freight trains, or circumnavigate idling freight trains at Metra stations. In such cases, Metra conductors are put in a difficult position of choosing between waiting for impeded passengers to board or departing in order to adhere to scheduled operations. Metra's mission critical, time-sensitive public service has been often thwarted by CP's conduct, as set forth below.

Metra routinely calls upon CP to cease interfering with Metra's service, as more fully memorialized in e-mail communication from Metra staff to CP staff. When Metra staff learn of a delay or disruption affecting commuter service caused by CP, they email a short description to other members of Metra's operating staff. Then, Metra's Train Master will forward on the e-mail to CP for an explanation.<sup>90</sup>

These e-mails record delays and events that are not captured in the reportable delay data that tracks Metra's official on-time performance metrics. For example, a CP caused delay at a particular station for which a Metra train "makes up" time on the remainder of its route will not appear on reportable delay data but is reflected in the e-mail and impacts on passengers' commuting experience, such as making them late for work or for day-care pick up or other obligations. As another example, retracking of Metra trains to bypass CP freight trains may not result in a recordable delay but forces passengers to unexpectedly cross train tracks or avoid oncoming or idling freight trains to access their train. Further, these e-mails document the causes of delays as well as subsequent dialog between Metra and CP on the subject.

Metra reviewed hundreds of e-mails dating back to 2016 documenting these day-to-day communications<sup>91</sup> of CP's interference with Metra's "peak periods" in violation of the Trackage

---

<sup>90</sup> *Id.* at 9.

<sup>91</sup> *Id.* at 9-10.

Agreement. Exhibit B-2 to the Verified Statement of Rich Oppenheim, Metra's Director of Operations, Metra Chicago Union Station ("CUS") District, includes copies of emails between Metra and CP personnel, providing a detailed picture of the unsafe dispatching practices that both endanger Metra's passengers and create delays to train operations. A summary index of these emails is provided in Exhibit B-3 to Mr. Oppenheim's Verified Statement. Too often, CP continually ignores Metra's requests to cease interfering with Metra operations.

Additional documentation maintained by Metra's team also supplements the statistics provided by on-time performance records. Between February 2020 and November 2021 Metra's dispatching staff tracked delays caused by CP's dispatching of and operations on MD-W and MD-N.<sup>92</sup> These records, which record hundreds of reported and unreported delays and interference such as retracking of Metra trains on tracks other than the normal tracks they used to serve stations, reflects a chronic pattern of interference.<sup>93</sup>

Notwithstanding CP's assertions of "work[ing] cooperatively with Metra" to achieve "a greater than 94 percent on-time performance,"<sup>94</sup> documentation reveals the longstanding pattern of interference with Metra's commuter rail service, both during peak and non-peak periods. To repeat an important point – the overall on-time performance of a train at its end station belies the delays and the attendant impacts on passengers that come from interference with Metra service at intermediate stations.

**B. Metra's Documentation of Endangered Passenger Experiences and Metra Operating Delays Reflects Years of CP Operations and Dispatching Decisions Causing Substantial and Frequent Delays to Metra's Service**

---

<sup>92</sup> Ex. D, V.S. Rodriguez at 1-2.

<sup>93</sup> *Id.* at 2; Ex. D-1, Spreadsheet of 2020-2021 CP delays.

<sup>94</sup> Appl. 1-172, V.S. Creel at 17 (Redacted Version).

**1. CP's creates unsafe conditions by dispatching freight trains in a way that requires Metra trains to serve Metra passenger stations on 'alternate' tracks, endangering and inconveniencing passengers**

Both Metra's MD-N (except for the Fox Lake Subdivision) and MD-W consist of double- or triple-track main lines. While it is possible to dispatch passenger and freight trains in either direction, Metra trains are scheduled to use one identified main line track for service into the City on a regular basis, and the other main line track for service in the other direction. This provides Metra customers with predictability and safety in knowing which side of the tracks to wait for a train at a station, and to avoid requiring passengers to run to reach the opposite side of the tracks on short notice. In fact, Metra signage on each station platform indicates whether that platform is for trains "To Chicago" or "From Chicago".<sup>95</sup>

Nevertheless, CP regularly dispatches Metra trains on different main line tracks from the ones that Metra has identified for use by its passengers heading in a specified direction.<sup>96</sup> Frequently, a freight train is not only moving on the track that the scheduled Metra train normally would use but is operating in the opposite direction from Metra trains, so that a passenger on the platform, looking in the direction where they anticipate their train appearing, would have their backs to the approaching freight. While CP is contractually required to dispatch MD-W and MD-N in a manner that prioritizes Metra trains during peak periods and avoids interference with Metra trains at all other times, CP's regular practice of dispatching freight trains directly ahead of Metra trains, or dispatching a freight train between Metra trains, results in dispatchers relying on the practice of changing Metra's scheduled main line track.

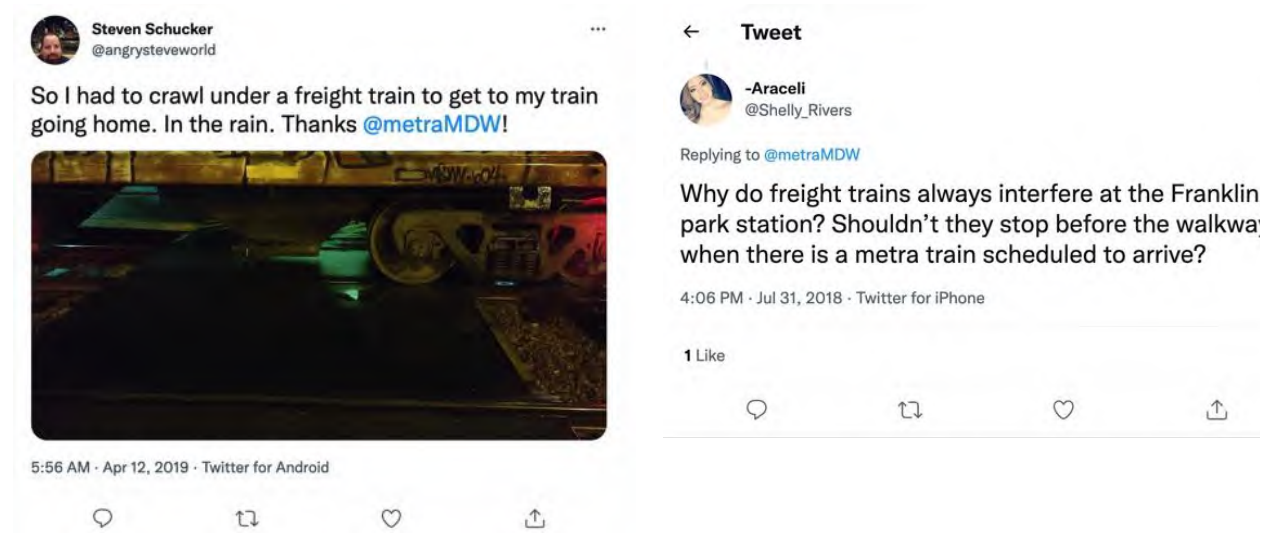
---

<sup>95</sup> Ex. B, V.S. Oppenheim at 13.

<sup>96</sup> *Id.*; Ex. B-2, Metra Emails 2016-2022 at 28 (documenting dispatching to alternate "wrong" tracks on July 28, 2016), 141 (same on May 30, 2019), 317 (same on Feb. 22, 2022).



The result severely impacts safety; passengers must get to the opposite side of the tracks, often by darting across the tracks in the face of an oncoming freight train, or around a stationary one. Consequently, Metra trains either wait, causing a delay, or leave passengers behind. Passengers make risky or dangerous decisions in order to make their trains and avoid being delayed for work or other appointments, such as running across tracks ahead of oncoming freight trains, crossing tracks at places other than designated crossings, or even crawling under idling freight trains.<sup>97</sup> As reflected in social media posts such as those included below at Figure 4,<sup>98</sup> obstruction of passengers' access to Metra trains by freight trains causes justifiable frustration and safety concerns among Metra passengers, as well as reputational damage to Metra.



<sup>97</sup> Ex. B, V.S. Oppenheim at 14.

<sup>98</sup> Sources for Figure 4, from top/left to bottom/right: Steven Schucker (@angrysteveworld), Twitter (Apr. 12, 2019, 5:56 AM), <https://twitter.com/angrysteveworld/status/1116550619777646593?s=20&t=oesjPDmB2EM9rDWsFO0ovg>; Araceli (@Shelly\_Rivers), Twitter (Jul. 31, 2018, 4:06 PM), [https://twitter.com/Shelly\\_Rivers/status/1024295223608926210](https://twitter.com/Shelly_Rivers/status/1024295223608926210); Kevin Mitchell (@kamitchell), Twitter (May 7, 2018, 4:33 PM), <https://twitter.com/kamitchell/status/993499153656438786?s=20&t=oesjPDmB2EM9rDWsFO0ovg>; Chris Corr (@Chris\_Studios), Twitter (Oct. 17, 2019, 5:15 PM), [https://twitter.com/Chris\\_Studios/status/1184850423632543744?s=20&t=oesjPDmB2EM9rDWsFO0ovg](https://twitter.com/Chris_Studios/status/1184850423632543744?s=20&t=oesjPDmB2EM9rDWsFO0ovg).



*Figure 4*

Even as Metra drafted this document, on February 22, 2022, a Metra peak period train was dispatched to a track other than its usual one, to avoid a freight train that was dispatched ahead of it. Passengers waiting at the River Grove, Elmwood Park, Mont Clare, Mars, Galewood, Hanson Park, and Grand Cicero Stations were forced to walk across all three main tracks at the last minute to board trains. Some were blocked by the stopped freight train. Most passengers had their backs to the freight train as it approached, anticipating the arrival of their Metra train.<sup>99</sup> A similar event occurred again on March 3, 2022, affecting peak period service.<sup>100</sup>

<sup>99</sup> Ex. B, V.S. Oppenheim at 14-15.

<sup>100</sup> Ex. B-2, Metra Emails 2016-2022 at 331 (March 6, 2022).

In another example, on August 2, 2019, a CP dispatcher gave a CP freight train leaving Bensenville Yard priority over a Metra train that was running 8 minutes late due to high passenger counts related to a concert event. The dispatcher had the freight train take up the mainline that the Metra train was already using, requiring the Metra train to change to a mainline not normally used by that train. The dispatcher's decision not only caused further delay to the Metra train, but the switch to another mainline meant that passengers at several stops would find the freight train between themselves and the Metra train they were seeking to board. This scenario prompted passengers to dash across the tracks ahead of the freight train in order to catch their Metra train, resulting in serious safety concerns.<sup>101</sup> Such scenario occurs on a regular basis, including recently on January 18, 2022, February 22, 2022, and March 3, 2022.<sup>102</sup> CP failed to respond to these situations or otherwise recognize the serious need to correct the manner in which it dispatches.

As stated previously, Metra's primary focus is safety. CP's dispatching decisions that create scenarios such as those described here confirm Metra's concern that CP does not share that priority, underscoring the need for transfer of dispatching authority from CP to Metra when increased traffic on the Metra lines will increase CP's dispatchers' opportunities to endanger Metra's passengers.

## **2. CP-caused delays to Metra's service are longstanding and persistent**

Although the number of freight-caused delays for Metra trains varied from year to year, CP's interference of commuter operations has persisted for more than 20 years. All told, during this time freight-related delays impacted 1.23 million Metra customers with delays totaling

---

<sup>101</sup> Ex. B, V.S. Oppenheim at 15. *See* Ex. B-2, Metra Emails 2016-2022 at 131 (Email exchange Aug. 2, 2019).

<sup>102</sup> Ex. B-2, Metra Emails 2016-2022 at 308 (Jan. 18, 2022), 317 (Feb. 22, 2022), 332 (March 3, 2022).

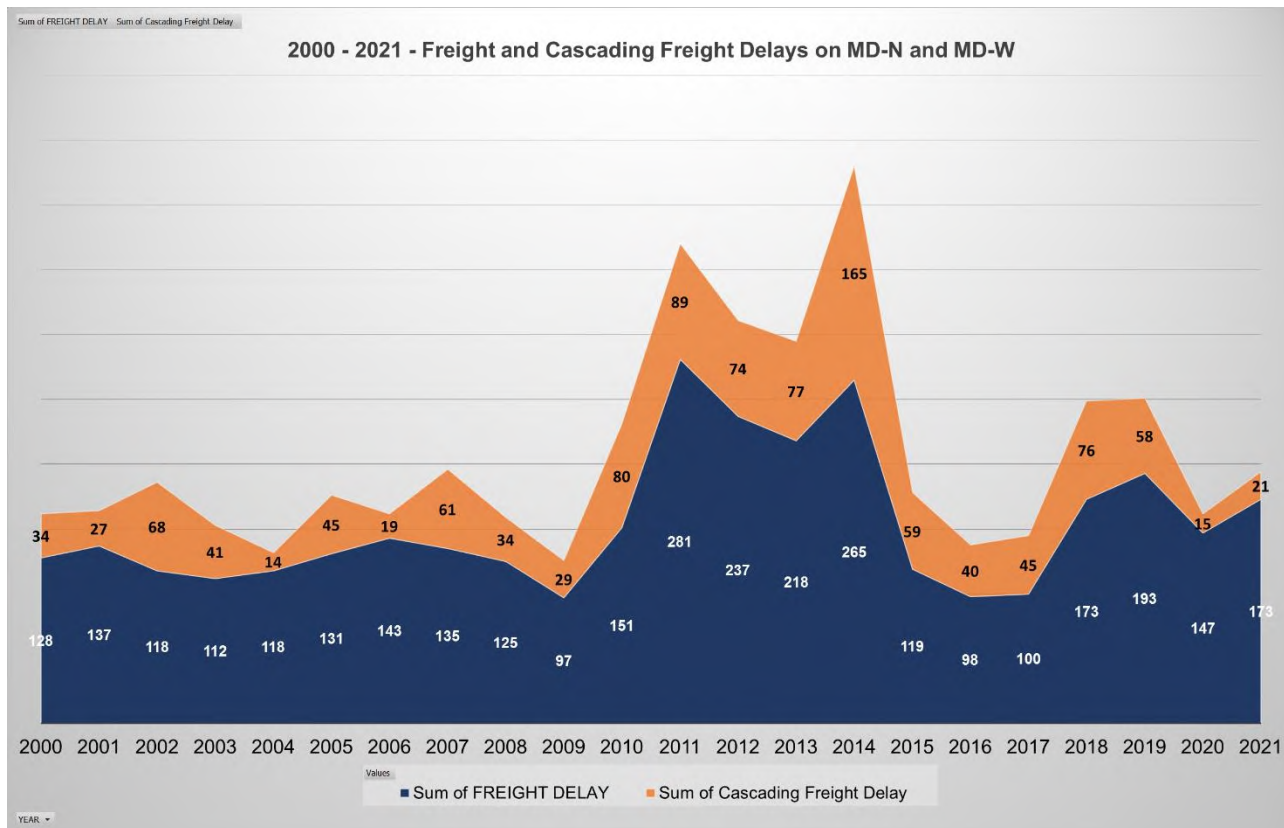
57,048 minutes, or nearly 40 days and nights.<sup>103</sup> The blue line in Figure 5 below depicts the number of Metra trains each year since 2000 on MD-N and MD-W that were delayed by freight trains, *i.e.* trains stopped while a freight train operates ahead of a Metra train, during both peak and non-peak periods. The orange line in Figure 5 depicts the number of cascading delays, e.g., Metra trains delayed as a result of the initial delay.<sup>104</sup> Even while ridership dropped dramatically in 2020 and 2021, and the number of trains that Metra operated was reduced due to reduced demand during the peak of the COVID pandemic, delays on these lines overall during this time did not, indicating that delays per rider were worse than historical trends. Metra expects ridership to steadily increase as the pandemic eases.<sup>105</sup>

---

<sup>103</sup> Ex. E, V.S. Godfrey at 3.

<sup>104</sup> *Id.* at 2 Cascading delays refer to delays caused by an initial delay caused by freight activity. Most often this occurs where a delayed train arrives behind time at its final destination and “flips” directions as a new train behind schedule.

<sup>105</sup> Ex. B, V.S. Oppenheim at 3.



*Figure 5*

Initial delays to Metra trains cause cascading delays because Metra’s operations are planned to make the most efficient use of its equipment. Metra trainsets arriving at a final destination are often “flipped” and depart from the same station shortly thereafter as a train running in the opposite direction. If a Metra train’s arrival at its final destination, that means the trainset needed to depart in the reverse direction will usually also be delayed.

Notably, the data depicted in Figure 5 capture only reportable delays, not delays that are shorter than five minutes and 59 seconds (or 15 minutes and 59 for construction schedules), including during Metra’s critical peak periods.<sup>106</sup>

<sup>106</sup> *Id.* at 7.

**3. Shorter-term data over the past five years indicates that the underlying problems with CP-caused delays are the same or getting worse**

CP's improper dispatching demonstrates that its representations to the STB of its cooperation with Metra are not true. CP does not honor its obligation for the contractually provided priority for Metra operations during "peak periods." Within the last two years, CP data show daily operation of CP trains during Metra's "peak period" times,<sup>107</sup> resulting in constant delays.<sup>108</sup> Since CP's implementation of Precision Scheduled Railroading (PSR) during 2019-2020, the number of *intentional delays*, where CP dispatchers advance freight traffic knowingly causing Metra delays despite contractually-mandated priority for Metra during "peak periods", has increased.<sup>109</sup> Moreover, there are documented incidents where senior CP management personnel are directly involved in this improper prioritization of freight trains.<sup>110</sup>

From January 2016 to October 2021, MD-N and MD-W passengers collectively experienced 53,196 hours of delay due to freight interference – 2,217 days, which is just over six years of time collectively spent delayed due to freight interference.<sup>111</sup> Figure 6 below depicts these delays graphically.<sup>112</sup> While overall delay hours was down in 2020 and 2021, proportional to the reduction in overall passenger hours experienced due to COVID-19, per-passenger delay hours were actually higher.<sup>113</sup>

---

<sup>107</sup> Ex. E, V.S. Godfrey at 3-4.

<sup>108</sup> Ex. B, V.S. Oppenheim at 10; Ex. B-2 and Ex. B-3.

<sup>109</sup> Ex. E, V.S. Godfrey at 5.

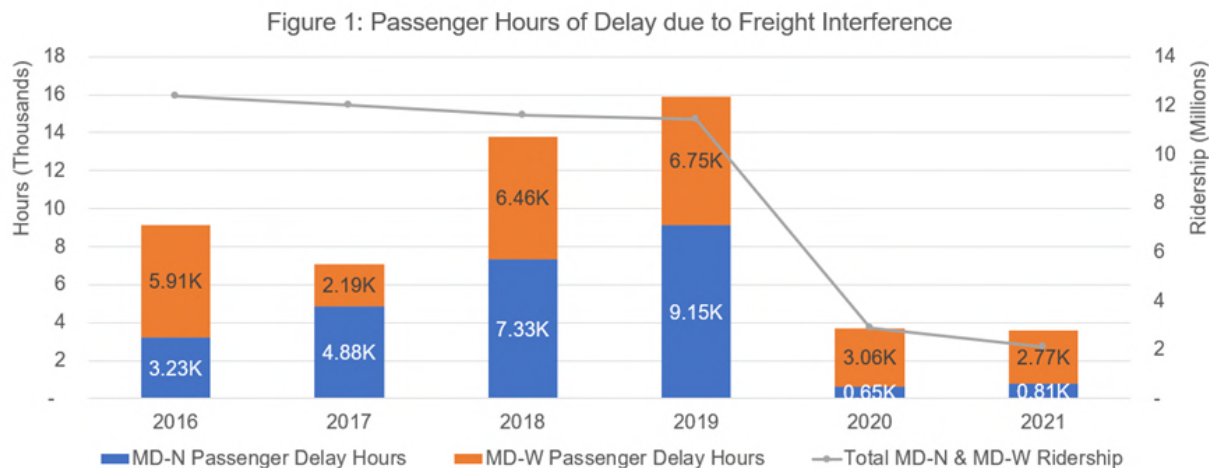
<sup>110</sup> *Id.* at 5-6.

<sup>111</sup> Ex. F, V.S. Maertins at 2.

<sup>112</sup> *Id.* at 3.

<sup>113</sup> *Id.* at 2.

From January 2016 to December 2021, MD-N and W passengers experienced a collective 53,196 hours of delay due to freight interference – **2,217 days or just over six years of time spent delayed due to freight interference.**



**Figure 6**

Despite COVID-era ridership being lower and fewer trains being operated, the share of riders experiencing freight interference delay increased since 2016.<sup>114</sup> Overall, MD-N and MD-W riders are twice as likely to have experienced a freight-caused delay in 2021 compared to 2016; and MD-W riders are three times as likely to have experienced a freight-caused delay since 2016. Metra passenger train delays, due to freight train interference on MD-N, increased between 2016 and 2019, and overall by 137% during that period.<sup>115</sup> In 2020 and 2021, delays due to freight train interference on MD-N fell, but only proportionally to the reduced number of passenger trains operated by Metra during that time.<sup>116</sup> Likewise, Metra passenger train delays due to freight train interference on MD-W increased each year between 2018 and 2021, an overall increase of 23%, and reached five-year highs in both 2020 and 2021.<sup>117</sup> Figure 7 below depicts these trends.<sup>118</sup> For the five-year period from 2017-2021, freight train interference delays

<sup>114</sup> *Id.* at 3.

<sup>115</sup> *Id.*

<sup>116</sup> *Id.* at 3-4.

<sup>117</sup> *Id.* at 4.

<sup>118</sup> *Id.* at 3.

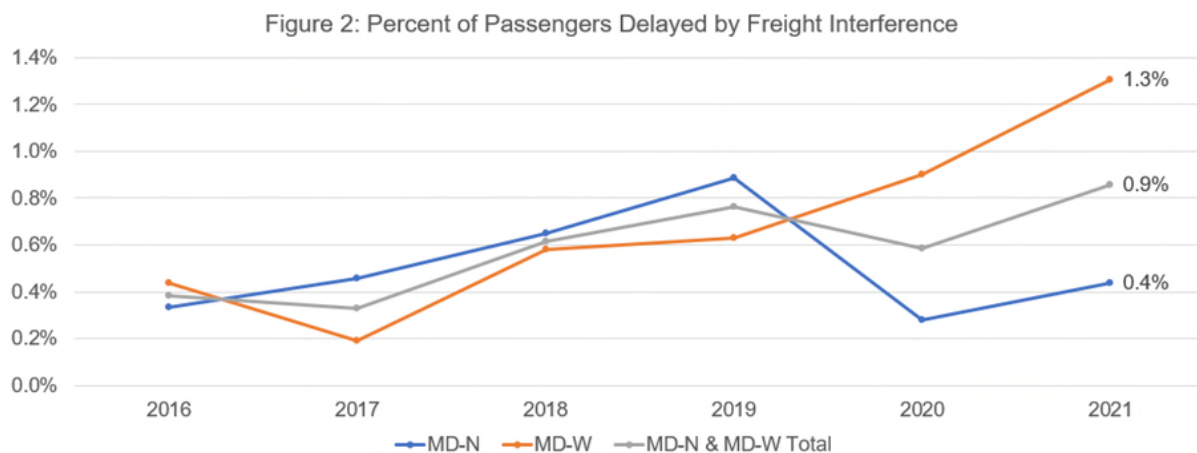
caused the combined MD-N and MD-W lines to miss Metra's 95% on-time performance goal.<sup>119</sup>

Even if 95% on time performance were satisfactory—Metra strives to exceed this metric<sup>120</sup>—

CP-caused events allow Metra no margin of error to account for unpreventable delays

attributable to no-one.

Despite COVID-era ridership being lower and fewer trains being operated, the share of riders experiencing a freight interference delay has increased since 2016. **Overall, MD-N and W riders are twice as likely to have experienced a freight delay in 2021 compared to 2016; and MD-W riders are three times as likely to have experienced a freight delay since 2016.**



*Figure 7*

Although the onset of the COVID-19 pandemic resulted in a greater than 95% reduction in daily ridership (at the lowest point in the Spring of 2020) as compared to pre-March 2020 levels, MD-W freight delays reached a five-year high in both 2020 and 2021.<sup>121</sup> MD-N delays fell in 2020 and 2021 proportionally to the reduced number of trains being operated. Figure 8 indicates that, proportionate to overall service, delays on the MD-W and MD-N lines are as bad as ever, and arguably worse.<sup>122</sup>

<sup>119</sup> *Id.*

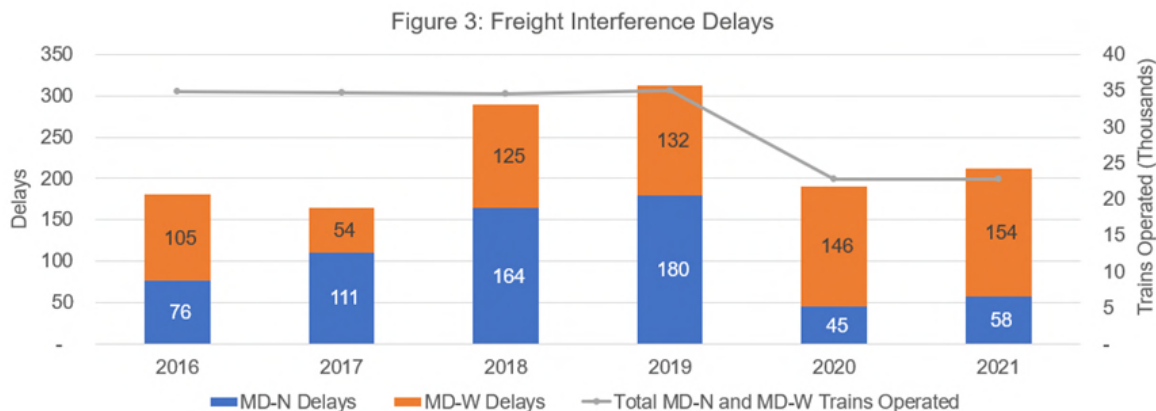
<sup>120</sup> *Id.* As explained *supra* in Section IV.A., on-time performance is a narrow tool that does not adequately capture many types of delays and interference.

<sup>121</sup> Ex. F, V.S. Maertins at 4.

<sup>122</sup> *Id.* at 4-5.



Despite fewer trains being operated compared to pre-COVID levels from March 2020 to the present, MD-W freight delays reached five-year highs in both 2020 and 2021. MD-N delays fell in 2020 and 2021 proportionally to the reduced number of trains being operated.



**Figure 8**

More than 87,000 riders experienced a freight interference delay on the MD-N and MD-W in 2019.<sup>123</sup> Despite COVID-era ridership being much lower than pre-2020 levels, more than 16,000 riders in 2020 experienced a freight delay on the MD-N or MD-W lines in 2020.<sup>124</sup> In 2021, while ridership went even lower due to COVID-19, passengers experiencing a freight delay increased to 18,000.<sup>125</sup> These numbers represent only passengers on a train that experienced a “reportable” delay (greater than five minutes and 59 seconds, or 15 minutes and 59 seconds for construction schedules). Figure 9 below represents the trends in passenger experienced delays on MD-N and MD-W from 2016 through 2021.<sup>126</sup>

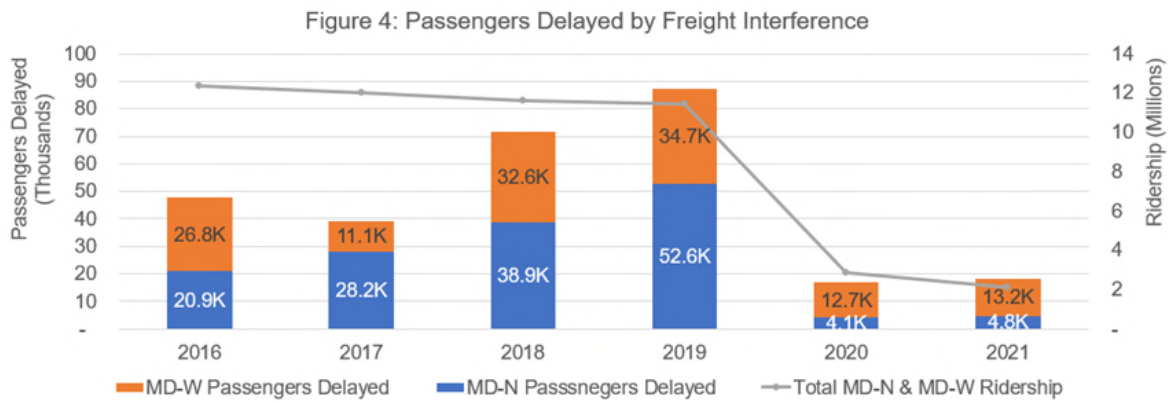
<sup>123</sup> *Id.* at 4.

<sup>124</sup> *Id.*

<sup>125</sup> *Id.*

<sup>126</sup> *Id.* at 4-5.

More than 87,000 riders experienced a freight interference delay on the MD-N and W in 2019. Despite COVID-era ridership being much lower than pre-2020 levels, more than 15,000 riders experienced a freight delay on the MD-N and MD-W lines in 2020. These numbers represent only passengers on a train that experienced a reportable delay (greater than five minutes).



**Figure 9**

To provide a snapshot, in February 2020, just before the full impact of the COVID-19 pandemic, Metra's MD-W Line experienced 22 freight-related delays on 11 different days, during both peak and off-peak times, resulting in an average of 40 minutes delay each day in which delays occurred, and as much as two hours in a single day.<sup>127</sup> Causes for the delays included stopped or slowed freight trains on Metra's mainline track, including crew changes on mainline track near CP's busy Bensenville Yard.<sup>128</sup> Metra riders encounter delays for these causes all too frequently, confirming CP's practice of placing safety and reliability of Metra's service far down on its list of priorities.

Other data reveal that COVID has not changed the consistent interference Metra experiences due to CP's dispatching and operations on Metra's lines. Metra data collected between February 2020 and October 2021 reveal hundreds of delays, with an average of 16 individual delay events each month and 6.5 peak delay events each month.<sup>129</sup> MD-W

<sup>127</sup> See Ex. C-1, Spreadsheet of 2020-2021 CP delays at 2.

<sup>128</sup> Ex. B, V.S. Oppenheim at 11; Ex. E, V.S. Godfrey at 5.

<sup>129</sup> Ex. D, V.S. Rodriguez at 2; Ex. D-1, Spreadsheet of 2020-2021 CP delays, at 1.

specifically experienced at least one delay an average of 8 days each month, or roughly twice weekly.<sup>130</sup> This pattern of interference is inconsistent with CP's obligation to avoid interference with Metra's service and to prioritize Metra's peak period service and in violation of the Trackage Agreement. Metra can anticipate this issue being exacerbated, particularly in the manner in which CP dispatches.

Nor has the onset of these proceedings induced any change. As reflected in Metra's e-mail correspondence with CP, Metra has consistently encountered delays up until the filing of these Comments.<sup>131</sup>

#### **4. The sources of CP-caused delays reflect an unwillingness to prioritize Metra's passenger service on Metra's own lines as required by the Trackage Agreement**

Metra's on-time performance has consistently been negatively affected by freight train interference and/or dispatcher actions and error.<sup>132</sup> A steady stream of communications between Metra and CP shows that Metra has notified CP of these issues, with little or no success.<sup>133</sup> While indicating it is receptive to this input,<sup>134</sup> CP's senior leadership ignores Metra's requests and condones interference with Metra's commuter service.<sup>135</sup> Indeed, CP dispatchers have been directed by senior management to move CP trains, regardless of the impact on the network as late as November 2021, after Applicants submitted their Application.<sup>136</sup>

---

<sup>130</sup> *Id.*

<sup>131</sup> See Ex. B-2, Metra Emails 2016-2022.

<sup>132</sup> Ex. B, V.S. Oppenheim at 10-12; Ex. E, V.S. Godfrey at 5.

<sup>133</sup> Ex. B, V.S. Oppenheim at 10. *Specifically, see, e.g.,* Ex. B-2, Metra Emails 2016-2022 at 41 (Email exchange Dec. 29, 2017), 70 (Email exchange Aug. 17, 2018), 79 (Email exchange Aug. 23, 2018), 252 (Email exchange Sept. 9, 2021).

<sup>134</sup> While normally receptive to Metra's comments, CP at times has acted dismissive at the outset. Ex. B, V.S. Oppenheim at 10-11. See Ex. B-2, Metra Emails 2016-2022 at 97 (Email exchange Aug. 7, 2019).

<sup>135</sup> Ex. B, V.S. Oppenheim at 11. See Ex. B-2, Metra Emails 2016-2022 at 73 (Email exchange, Mar. 14, 2018), 68 (Email exchange, Oct. 18, 2018), 131 (Email exchange, Aug. 2, 2019).

<sup>136</sup> Ex. B, V.S. Oppenheim at 11; Ex. B-2, Metra Emails 2016-2022 at 329 (documenting delay reportedly sanctioned by senior CP management on March 6, 2022); Ex. E, V.S. Godfrey at 6.

Documentation of examples of CP's dispatching from 2016 to the present include:

- Operation of trains over 10 thousand feet in length between Bryn Mawr and Shermer that arrive at Tower B17 or Tower A20 without a sufficient time window to allow them to move without interfering with scheduled Metra trains, and without sidings long enough to allow faster Metra trains to pass;<sup>137</sup>
- Lack of planning for routes through the Bensenville Yard that cause entering CP freight trains to stop and block B17 while throwing yard switches;<sup>138</sup>
- CP crew changes, power, marker light changes, or pick up, or set out of cars, or other activities that should be confined to yard tracks on Metra's main tracks;<sup>139</sup>
- Poor operational and dispatching control of freight trains entering and exiting Bensenville that result in use or fouling of Metra mainline;<sup>140</sup>
- Dispatching of CP freight trains between Rondout and Tower A20 in a manner that delays scheduled Metra traffic;<sup>141</sup>
- Failure of CP westbound freight trains to clear tower A20 a minimum of ten minutes ahead of scheduled Metra and Amtrak trains;<sup>142</sup>

---

<sup>137</sup> Ex. B, V.S. Oppenheim at 11. *See, e.g.*, Ex. B-2, Metra Emails 2016-2022 at 67 (documenting delays caused by 11,000+ft trains interfering with Metra trains on Aug. 7, 2019), 97 (same on Dec. 5, 2018), 331 (same on March 6, 2022).

<sup>138</sup> Ex. B, V.S. Oppenheim at 11. *See, e.g.*, Ex. B-2, Metra Emails 2016-2022 at 41 (documenting delay on Dec. 27, 2017), 317 (same on Feb. 22, 2022).

<sup>139</sup> Ex. B, V.S. Oppenheim at 11. *See, e.g.*, Ex. B-2, Metra Emails 2016-2022 at 243 (Email exchange documenting crew change causing interference on Oct. 13, 2021), 318 (same on Dec. 20, 2021), 313 (same on Jan. 13, 2022), 317 (same on Feb. 22, 2022).

<sup>140</sup> Ex. B, V.S. Oppenheim at 11. *See, e.g.*, Ex. B-2, Metra Emails 2016-2022 at 48 (documenting poor operational and dispatching decisions at Bensenville causing Metra delays on Apr. 28, 2017), 317 (same on Feb. 22, 2022).

<sup>141</sup> Ex. B, V.S. Oppenheim at 12.

<sup>142</sup> *Id.* at 12

- Failure of CP eastbound trains to clear Rondout a minimum of fifteen minutes ahead of scheduled Metra and Amtrak trains.<sup>143</sup> In some cases, CP dispatchers have intentionally held Metra trains.<sup>144</sup>

A typical example of CP-caused delays<sup>145</sup> occurred on August 31, 2020, when a CP train stopped on Metra's mainline track to cut off power and make a crew change outside of Bensenville Yard, even though this activity should have been conducted inside the yard to avoid interference with Metra trains. The event resulted in delaying a Metra train 20 minutes.<sup>146</sup> This action recurs often weekly, as shown by emails and Metra's delay records,<sup>147</sup> notwithstanding that for years Metra's staff asked CP to reserve adequate space in the Bensenville Yard, or to make crew changes at other non-mainline track locations, to avoid stopped CP trains on Metra's mainline track.<sup>148</sup>

In another typical example, between 3:05 and 3:25 pm on December 10, 2021, two Metra trains (train nos. 2221 and 2240) were held up for 20 minutes each for a 12,000+ foot CP freight train (train no. 286) waiting to enter the Bensenville Yard, due to another 13,000-foot CP train (train no. 241) arriving at the Bensenville Yard at the same time. Although the Bensenville Terminal Superintendent recognized the likelihood of delays and called CP's dispatching office in Minneapolis to request that one train be held back (train no. 286), he was overruled and the train was lined up to run through and go in the yard, resulting in a 20 minute delay for Metra's

---

<sup>143</sup> *Id.*

<sup>144</sup> *Id.*

<sup>145</sup> The tabulated list of interference recorded by email at Exhibit B-2 and Exhibit B-3 attached to the Verified Statement of Richard Oppenheim provide numerous instances of delays caused by the factors described above and below. As shown by Exhibits B-2 and B-3, These are not isolated incidents.

<sup>146</sup> Ex. E, V.S. Godfrey at 5.

<sup>147</sup> See *supra* n. 139.

<sup>148</sup> See *e.g.*, Ex. B-2, Metra Emails 2016-2022 at 92 (Email exchange Aug. 27, 2018), 147 (Email exchange Nov. 12, 2019).

trains.<sup>149</sup> Excessively long train lengths, i.e. those over 10,000 feet, increase the likelihood of delays because they hang out of the yard and block longer segments of track.<sup>150</sup>

CP's dispatching of Amtrak trains also impacts Metra's operations and its budget. While Metra is the host for the portion of Amtrak's Chicago-Milwaukee Hiawatha Service and its Empire Builder that runs over Metra's line, CP dispatches Amtrak trains over both Metra and CP lines for these services.<sup>151</sup> This is often problematic since Metra is held accountable for Amtrak performance on its tracks, but has no direct control over how the trains operate in relation to CP freight trains.<sup>152</sup> It is not uncommon for CP to dispatch a CP freight train ahead of an Amtrak train far enough ahead to clear CP-owned tracks but not Metra-owned tracks, with the result that CP is credited with handling Amtrak trains on time, but Metra is then charged with causing an Amtrak delay.<sup>153</sup>

**C. CP rejected Metra's proposals to reinstitute and expand passenger service based on an asserted lack of capacity**

CP unilaterally claims all unused capacity on Metra's lines as its own. Nothing in the Trackage Agreement gives CP that right.

In the Trackage Agreement Metra is required to obtain CP's approval for any commuter service changes, *which is not to be unreasonably withheld*. CP has continually maintained that Metra cannot add trains over the lines to service its customers, presumably because there was no capacity. It is now clear that CP breached the Trackage Agreement and that CP unreasonably withheld its approval.

---

<sup>149</sup> Ex. B, V.S. Oppenheim at 12-13.

<sup>150</sup> *Id.*

<sup>151</sup> *Id.* at 24.

<sup>152</sup> *Id.*

<sup>153</sup> *Id.*

In 2019, for example, Metra pursued the addition of 4 non-peak, reverse commuter trains on the MD-N line (C&M Subdivision).<sup>154</sup> As required under the Trackage Agreement, Metra sought CP's consent (which, according to this governing document, CP cannot unreasonably refuse).<sup>155</sup> However, CP refused, although time slots were empty, and CP responded that if Metra wanted to grow its operations on the Metra-owned corridor, Metra had to use public funds to make millions of dollars in corridor improvements.<sup>156</sup> CP further stated "[t]he issue is capacity" and that "[p]rotection of capacity is vital."<sup>157</sup> Thus, CP blocked Chicago-area residents' access to a critical urban transportation service to reach major employment centers in Lake Forest, Illinois. It is essential that Metra be allowed to expand and change its service outside of peak periods to allow for economic growth in the area, such as with the planned service to O'Hare Airport.

Even capacity that was historically Metra's was usurped by CP. In 2019, Metra wanted to *reinstate* four Saturday and two Sunday commuter trains that were eliminated in 2018 due to budgetary issues. Metra sought CP's consent (which cannot be unreasonably withheld) to implement this change.<sup>158</sup> CP refused, stating that there was limited or no capacity on the line, even though these slots were not being used for freight.<sup>159</sup> As a result, Metra was barred from reinstating its previous service, depriving Chicagoans of an effective and efficient transportation option that they previously enjoyed. And yet, CP proposes to add trains on the lines.

---

<sup>154</sup> *Id.* at 16.

<sup>155</sup> *Id.*; Ex. B-5, Metra Letter March 5, 2019 to CP re: Peak Period Trains; Ex. B-7, Metra Letter March 26, 2019 to CP re: Reverse Commute Trains.

<sup>156</sup> Ex. B, V.S. Oppenheim at 16; Ex. B-6, CP Letter March 12, 2019 to Metra re: Reverse Commute Trains; Ex. B-8, CP Letter April 2, 2019 to Metra re: Reverse Commute Trains.

<sup>157</sup> Ex. B, V.S. Oppenheim at 16; Ex. B-7, Metra Letter March 26, 2019 to CP re: Reverse Commute Trains.

<sup>158</sup> Ex. B, V.S. Oppenheim at 16.

<sup>159</sup> Ex. B, V.S. Oppenheim at 15-16.

CP's negotiated "settlement" with Amtrak in this proceeding underscores the manner that CP ignores the needs of commuters in northeast Illinois. That settlement provides for additional Amtrak passenger trains on MD-N, contrary to CP's statements to Metra that there was no capacity for additional passenger service. If there always was capacity, then CP violated the Trackage Rights Agreement with Metra, by falsely claiming capacity did not exist, or, its current unsubstantiated statements (without evidentiary support of RTC modeling) to the STB are equally false.

**D. CP's past practice confirms that it cannot be trusted to allow the Transaction to go forward unless this Board gives Metra more control over the MD-W and MD-N lines.**

**1. CP has refused to conduct RTC modeling to determine increased efficiencies that would benefit operations on Metra's lines.**

RTC is a software modeling program that simulates train operations to and the impact of various operational scenarios based on input data.<sup>160</sup> It is the "industry-standard dispatching model" to evaluate the ability of trains to operate on a particular line or set of lines based on factors such as track alignment, locations of crossings, interlocks, and turnouts.<sup>161</sup> Class I freight railroads and the Board recognize the importance of RTC and similar analysis, which allows for a better understanding of the impacts of a proposed service in the context of a line's present and future traffic volumes and engineering design and conditions."<sup>162</sup>

In 2019, in its discussions with CP for additional service on MD-N, Metra suggested that the parties conduct RTC modeling.<sup>163</sup> CP refused and asserted "[m]odeling is a snapshot in time

<sup>160</sup> See Ex. C, V.S. Crowley and Mulholland at 44-46.

<sup>161</sup> See *Canadian National Ry. Co. and Grand Trunk Corp. – Control – EJ&E West Co.*, FD 35087, slip op. at 41 n.90 (STB served Dec. 24, 2008).

<sup>162</sup> See *Application of the National Passenger R.R. Corp. Under 49 U.S.C. 24308(e) – CSX Transp., Inc., and Norfolk S. Ry. Co.*, FD 36496, slip op. at 4, 7 (STB served Aug. 6, 2021).

<sup>163</sup> Ex. B-8, CP Letter to Metra April 2, 2019 to Metra re: reverse Commute Trains. In addition, and quite astonishingly as discussed in these comments, CP has stated that it did not conduct RTC modeling on the Metra



typically based on past history. It does not capture the dynamics of the business, unpredictable challenges, or the judgment necessary to evaluate capacity,”<sup>164</sup> perhaps knowing that the modeling would conclude that capacity for Metra trains was available. Until CP can demonstrate capacity through RTC modeling, it should not be permitted to allow further trains (apparently at Metra’s financial detriment) on Metra owned tracks.

**2. CP has delayed updating dispatching software to align with dispatching software governing Metra’s other lines, compounding unresponsive dispatching service**

Both Metra’s MD-W and MD-N, which are dispatched by CP, and the rest of Metra’s lines, which are dispatched by Metra, are dispatched using Wabtec Train Management Dispatching Systems (“TMDS”) computer-aided dispatch (“CAD”) systems. This software serves a critical component in Metra’s operation, and is a requisite for implementing federally mandated Positive Train Control (“PTC”) requirements.

In 2021, when upgrading new TMDS CAD software in Metra and CP systems, some Metra installations had to be delayed to accommodate interoperability with CP’s other systems on non-Metra owned lines. Although Metra offered CP the opportunity to update its own software at the same time as Metra, CP declined. Because the software interface changed between updates, some of the same features included in the new update were not available in the older version. This difference resulted in at least one dispute between Metra and CP on the ability of a dispatcher to correct a signal designation that lead to exasperating a delay of Metra trains.<sup>165</sup> The fact that CP’s timetable, rule book, and protocols and decisions regarding software

---

lines as part of its assessment of the potential impacts of the Transaction. *See supra* Section III; Ex. H-4, Applicants’ Joint Response to Metra’s Second Interrogatories at 6.

<sup>164</sup> Ex. B-8, CP Letter April 2, 2019 to Metra re: reverse Commute Trains.

<sup>165</sup> Ex. E, V.S. Godfrey at 6.

updates govern the operation of Metra's service on Metra's lines increases the likelihood of unnecessary disruption to Metra's operations.<sup>166</sup>

**3. CP's unresponsiveness, non-cooperation, and de-prioritization of Metra service create cascading problems that amplify disruptions that could otherwise be minimized**

CP's control over dispatching and poor responsiveness compound problems for Metra.<sup>167</sup>

In one recent example, on a weekday morning on December 9, 2021, Metra's inbound commuter peak period service suffered major disruptions due to failure primarily of CP dispatching systems. Problems began when a track circuit that went out on one of Metra's main tracks, which caused red signals for that segment of the line and closed crossing gates for several blocks. Because the initial report regarding the gates came from a private citizen, the receiving CP dispatcher issued a directive requiring train crew members to manually flag two busy crossings.

When Metra's Director of Operations for the Metra CUS District Rich Oppenheim called the MD-N line (C&M Subdivision) dispatcher via the hot line to address the problem, the hot line phone rang for 20 minutes before he hung up without an answer.<sup>168</sup> After Metra's signal maintainer arrived on the scene and confirmed that the problem was a false activation that did not require manual flagging of the crossings, the signal maintainer contacted the CP dispatcher to change the directive. CP's dispatcher refused, stating that the "system would not allow it,"<sup>169</sup> contrary to the established standard protocol.<sup>170</sup> As a result, six Metra trains were delayed between 10 and 24 minutes at the peak of morning commute time. CP's refusal increased the

---

<sup>166</sup> *Id.*

<sup>167</sup> *See, e.g.*, Ex. B, V.S. Oppenheim at 17-18; Ex. B-3, Table Summary of Emails on Sept. 9, 2020, Dec. 9, 2021, Dec. 10, 2021, Dec. 17, 2021).

<sup>168</sup> Ex. B, V.S. Oppenheim at 17; Ex. B-2, Metra Emails 2016-2022 at, 252 (Email Dec. 9, 2021).

<sup>169</sup> Ex. B, V.S. Oppenheim at 17; Ex. B-2, Metra Emails 2016-2022 at 252 (Email Dec. 9, 2021).

<sup>170</sup> Ex. E, V.S. Godfrey at 5.

delays to Metra's stuck trains by 10 to 15 minutes, even though CP and Metra previously established a protocol for these types of signal issues that should have resolved the problem in under five minutes.<sup>171</sup>

Subsequent investigation revealed that CP's operational decision-making around software updates contributed to the problem. The software used by CP's dispatchers outside of Metra's lines had not been updated as those dispatching Metra's had, which would have allowed for easier switching of directives. At the time of software update of Metra line dispatching, CP had intentionally refused to update the rest of its system, resulting in difference in dispatcher software functionality between Metra lines and other CP lines.<sup>172</sup>

In the above example, Metra's lack of control over dispatching, the unresponsiveness of CP dispatchers, and CP's unwillingness to implement software changes that would benefit operational efficiencies all contributed to turning what would have likely been a minimal delay into a significant one in the middle of peak commuting time.

**E. CP does not pay its fair share of capital projects to address capacity and operational issues**

When CP rejected Metra's requests to add several trains for a reverse commute in 2019 on the MD-N line (C&M Subdivision), CP suggested that Metra's only option would be to "seek[] the capital necessary to add additional capacity", even though there was capacity on the line, as evidenced by the Application.

Now CP seeks an expansion in service on lines it has said are capacity constrained. Under the Trackage Agreement as amended, CP must pay for capital improvements that it solely

---

<sup>171</sup> Ex. E, V.S. Godfrey at 3.

<sup>172</sup> Ex. B-2, Metra Emails 2016-2022 at 252 (Email Dec. 9, 2021).

benefits from.<sup>173</sup> If CP now unilaterally appropriates capacity on Metra's lines made available through Metra's investments in these lines, CP should compensate Metra for all capital improvements if the Board approves the Transaction.

CP pays a small percentage of the cost of capital improvements for the lines—approximately 21% over the past ten years<sup>174</sup>—and CP's overall contributions to maintaining and improving Metra's lines represents a smaller proportion of the costs that Metra covers for these lines.<sup>175</sup> While CP's underpayment is not itself a consequence of the Transaction, it is a factor in assessing the financial sustainability of introducing new traffic on these lines without addressing baseline maintenance impacts or accurately accounting for actual capacity available. Indeed, the "ample" capacity on Metra's lines described by Applicants in their Application<sup>176</sup> is funded largely by Metra's investment in them and is not solely CP's to use for the purposes of the proposed Transaction, either under the Trackage Agreement or equitably based on ownership or investment in the lines.

**V. IN LIGHT OF EXISTING CONDITIONS, THE APPLICATION CANNOT BE APPROVED ABSENT CONDITIONS THAT WILL ADDRESS THE SIGNIFICANT ADDITIONAL INTERFERENCE WITH METRA'S COMMUTER RAIL SERVICE THAT WILL OCCUR FOLLOWING IMPLEMENTATION OF THE TRANSACTION**

**A. Applicants' methods for assessing existing and projected rail line and yard capacity are grossly inadequate**

Applicants claim that the Chicago-Elgin Subdivision has ample capacity to handle additional freight traffic without impairing Metra's operations is based on calculations of the

---

<sup>173</sup> Ex. A, V.S. Gentil at 3; Ex. A-3, Metra-CP 1993 Supplemental, Art. 6 (amending Section 7.2).

<sup>174</sup> Ex. G, V.S. Stepp at 2-3.

<sup>175</sup> Ex. G, V.S. Stepp at 2-3; Ex. A, V.S. Gentil at 3.

<sup>176</sup> Appl. 2-322, Ex. 13, Operating Plan at 66 (Redacted Version).

estimated sustainable capacity on the line without conducting RTC or other modeling on the Metra lines to test the accuracy of this projections.<sup>177</sup>

To do so, Applicants used “MultiRail” to develop its railcar blocking and train operating plans. After developing the operating plan, Applicants used a mathematical capacity analysis framework to determine where capacity expansion projects will be required to accommodate the projected increase in traffic. The capacity analyses and operating plan details supplied by Applicants are insufficient to demonstrate that the proposed merger will have no impact on Metra’s service.

### **1. MultiRail-based Operating Plans Must Be Evaluated through Modeling**

Rather than using RTC modeling, Applicants explain in their Operating Plan that “MultiRail was used as the primary tool to design efficient blocking and train service for an integrated Applicants system” and describes MultiRail as “a standard software application for railway operating plan development with a long history of intensive use at CP and other railroads.”<sup>178</sup> However, MultiRail is used most often and most effectively as a scoping tool, not a modeling tool.<sup>179</sup> For example, MultiRail is not by itself able to confirm the ability of a yard to process the train service plan it develops.<sup>180</sup> Significantly, it does not fill the role that RTC modeling plays in determining capacity, as the STB has itself expressly stated.<sup>181</sup> Detailed review comparing CP’s Application of MultiRail to actual train data, which Metra’s expert

---

<sup>177</sup> See Ex. H-4, Applicants’ Joint Response to Metra’s Second Interrogatories at 6 (“CP has not conducted any RTC modeling, or engaged a third party to review or conduct any train modeling and/or RTC modeling on the Applicable Routes since January 1, 2017.”).

<sup>178</sup> See, Appl. 2-280, Ex. 13, Operating Plan at 24 (Redacted Version).

<sup>179</sup> See Ex. C, V.S. Crowley and Mulholland at 36-37. See also UP Petition to Reject, UP-4 at 11-12.

<sup>180</sup> Ex. C, V.S. Crowley and Mulholland at 36.

<sup>181</sup> See *E. I. DuPont de Nemours and Company v. Norfolk Southern Railway Company*, NOR 42125, slip op. at 41 (STB served Mar. 24, 2014) (“[MultiRail] does not replace the Board’s traditional RTC simulation that must still be run to confirm the feasibility of the operating plan developed.”). See also *SunBelt Chlor Alkali Partnership v. Norfolk Southern Railway Company*, FD 42130, slip op. at 17 (STB served June 20, 2014).

consultants conducted using RTC modeling, reveals that the MultiRail conclusions results in significant oversights that undermine the overall analysis and severely underestimate traffic and congestion.<sup>182</sup>

## **2. The Spreadsheet-Based Capacity Modeling Calculations Applicants Used Are Inadequate**

The other tool that Applicants rely on to model subdivision capacity was a simple mathematical formula, which is far less precise and far less informative than RTC. Applicants explain that they based their mathematical formula on the estimated time it takes for two (2) trains moving in opposite directions to traverse the longest segment between sidings on the subdivision.<sup>183</sup> This calculation includes generalized estimates on “sustainable capacity” for which Applicants provide no support.<sup>184</sup> Applicants inaccurately assert that their modeling of capacity using this strictly mathematical approach allows them “sufficient flexibility to manage engineering work blocks, unplanned outages and other impacts that can create surges in traffic and congestion in each subdivision.”<sup>185</sup>

Applicants’ assessment is inadequate and inaccurate. Based on Applicants’ workpapers, Applicants’ capacity analysis of the Elgin Subdivision did not consider Metra’s priority use of Metra’s line segments during commuter Peak Periods as defined in the Trackage Agreement.<sup>186</sup>

Further, Applicants’ claim that the MD-W line has ample capacity to handle additional freight traffic without impairing Metra’s operations is based on the purely mathematical calculation of the estimated sustainable capacity on the line. The STB long ago rejected using purely mathematical calculations to determine track capacity and operating requirements and

---

<sup>182</sup> See Ex. C, V.S. Crowley and Mulholland at 44.

<sup>183</sup> See Appl. 2-340, Ex. 13, Operating Plan at 84 (Redacted Version).

<sup>184</sup> See Ex. C, V.S. Crowley and Mulholland at 39-41.

<sup>185</sup> See Appl. 2-340, Ex. 13, Operating Plan at 84 (Redacted Version).

<sup>186</sup> See Ex. C, V.S. Crowley and Mulholland at 20.

instead adopted a more sophisticated approach of rail traffic simulation to determine a rail line's capacity, based on RTC and similar programs.<sup>187</sup>

**a) The STB No Longer Relies Upon Simple Mathematical Calculations of Operations**

The STB and railroads no longer rely exclusively on the simple tools that Applicants use to support their Application because doing so can lead to erroneous conclusions due to a lack of specificity within the model, as noted by this Board in past cases.<sup>188</sup>

For example, Applicants' model incorrectly assumes that all trains operating over a line segment will travel at the same speed. In reality, passenger trains operate at different speeds than freight trains on the Elgin Subdivision and some freight trains operate at different speeds than other freight trains.<sup>189</sup> While the CP methodology attempts to differentiate between trains operating on a segment by using more than one observation, it does not require that the train speeds reflect all train types operating over a segment.<sup>190</sup> CP also did not provide support for the train speeds it included in its capacity calculations, even though its own process states all train speed calculations should be noted and included in the capacity model spreadsheet.<sup>191</sup>

Applicants' simple mathematical capacity model assumes average meet factors will be identical for all trains, ignoring many testable factors that affect these estimates, such as train length, train weight, and turnout type and configuration.<sup>192</sup> Its capacity analysis sensitivity did not account for the larger (*e.g.* 13,000-foot) trains that routinely operate over Metra's lines.<sup>193</sup>

---

<sup>187</sup> *Id.* at 40-41.

<sup>188</sup> *See FMC Wyoming Corporation and FMC Corporation v. Union Pacific Railroad Company*, FD 42022, slip op. at 150 (STB served May 12, 2000) ("FMC").

<sup>189</sup> *See Ex. C, V.S. Crowley and Mulholland* at 42.

<sup>190</sup> *See id.*

<sup>191</sup> *See id.*

<sup>192</sup> *See id.*

<sup>193</sup> *See id.* at 43-44.

Overall, Applicants' model is based on such broad inputs and assumptions as to provide nothing but the most basic indication of a line's actual sustainable capacity.

The limitations on the type of analysis that Applicants used is why the STB now relies upon and endorses more sophisticated train simulation models to evaluate rail line capacity,<sup>194</sup> and to understand the impact of railroad mergers.<sup>195</sup>

### **b) Simple Mathematical Models Do Not Capture Capacity on Double and Triple-Track Rail Lines**

Applicants' calculations of rail capacity use a model that is not well-suited to evaluating rail segments with multiple main line tracks. The model is designed to estimate the capacity of single-track rail lines, but the Elgin Subdivision uses double- and triple-tracked lines along its length.<sup>196</sup> Peer-reviewed research demonstrates, using methods like the one Applicants used on double- and triple-track lines can result in output showing more capacity than is actually the case when taking into account other factors such as traffic mix (trains with different speeds, characteristics, and customer requirements), track outages for repairs and maintenance, spacing between block signals and interlockings, and queuing at entrances of terminals and junctions.<sup>197</sup> Applicants did not account for these.

---

<sup>194</sup> See *id.* at 34-36; *Public Service Company of Colorado d/b/a Xcel Energy v. The Burlington Northern and Santa Fe Railway Company*, FD 42057B Mar. 24, 2014). Outside of maximum reasonable rate proceedings before the STB, parties have used the RTC model to test rail line capacity in, *Application of The National Railroad Passenger Corp. Under 49 U.S.C. § 24308(E) – CSX Transportation, Inc. And Norfolk Southern Corporation*, FD 36496, filed March 16, 2021 (“Amtrak Gulf Coast Service”) and *Entergy Arkansas, Inc. & Entergy Services, Inc. v. Union Pacific Railroad Company, Missouri & Northern Arkansas Railroad Company, Inc., & BNSF Railway Company*, NOR 42104 (STB served November 26, 2012).

<sup>195</sup> See, *Canadian National Railway Company and Grand Trunk Corporation – Control – EJ&E West Company*, FD 35087, discussed in Ex. C, V.S. Crowley and Mulholland at 45-46.

<sup>196</sup> V.S. Ex. C, V.S. Crowley and Mulholland at 46.

<sup>197</sup> See *id.* at 47, discussing “Capacity Modeling Guidebook for Shared-Use Passenger and Freight Rail Operations,” NCHRP Report 773, Transportation Research Board, 2014 (“TRB Report”). The TRB undertook the study to provide state departments of transportation with technical guidance to aid in their understanding of the methods host railroads use to calibrate and apply capacity models to determine if adequate capacity exists to support new or increased passenger rail service.



More importantly, the train figures for the Elgin Subdivision included in Applicants' workpapers *do not include dozens of Metra and Amtrak passenger trains*, nor do they account for the full impacts of Bensenville Yard, one of CP's busiest.<sup>198</sup> The presence of significant passenger train volumes in the mix of traffic moving over this line make the capacity issue even more complex, given passenger train's contractual priority and significantly different operating characteristics of all the train types that actually use the line segments being studied. Applicants' omission of these trains from the calculations undercuts the validity of their calculations and underscores Metra's concern that CP's current disregard for its obligations under the current agreement will only be exacerbated following the implementation of the proposed Transaction unless this Board requires CP to adopt the conditions that Metra is proposing.

**c) Applicants Omit Delay Factors and Foreign Railroad Conflicts from Their Capacity Analysis**

Applicants' simple mathematical capacity model calculations are based on the speed at which unimpeded trains move between sidings. This model ignores upstream and downstream events that cause trains to sit idle in yards, sidings and sometimes on mainline tracks.<sup>199</sup> In fact, Applicants make no mention of delays in their capacity analysis, and their capacity model factors out any delays a train may incur while operating over the studied segments. Even more concerning is Applicants' failure to consider the impact of other railroads' operations, both on jointly operated track segments and on downstream, offline track segments owned by foreign carriers, on CP's operations.

The Chicago Terminal is the predominant interchange terminal in North America. In their description of CP's current Chicago operations, Applicants state the following:

---

<sup>198</sup> Ex. C, V.S. Crowley and Mulholland at 48.

<sup>199</sup> *Id.* at 49.

Between 75 and 80 percent of CP carloads passing through Chicago either originate or terminate on another railroad. With the majority of railyards in the region lying to the south of downtown Chicago, much of CP's interchange volumes depart CP's network to connect with yards further south, sharing the same highly trafficked corridors as other Class I carriers.<sup>200</sup>

Nevertheless, Applicants did not ascertain whether connecting railroads can accommodate their proposed increase in traffic, including interline traffic.<sup>201</sup> CP provided train delay data for select subdivisions in response to Metra's requests for production in this proceeding. The CP delay data attributes a significant portion of the train delays that CP incurred over the critical line segments for which it provided data to interference from other carriers' equipment and operations from January 1, 2019 through December 14, 2021.<sup>202</sup>

Applicants presume that the additional volume they plan to add will not impact operations of the carriers with whom they interchange traffic and/or share trackage and will not be impacted by delays on those other carriers' lines. However, as documented in CP's own delay data, the current volume of traffic (both interchange trains and local trains) moving over these critical line segments already causes substantial delay to CP (and Metra). Moreover, although Metra's expert consultants did not have delay data of the connecting carriers to evaluate, the train conflicts recorded in CP's train delay data obviously cause delays on all other systems as well.<sup>203</sup>

In most capacity models, train delay times are normally considered implicitly or explicitly in determining train capacity.<sup>204</sup> In rail simulation models, such as the RTC, train delays are explicitly considered either as a result of the rail simulation as trains encounter other

---

<sup>200</sup> See Appl. 2-269, Ex. 13, Operating Plan at 13 (Redacted Version).

<sup>201</sup> Ex. C, V.S. Crowley and Mulholland at 49.

<sup>202</sup> *Id.* at 50.

<sup>203</sup> *Id.* at 50.

<sup>204</sup> *Id.* at 51.

trains or as direct inputs for such things as maintenance delays or bridge openings.<sup>205</sup> In less sophisticated models, such as Applicants' simple mathematical capacity model, delays can be implicitly accounted for by including delay times in the development of average train speeds or transit times.<sup>206</sup> However, the operating instructions for Applicants' mathematical model explicitly *exclude delay times* in considering line capacity,<sup>207</sup> meaning that delayed trains were omitted from consideration. Thus, this traffic selection explicitly overstates the capacity on the line segment.

**B. The Application fails to explain, in light of Applicants' projections, how the Transaction will not interfere with Metra's commuter rail service**

**1. Applicants have no explanation for why projected increases on Elgin Subdivision/MD-W will not interfere with Metra's MD-W service**

Notwithstanding the above, Applicants' projections indicate up to a 380% increase in freight traffic—in addition to the dozens of existing daily Metra trains—on parts of the Elgin Subdivision.<sup>208</sup> As discussed below, the actual projected daily increase in freight traffic west of Bensenville Yard is far larger than indicated by the numbers cited in the Application because Applicants list traffic changes on the Elgin Subdivision that only apply to one portion east of Bensenville Yard. Metra's service on MD-W already suffers significant delays and interference caused by CP's existing freight service, notwithstanding CP's contractual obligations to avoid interference in dispatching the lines. Thus, an increase in freight traffic will increase delays and interfere with Metra's service, as CP would have learned if it had conducted RTC modeling as Metra has done. Yet Applicants claim that "there is ample capacity" for the daily increase in

---

<sup>205</sup> *Id.*

<sup>206</sup> *Id.*

<sup>207</sup> *Id.*

<sup>208</sup> Appl. 2-313, 2-322, Ex. 13, Operating Plan at 57, 66 (Redacted Version).

freight trains on MD-W.<sup>209</sup> What Applicants ignore is that even with the alleged “low current freight train frequencies” Metra’s operations are frequently interrupted with freight handling.

The Application documents provide no support for CP’s assertions regarding a lack of impact on MD-N. Nor does CP explain why the Transaction will result in no additional traffic on MD-N, when its own analysis provides that there will be additional traffic. Applicants also ignore the implications of MD-N (and MD-W) as an alternative route for the Marquette Subdivision, either before or during improvements to that subdivision, or during times of high traffic or any other operating issues with the line. Those trains that Applicants project for movement on the Marquette Subdivision will likely find their way to Metra’s territory more often than is already the case, at the expense of Metra riders.<sup>210</sup>

## **2. The implications if CP is correct about no impact on Metra’s service**

Assuming *arguendo*, that CP was correct and there was “ample” capacity on MD-W and no impact on MD-N to accommodate the increases that CP anticipates, then CP’s prior refusal to allow Metra to add the trains it requested (1) was dishonest, (2) breached its contractual obligations to Metra by denying Metra the opportunity to expand service and, (3) interfered unnecessarily and unreasonably with Metra’s service. Further, CP states it “will facilitate Amtrak’s’ planned expansion of its passenger rail network, and specifically on MD-N.<sup>211</sup> In fact, Amtrak announced a settlement with CP under which CP will permit additional Amtrak trains on MD-N.<sup>212</sup> This raises a conflict. If there is ample capacity for Amtrak trains now, there was ample capacity for Metra’s trains when Metra submitted its request.

---

<sup>209</sup> *Id.* at 66.

<sup>210</sup> Ex. B, V.S. Oppenheim at 22-23.

<sup>211</sup> Appl. 1-174, V.S. Creel at 19 (Redacted Version).

<sup>212</sup> See Amtrak Medio Center, “Amtrak Pledges Support for CP-KCS Combination,” <https://media.amtrak.com/2022/01/amtrak-pledges-support-for-cp-kcs-combination/> (Jan. 6, 2022).

As Metra will discuss at greater length below, the Application cannot be approved without requiring CP to address ongoing issues and the future aggravation of those issues that the proposed Transaction will cause.

**C. CP's assertions regarding capacity on Metra's lines are based on misstated, incomplete, and incorrect information**

Applicants' assertions that the Transaction will have no impact on Metra's service are based on the inaccurate representation that train volumes on Metra's lines into Chicago are slight, that they are lightly travelled by a couple dozen daily CP trains. In reality, over 100 freight and passenger trains traverse Metra's MD-W and MD-N daily and the volume causes both Metra and CP to incur multiple train delays daily. The pre- and post-merger train counts cited by Applicants represent only a small fraction of the trains that traverse those lines.

**1. Misstated Projections of Line-Haul Train Counts**

Applicants state that "[t]he Transaction is projected to increase freight traffic by 7.1 trains per day on the western 24.2 miles of [the MD-W] line, between Almora and CP's Bensenville Yard."<sup>213</sup> If taken at face value, this increase constitutes a 44% increase in freight traffic on CP's Elgin Subdivision/MD-W.<sup>214</sup> However, the 7.1 daily train statistic is misleading. Although Applicants state that there will be a daily increase of 7.1 freight trains on its Elgin Subdivision from the Transaction, the information in the Application indicates that freight traffic on Metra's MD-W west of Bensenville Yard will actually increase 380%, from 2.9 to 11.1 trains per day. This number is derived from the statement in the Application that an increase from 2.9 to 11.1 trains per day will occur on the subdivision directly west of MD-W. That traffic has

---

<sup>213</sup> See Appl. 2-322, Ex. 13, Operating Plan at 66 (Redacted Version).

<sup>214</sup> See Appl. 2-364, Ex. 13, Operating Plan, App. A.

nowhere else to go or come from except MD-W.<sup>215</sup> The actual 380% increase in traffic on MD-W west of Bensenville Yard is supported by analysis of highly confidential information provided by CP.<sup>216</sup> Even this number excludes projected local and foreign (non-CP) freight trains from the total, which CP omitted from its calculations, thus further undercounting total freight trains that currently do and would operate on the line.<sup>217</sup>

On Metra's MD-N line, Applicants state that there will be no increase in freight trains on the C&M Subdivision, i.e., the southern portion of the Metra-owned MD-N Line. Specifically:

183. Metra operates 18 trains per weekday and nine trains per weekend day in each direction between Rondout and Fox Lake, and 64 trains per weekday and 20 trains per day on weekends between Rondout and Chicago Union Station. The Transaction is not expected to generate additional freight traffic on this segment, and as a result there will be no impact on Metra operations.<sup>218</sup>

While Applicants' Operating Plan narrative does not project additional regularly scheduled line-haul freight trains, i.e., so-called "operating plan trains," on MD-N, its Appendices and supporting workpapers demonstrate that plan to increase freight traffic by 0.9 trains per day, or a 7.5% increase.<sup>219</sup>

## **2. Complete Omission of all Passenger Service and Other Classes of Freight Trains**

Altogether, Applicants' omission of passenger trains and certain classes of freight trains on Metra's lines from their assessment of the impacts of the Transaction result in undercounting

---

<sup>215</sup> See Appl. 2-364, Ex. 13, operating Plan, App. A.; See also *id.* 2-426)

<sup>216</sup> Ex. C, V.S. Crowley and Mulholland at 18-19.

<sup>217</sup> *Id.* at 18.

<sup>218</sup> See Appl. 2-321, 2-322, Ex. 13, Operating Plan at 65-66 (Redacted Version).

<sup>219</sup> See Appl. 2-365, Ex. 13, Operating Plan, Appendix A: Trains per day by Subdivision. See also Ex. C, V.S. Crowley and Mulholland at 19-20.

trains by more than 500%<sup>220</sup> while also not accounting for seasonal or daily variation in traffic that will mean that Metra's lines at times will see even higher counts.

**a) Passenger Trains**

Applicants *completely exclude Metra passenger trains* from the pre-merger and post-merger train counts identified in the Operating Plan workpapers and other materials supporting the proposed Transaction,<sup>221</sup> even though Applicants acknowledge Metra's daily train volumes of 90 trains per day over the MD-W and MD-N lines in the Application narrative.<sup>222</sup> Given that Metra is currently operating a combined 595 trains per week on MD-W and MD-N, Applicants' omission of these trains from their train counts means that they are disregarding a more than 500% difference in total train counts in both pre- and post-merger calculations.<sup>223</sup> Applicants' failure to account for Metra train volumes in describing the impact of the proposed operating plan over Metra's track results in a gross understatement of actual train volumes,<sup>224</sup> and thus a gross understatement of the impacts on Metra's service. Moreover, when Metra returns to its historical (pre-COVID) service frequency from the reduced COVID schedule of trains it is currently operating, its train counts will increase from the current low levels.

As with Metra's trains, Applicants also fail to account for Amtrak trains operating over Metra's and CP's tracks. Applicants' operating plan acknowledges that, "the C&M subdivision accommodates CP's freight operations as well as a total of eight Amtrak train pairs per day."<sup>225</sup> The narrative incorrectly suggests that Applicants are assessing the impact of additional traffic

---

<sup>220</sup> See Ex. C, V.S. Crowley and Mulholland at 24.

<sup>221</sup> Ex. C, V.S. Crowley and Mulholland at 23-24.

<sup>222</sup> See, Appl. 1-172, V.S. Creel at 17 (Redacted Version); and Appl. 2-321, 2-322, Ex. 13, Operating Plan at 65-66 (Redacted Version). Even this passing mention of Metra's trains understates the volumes, because it relies on the reduced COVID schedule implemented in 2020.

<sup>223</sup> *Id.* at 24.

<sup>224</sup> *Id.*

<sup>225</sup> See Appl. 2-268, Ex. 13, Operating Plan at 12 (Redacted Version).

on the lines using an accurate count of trains operating there, but the work papers demonstrate otherwise. *These trains are not included in Applicants' train counts.* Adding these daily eight train pairs (16 trains per day) would themselves increase by more than 50% Applicants' stated pre- and post-train counts.<sup>226</sup>

In addition, Applicants recently struck an agreement with Amtrak to operate additional daily trains in Hiawatha service.<sup>227</sup> This creates several issues. First, Amtrak's operations over Metra's lines are governed by an agreement between Metra and Amtrak, not CP. Second, Applicants have not submitted either a revised operating plan or other information that explains how the new Amtrak trains will impact operations on Metra's MD-N line, or how Applicants will address those impacts to make sure that there is no additional interference with Metra's operations, just as the operating plan includes no discussion of the expanded commuter operations that Metra had previously requested. In fact, neither Applicants nor Amtrak have engaged with Metra at all regarding Amtrak's proposed increase of service on Metra's lines.

#### **b) Local and Other Freight Trains**

In addition, the unit trains included in Applicants' totals are daily averages that smooth out seasonal peaks.<sup>228</sup> Unlike the scheduled merchandise trains, these unit train volumes will not be spread out evenly throughout the year. Rather, they will ebb and flow with seasonal and market-based changes in demand.<sup>229</sup> For example, increased volumes of unit grain trains move after harvest time. As a result, relatively high volume "peak" freight periods for unit train commodities can overwhelm the existing system. Applicants do not address this problem.<sup>230</sup>

---

<sup>226</sup> See Ex. C, V.S. Crowley and Mulholland at 21-22.

<sup>227</sup> See Amtrak-Canadian Pacific Agreement, filed with the Board in FD 36500 on February 2, 2022.

<sup>228</sup> Ex. C, V.S. Crowley and Mulholland at 22.

<sup>229</sup> *Id.*

<sup>230</sup> *Id.*



As discussed above, the workpapers supporting the Application and the nearly three (3) years of train event data provided in response to Metra's requests for production reveals that CP *excluded many classes of freight traffic from the daily train count totals it presented to the STB.* Applicants' estimates of existing and projected train volumes include only regularly scheduled line-haul merchandise trains and unit trains. They do not include local trains, yard trains, work trains, or foreign trains.<sup>231</sup> The CP train event and train route data provided in response to Metra's document requests identify significant numbers of daily yard and local trains operating all over Applicants' system, including on Metra-owned line segments.<sup>232</sup>

With few exceptions, foreign trains do not appear in the provided train counts or the provided train event data.<sup>233</sup> For example, Applicants' Operating Plan states that both NS and UP regularly provide "direct service into Bensenville" via BRC and IHB tracks, respectively.<sup>234</sup> However, the train event data did not include any foreign trains moving over the BRC and IHB connecting tracks onto Metra's MD-W line, i.e., the Elgin Subdivision, into Bensenville.<sup>235</sup>

### **3. Impact of Actual Total Train Volumes on Metra Operations**

Analyzing the total volume moving over Metra's lines rather than the grossly understated line-haul freight train totals presented by Applicants is problematic. As demonstrated by Metra's records<sup>236</sup> and confirmed by CP's train event data by Metra's expert consultants,<sup>237</sup> CP often runs its own trains over Metra-owned lines during designated commuter Peak Periods, during which CP has acknowledged that it is contractually required to prioritize Metra service.

---

<sup>231</sup> *Id.* at 22-24.

<sup>232</sup> *Id.* at 23.

<sup>233</sup> *Id.*

<sup>234</sup> See Appl. 2-270, Ex. 13, Operating Plan at 14 (Redacted Version).

<sup>235</sup> Ex F, V.S. Crowley and Mulholland at 22-23.

<sup>236</sup> See Ex. B, V.S. Oppenheim at 13 and Ex. E, V.S. Godfrey at 5.

<sup>237</sup> See Ex. C, V.S. Crowley and Mulholland at 25.

The continual interference of CP freight trains with Metra Peak Period trains indicates that even with baseline freight train volumes, CP cannot effectively dispatch or operate its service while prioritizing Metra's commuter Peak Periods.<sup>238</sup> Adding multiple CP freight trains to the Metra-owned line segments will increase the likelihood and frequency of freight trains during Metra commuter windows, thereby increasing the likelihood of interference with Metra's core service.

Moreover, Applicants' projections indicate increased interference with Metra's service. Most of the daily trains Applicants plan to add to the Elgin Subdivision, i.e., the Metra-owned MD-W Line, will be routed into/out of CP's Bensenville Yard—one of the busiest yards on CP's system.<sup>239</sup>

Furthermore, many of the line-haul intermodal and merchandise trains that Applicants operate into and out of Bensenville are exceptionally long—regularly over 2 miles long and sometimes over 13,000 feet (2.5 miles).<sup>240</sup> The proposed additions will also be long trains. Yarding long trains at Bensenville is difficult because the trains exceed the length of the receiving tracks, which requires the CP train crews to pull the head end all the way (or nearly all the way) through the yard and break up the trains on arrival. This operation entails throwing a series of yard switches and causes the tail end of arriving trains to hang out and block the mainline track while the train crew performs the required switching, and block Metra's access to stations. Often when this happens, as described in the Verified Statement of Rich Oppenheim and the email communications that are attached to that Verified Statement, Metra's trains are delayed and/or rerouted to the opposite mainline track.

---

<sup>238</sup> *See id.* at 26-27.

<sup>239</sup> *See Id.* at 27.

<sup>240</sup> *See Id.*

However, there are no sidings on the MD-W Line, and few on CP's adjoining Chicago Subdivision that are long enough to hold the daily intermodal and manifest trains that Applicants propose to add. The siding that Applicants propose adding on the Chicago Subdivision, west of the MD-W line will not be long enough to accommodate CP line-haul merchandise trains, which regularly exceed 12,000 feet.<sup>241</sup>

On the C&M Subdivision, i.e., Metra-owned MD-N Line, Applicants project an increase of 0.9 trains per day. As noted above, the Application touts the new network's ability to bypass Chicago, instead making use of the new Upper Midwest North-South Corridor from the Twin Cities to Kansas City. However, traffic congestion on the Marquette Subdivision (where Applicants state that they will add an average of 6.6 daily line-haul freight trains) could reasonably lead to train diversions causing higher train volume on both of Metra's Milwaukee District lines, at least while Applicants implement improvements over many years that are necessary to manage the expected new traffic.<sup>242</sup> Indeed, the Application indicates that (a) the Marquette Subdivision will see significant increases in traffic; (b) the Marquette Subdivision does not currently have adequate capacity to handle this traffic, as indicated by the improvements that Applicants proposed; (c) improvements will take several years to build (assuming they are on time), meaning that traffic might need alternative routing in the meantime; (d) even after improvements are made to the Marquette Subdivision, there may be operational reasons to use an alternative route if available; (e) the Tomah/Watertown/C&M/Elgin/Chicago route could serve as an alternative route.

---

<sup>241</sup> See Ex. C, V.S. Crowley and Mulholland at 27-28.

<sup>242</sup> *Id.* at 28.

CP asserts that the majority of the new traffic between the Twin Cities and KCS will operate via the Marquette Subdivision (Dubuque Line - LaCrosse WI to Savanna IL).<sup>243</sup> However, limitations of the Marquette Subdivision—slow speed, few sidings which are too small to accommodate train lengths currently being operated, and no signals—will mean that this line will quickly reach full capacity for handling the anticipated traffic. Historically, CP has sent overflow via the C&M Subdivision, and then West out to Bensenville for a crew change, and on to Savanna to rejoin the “direct” route. This will add to traffic on MD-W, which CP already projects will see considerable freight traffic increase from the Transaction.

CP’s data, reviewed by Metra’s expert consultants, reveals that CP experiences significant delays, both on Metra’s MD-N and MD-W lines and neighboring CP subdivisions whose operations could be expected to impact Metra’s lines.<sup>244</sup> It is reasonable to expect that the anticipated increases in traffic, underestimated by CP, will detrimentally cause new and serious impacts on Metra’s commuter rail service.

**D. The proposed Transaction that will exacerbate the serious issues CP’s disregard for Metra’s service already creates.**

As described in detail above, Metra owns MD-W and MD-N, and by contract has priority during peak periods. Moreover, that same contract commits CP to not interfere with Metra’s service at all other times. Strangely, the Application speaks of MD-W and MD-N as if CP owns them and permits Metra trains to operate on them.<sup>245</sup> The Application suggests, contrary to both on-the-ground reality and contractual obligations, that commuter rail service operates only in

---

<sup>243</sup> See Appl. 2-322, Operating Plan at 66 (Redacted Version).

<sup>244</sup> Ex. C, V.S. Crowley and Mulholland at 28.

<sup>245</sup> See Appl. 1-172, V.S. Creel at 17 (Redacted Version) (CP being a good partner to passenger service operators “that use our lines”, on “CP’s former Milwaukee Road lines”, and “host” to Amtrak service on Metra’s lines); Appl. 1-267, 1-269, 2-322 (Redacted Version) (stating incorrectly that CP owns 17 miles between Rondout and Fox Lake; stating that applicable agreements “restrict the times of day during which passenger . . . trains may operate”).

“two daily commuter windows.”<sup>246</sup> This reinforces the point Metra has made above that CP has not accounted for, and or does not want the STB to consider or acknowledge existing and future passenger service during non-peak periods.

CP’s assertion of available capacity ignores passenger expectations for operating and expanding service on these lines. The Applicants omit Metra service in the capacity calculations<sup>247</sup> and cite only existing lower COVID-19 era train schedules without indicating that these service levels will change.<sup>248</sup>

While Applicants tout CP’s 94% on-time performance for MD-W and MD-N,<sup>249</sup> which ignores delays at interim stations between the first station and final destination, patterns of interference with Metra’s service detailed above,<sup>250</sup> which is documented in years of e-mails from Metra to CP.<sup>251</sup> Even now, CP continues to assert that it perceives no issues with its dispatching and operation on Metra’s lines.<sup>252</sup>

For instance, CP has asserted in one interrogatory response that it does not make a practice of interfering with Metra’s trains by occupying Metra’s main line tracks or rerouting Metra trains on different tracks contrary to Metra’s documentation.<sup>253</sup> They further state that they “do not anticipate that the Transaction would have any effect on CP’s practice of avoiding interference with Metra’s peak period trains.”<sup>254</sup> Nor does CP anticipate that the Transaction

---

<sup>246</sup> Appl. 2- 268, Ex. 13, Operating Plan at 12 (Redacted Version). *See also id.* at 65.

<sup>247</sup> *See supra*, Section V.C.2.

<sup>248</sup> Appl. 1-172, V.S. Creel at 17 (Redacted Version); Appl. 2-321-322, Ex. 13, Operating Plan at 65-66 (Redacted Version).

<sup>249</sup> Appl. 1-172, V.S. Creel at 17 (Redacted Version).

<sup>250</sup> *See supra*, Section IV.A.

<sup>251</sup> *See* Ex. B, V.S. Oppenheim at 10; Ex. B-2, Metra Emails 2016-2022.

<sup>252</sup> Ex. H-2, Applicants’ Joint Response to Metra’s First Interrogatories, at 9.

<sup>253</sup> *Id.* at 8, 23.

<sup>254</sup> *Id.* at 11.

will affect CP's dispatching of Metra trains.<sup>255</sup> For the reasons stated above, and in light of the increased train traffic, this is unacceptable to Metra customers.

CP further states in interrogatory responses that it disputes that "CP's current operating practices cause unwarranted delays to Metra trains," but "desires to work cooperatively with Metra to optimize operations on the C&M and Elgin Subdivisions, including by considering ideas Metra may have to reduce any delays that Metra's trains experience."<sup>256</sup> CP "encourages" Metra to identify specific instances of scheduled trains being unable to board at Metra's normal operating tracks.<sup>257</sup> Metra has done so repeatedly, for years, as detailed above and in the Verified Statement of Rich Oppenheim, attached to these Comments as **Exhibit B**. The increase in train frequencies and train lengths will exacerbate the situation. CP's denial that no problems exist and will not exist prospectively is belied by the evidence to the contrary.

CP also states in interrogatory responses, attached hereto, that the Transaction "will not constrain Metra's ability to expand commuter service in the Chicago area," and that it "will not constrain Metra's ability to add capacity supporting additional service *through the construction of rail trackage and facilities and the acquisition of real estate*. [Emphasis added.]"<sup>258</sup> CP infers that there is no additional capacity on the lines for Metra unless Metra makes capacity-expanding capital improvements funded by Illinois taxpayers, which is unacceptable and contrary to the public interest.

CP's inaccuracies, the failure to perform RTC modeling to provide an accurate picture of the impact of the proposed Transaction, CP's continuing breaches of contract with Metra even when CP management is under scrutiny in this proceeding, foretell increased issues if the merger

---

<sup>255</sup> *Id.* at 23.

<sup>256</sup> *Id.* at 20-21.

<sup>257</sup> *Id.* at 23.

<sup>258</sup> *Id.* at 24.

is approved. The negative impacts of the Transaction on Metra's service, as set forth in the RTC model, require Applicants to make changes in infrastructure and operations that will, at the very least, prevent the anticipated increases in traffic from making things worse for Metra. Indeed, it seems inevitable that, without changes in CP's operational practices, the added traffic (even using CP's understated estimate) can only result in additional delays and interference with Metra's existing and expected service. Unfortunately, the Application and CP's responses to Metra's discovery requests confirm that unless the Board requires them to do so, Applicants propose to make no such changes.

**VI. LEGAL STANDARDS FOR REVIEWING THE APPLICATION CONFIRM THAT THE BOARD CANNOT APPROVE THE PROPOSED TRANSACTION BECAUSE IT IS NOT CONSISTENT WITH THE PUBLIC INTEREST**

In reviewing a proposed merger of two Class I railroads, the Board is required by statute to determine whether the proposed merger is in the public interest. 49 U.S.C. § 11324(c). To determine whether such a merger is in the public interest, the Board is required by statute to consider “the effect of the proposed transaction on the adequacy of transportation to the public.” 49 U.S.C. § 11324(b)(1).<sup>259</sup> Where, as here, the proposed Transaction will have a serious adverse impact on “the adequacy of transportation to the public,” the Application should be denied. Alternatively, the Board may approve a Transaction if it can impose conditions that will mitigate the adverse impacts of the proposed arrangement. If the Board elects to approve the Application, the conditions Metra seeks here will address the issues Metra has identified.

To determine whether the Application is in the public interest, the Board must perform a balancing test that weighs potential benefits to applicants and the public against the potential

---

<sup>259</sup> The broader consideration of the public interest involved in assessing mergers between at least two Class I railroads sets the standard for the Board's considerations apart from transactions involving smaller Class II and Class III railroads, which focus public interest considerations more squarely on competition for shippers. See *Commuter Rail Div. of the Reg'l Transp. Auth. v. STB*, 608 F.3d 24, 33 (D.C. Cir. 2010).

harm to the public. 49 C.F.R. § 1180.1(c) (2000).<sup>260</sup> The standard includes consideration of “whether the benefits claimed by applicants could be realized by means other than the proposed consolidation that would result in less potential harm to the public.” *Id.* Potential benefits are assessed in part on whether the transaction will lead the consolidated carrier to realize operating efficiencies. 49 C.F.R. § 1180.1(c)(1). Potential harm to the public includes consideration of reduction of competition and harm to essential service. 49 C.F.R. § 1180.1(c)(2). A service is essential if there is a sufficient public need for the service and adequate alternative transportation is not available. *Id.*

Board regulations make clear that commuter rail service like Metra’s is an “essential service.” “The Board must ensure that essential freight, passenger, and commuter rail services are preserved whenever feasible.” 49 C.F.R. § 1180.1(c)(2)(ii) (2020).<sup>261</sup> Further, railroads proposing major or significant transactions must prepare an operation plan that “[i]f commuter or other passenger services are operated over the lines of the applicant carriers, detail[s] any impacts anticipated on such services, including delays which may be occasioned because a line is scheduled to handle increased traffic due to route consolidations.” 49 C.F.R. § 1180.8(a)(2). Such impacts on commuter and other passenger rail service constitutes a factor for consideration in the Board’s analysis of the public interest in approving the Transaction.

---

<sup>260</sup> In *Decision No. 4*, the Board found the Transaction to be subject to the regulations set forth at 49 C.F.R. Subpart A, in effect before July 11, 2001, pursuant to the waiver for transactions involving the Kansas City Southern Railway Company under 49 C.F.R. § 1180.0(b). Unless otherwise indicated, all references to provisions contained in 49 C.F.R. Subpart A cited in these Comments will refer to the pre-2001 regulations.

<sup>261</sup> While this Application is subject to pre-2001 merger transaction regulations, which did not expressly specify that essential service included passenger or commuter service, nothing from the administrative history regarding promulgation of the 2001 regulations indicate that the protection of passenger and commuter rail service was not implicitly included under the previous regulations. *See Major Rail Consolidation Procedures*, EP 582 (Sub-No. 1), slip op. at 26 (STB served June 11, 2001) (“UP asserts that we should limit the essential services designation to freight service, while some of the passenger authorities argue that every existing passenger service should be considered an essential service. Although we agree that it may not be possible to preserve every existing passenger service, we will give careful consideration to passenger service issues in our merger analysis.”).



The Board’s authority to approve merger transactions is exclusive, and any such approval has broad preemptive effect. Pursuant to 49 U.S.C. § 11321(a) “[a] rail carrier, corporation, or person participating in [an] approved or exempted transaction is exempt from the antitrust laws and from all other law, including State and municipal law, as necessary to let that rail carrier, corporation, or person carry out the transaction, hold, maintain, and operate property, and exercise control or franchises acquired through the transaction.”

In this matter, Applicants have not provided RTC modeling to support the Application. Rather, Metra has supplied the modeling that indicates that the Application is severely flawed and citizens in northeast Illinois can anticipate increased train traffic that denigrates public transportation, undermines passenger safety, and delays Metra trains. For this reason, as set forth above, Applicants’ have not satisfied this burden.

The Board is authorized by federal statute to impose conditions governing approval of railroad mergers. 49 U.S.C. § 11324(c). The Board has “extraordinarily broad discretion in deciding whether to impose protective conditions in the context of railroad consolidations.” *Grainbelt Corp. v. STB*, 109 F.3d 794, 798 (D.C. Cir. 1997) (citations and internal quotation marks omitted); see also *Village of Barrington v. STB*, 892 F.3d 252, 269 (7th Cir. 2018). The Board’s selection of conditions is afforded “great deference” by reviewing courts, which will deny a petition for review of the Board’s decision as long as that decision is supported by substantial evidence in the record and was reached by reasoned decision-making. *Village of Barrington*, 892 F.3d at 269.

Conditions will be imposed if a merger produces effects harmful to the public interest that a condition will ameliorate or eliminate. *Canadian Natl. Ry. Co. et al. – Control – Illinois Central Corp. et al.*, FD 33556, slip op. at 21 (STB served May 25, 1999). The principal harms

for which conditions are appropriate include the loss of the ability to provide essential services. *See id.* “A condition must address an effect of the transaction and will generally not be imposed to ameliorate longstanding problems which were not created by the merger.” *Id.* slip op. at 22 (internal quotations and citations omitted). A condition should also be tailored to remedy adverse effects of a transaction and should not be designed simply to put its proponent in a better position than it occupied before the consolidation. *Id.* Pursuant to applicable Board regulations, conditions are normally imposed where essential services are affected and the condition: “(i) is shown to be related to the impact of the consolidation; (ii) is designed to enable shippers to receive adequate service; (iii) would not pose unreasonable operating or other problems for the consolidated carrier; and (iv) would not frustrate the ability of the consolidated carrier to obtain the anticipated public benefits.” 49 C.F.R. § 1180.1(d).

If the Board is inclined to consider the Transaction, it is critical to impose conditions to ameliorate anticipated problems. CP has not been a good partner for public transportation in northeast Illinois. There is an unacceptable number of incidents over the years that demonstrate that its dispatching of trains on Metra’s lines negatively impacts safety and reliability of Metra’s operations. The only RTC modeling of the Transaction demonstrates that the Transaction will cause more congestion, which will subvert the public interest unless the Board acts.

**VII. IF THE BOARD ELECTS TO APPROVE THE PROPOSED TRANSACTION, METRA PROPOSES REMEDIES THAT ARE NECESSARY TO AVOID OR MITIGATE THE REASONABLY FORESEEABLE IMPACT OF THE TRANSACTION ON METRA’S COMMUTER RAIL SERVICE**

Metra has demonstrated that the Transaction is contrary to the public interest. If the merger is considered, the Board should address this impact through the following requested conditions, which will be discussed in further detail below:

<b>Metra’s Requested Conditions</b>
-------------------------------------

<b>1. Operational</b>	a. Require CP to amend its Trackage Agreement with Metra to transfer dispatching control to Metra.
<b>2. Planning</b>	<p>b. Require CP to adopt Metra’s RTC modeling or cooperate in refining RTC modeling for Metra’s lines in order to objectively gauge capacity and assess the impact of future proposals.</p> <p>c. Require Metra and CP to agree to a binding standard and process for Metra schedule changes and new trains based on an accurate and objective capacity assessments (see above).</p>
<b>3. Capital improvements</b>	<p>a. MD-N:</p> <ul style="list-style-type: none"> <li>i. Require construction of a new third mainline track from Rondout to A-20.</li> <li>ii. Require construction of new universal cross-overs at Lake Forest and Glenview.</li> <li>iii. Require construction of new connection at A-20 to allow parallel moves to new extended connecting tracks to allow CP trains to exit Metra mainline tracks before entering UP territory.</li> </ul> <p>b. MD-W, Tower B-12 to B-17:</p> <ul style="list-style-type: none"> <li>i. Require construction of two new mainline tracks.</li> <li>ii. Require construction of new powered cross-overs at Bartlett and Itasca.</li> <li>iii. At Bensenville Yard, require CP to construct receiving tracks equal to the length of incoming trains or equal to the maximum length possible.</li> </ul> <p>c. MD-W Tower A-5 to B-12:</p> <ul style="list-style-type: none"> <li>i. Require construction of two new mainline tracks.</li> <li>ii. Require CP to pay for new southeasterly wye leg at Cragin Junction to direct CP traffic south to BRC without a reverse move.</li> <li>iii. At Galewood Yard, require CP to construct receiving tracks equal to the length of incoming trains or equal to the maximum length possible.</li> </ul> <p>d. MD-W, Tower A 5:</p> <ul style="list-style-type: none"> <li>i. Require reduction in curves to increase speeds from 10 MPH to 25 MPH for moves to the MD-W.</li> <li>ii. Require CP to separate CP and Metra MD-W tracks and construct fly-over from south of A-5 to MD-W dedicated Metra tracks and dedicated freight connection in NW quadrant interlocking to facilitate freight movements to and from MD-N to MD-W without a reverse move.</li> </ul>

<b>4. Financial</b>	<ul style="list-style-type: none"> <li>a. Require CP to appropriately compensate Metra for additional use and wear and tear on Metra’s lines by: <ul style="list-style-type: none"> <li>i. Require CP to pay for the full cost of projects if increases in its traffic volume and frequency, as well as the length of trains, is the reason that the capital project is pursued;</li> <li>ii. Changing CP’s maintenance contribution from flat fee to train counts and gross ton mile; and</li> <li>iii. Changing CP’s rental terms from flat fee to dollar per car mile.</li> </ul> </li> <li>b. Require CP to compensate Metra for avoidable delay/interference events.</li> <li>c. Require CP to indemnify Metra for performance charges imposed by Amtrak where CP’s dispatching of additional trains causes Amtrak delays on Metra’s tracks.</li> <li>d. Require CP to compensate Metra for non-compliance with any condition imposed by the Board.</li> </ul>
<b>5. Oversight</b>	<ul style="list-style-type: none"> <li>a. Impose a 10-year STB oversight condition of CP dispatching practices (if dispatching is not transferred), including requiring agreement between Metra and CP to binding workable dispatching standards that do not interfere with Metra’s service and that prioritize Metra’s peak period service.</li> <li>b. Impose a 10-year STB oversight condition of any other conditions imposed with respect to Metra’s service.</li> </ul>

**1. Order CP to amend the Trackage Agreement to transfer dispatch on the lines to Metra.**

Importantly, the Board must require CP to amend its Trackage Agreement with Metra to transfer dispatching control to Metra.<sup>262</sup> The Board has the authority to act here in the context of a merger of two Class I railroads, and the evidence confirms that CP’s plans will create significant new interference with Metra’s service. Under 49 U.S.C. § 11324(b), the D.C. Circuit recognized that “[i]n such mergers, the Board is expressly required by statute to ‘consider,’ inter

<sup>262</sup> The Board’s previous denial of a similar request by Metra does not control the outcome here. In a case involving the merger of Class II railroads, the Board confirmed that it could only impose conditions that addressed competitive impacts of the proposed transaction. *Canadian Pac. Ry. Co. et al. - Control - Dakota, Minn. and E. R.R. Corp. et al.*, D 35081, slip op. at 15 (STB served Sept. 30, 2008), *pet. for review denied, Commuter Rail Div., Reg’l Trans. Auth. v. STB*, 608 F.3d 24 (D.C. Cir. 2010). The situation here is different: the regulations clearly require the Board to assess and address the impacts to commuter carriers. Moreover, the Board’s aspiration in 2008 that the parties could resolve matters by commercial negotiation has proven impossible to accomplish due to CP’s refusal to acknowledge that its approach to Metra’s operations creates a problem and therefore to negotiate a solution. The Board has the authority to act now in this merger of two Class I carriers and must do so to prevent CP from exacerbating the problems it already causes following implementation of the proposed merger.

alia, ‘the effect of the proposed transaction on the adequacy of transportation to the public.’”

*Commuter Rail Div.*, 608 F.3d at 33.

The law with respect to the merger of two Class I railroads imposes a higher standard that requires consideration of the adequacy of transportation to the public. With evidence of years of issues with respect to CP dispatching, the dispatching and operational relationship between Metra and CP can no longer be left to the contractual arrangements between them. Neither CP nor Metra had a seat at the table in negotiating CP’s right to dispatching, and CP’s conduct in recent years combined with the prospective impacts of the proposed Transaction confirm that it is appropriate for the authority to dispatch Metra’s lines be transferred to Metra. There is no other viable means of mitigating the severe impact that this Transaction will have on Metra’s commuter rail service.

Indeed, if Metra seeks to enforce its contractual rights in court and succeeds in obtaining a judicial order for the capacity that belongs to it, such a ruling will impact the viability of the Transaction because CP has assumed it is entitled to the capacity. Alternatively, if the Board authorizes CP’s unilateral appropriation of the excess capacity on Metra’s lines and increases the existing interference with Metra’s service by approving the Application without conditions, the Board will in effect alter the contractual relationship between the parties by preempting Metra’s lawful rights to seek redress of CP’s infringement on Metra’s contractual rights.<sup>263</sup>

The Board has the expertise, the authority, and the opportunity to assess the real impacts of the Transaction and mitigate the harm to Metra. The Board can anticipate and fix the issue now rather than letting Applicants proceed with their plans that will undermine the safety, reliability and efficiency of Metra’s operations, not to mention cause additional interference with

---

<sup>263</sup> 49 U.S.C. § 11321(a)

Metra's service in contravention of CP's contractual duties. The Board should address and remedy these issues while the parties are properly before it in proceedings in which the Board has the specific authority to resolve the issues and protect the public.

## 2. Planning conditions to mitigate impacts

### a) Require CP to adopt Metra's RTC modeling, or cooperate in refining it, for planning purposes

RTC is both the industry standard and the STB's favored method of determining the impacts of projected changes in traffic on line capacity.<sup>264</sup> Yet CP has forgone RTC modeling in this Transaction, replacing it with a method that is totally inadequate for the task.<sup>265</sup>

Consequently, Metra engaged independent expert consultants to model Metra's lines and adjacent CP subdivisions to understand baseline capacity on Metra's lines and anticipate the impacts of increased traffic caused by the Transaction. Thus, the Board should require CP to adopt Metra's modeling before approval of any merger.

While CP has used RTC modeling in the past to understand the impact on its own lines,<sup>266</sup> its approach in these proceedings,<sup>267</sup> as well in previous discussions with Metra,<sup>268</sup> has been to eschew an RTC modeling of Metra's lines. This planning exercise could no doubt be improved by CP's genuine cooperation with these efforts, which Metra would welcome.

---

<sup>264</sup> See *supra*, Section IV.D.1.

<sup>265</sup> See *supra*, Section V.A.

<sup>266</sup> In discovery during these proceedings CP produced RTC modeling simulation data for a number of its subdivisions, including those impacting Metra's lines. See Ex. C, V.S. Crowley and Mulholland at 52.

<sup>267</sup> See CP-39/KCS-26, at 2 n.2 (Filed Feb. 23, 2022) (explaining CP's position that "[t]hrough RTC modeling can be a useful tool in certain contexts, it was neither necessary nor useful in evaluating the capacity of the CPKC network – expended through ongoing and Transaction -related capital improvements – to accommodate freight traffic growth without adverse passenger or other impacts.")

<sup>268</sup> See *supra*, Section IV.D.1.

**b) Require binding process for Metra schedule changes**

Given Metra's right to use capacity on MD-W and MD-N,<sup>269</sup> which it owns, Metra proposes that the Board impose a standard and process for Metra schedule changes and new trains, so as to avoid the impact of the Transaction on these engagements, which are inevitable. Given the fact that any Board approval of the Application will severely impact capacity and the future ability of Metra to expand commuter rail service on its own lines, Metra needs a mechanism for accommodating its own expansion and changes in service. As discussed above, Metra anticipates profound changes in ridership patterns that have been accelerated by the COVID-19 pandemic and will require Metra to adapt or risk not serving the needs of its riders.<sup>270</sup> The current method, in which CP can unilaterally deny any proposed Metra expansion based on generalities regarding unreasonable impact on CP operations will not work in the face of the expected significant increase in traffic projected by the Application. Without a workable means of allocating capacity, the Board's approval of the Transaction will function as a bar on future Metra schedule changes or service expansions and will preempt any attempt to enforce Metra's right to reasonable changes in its service. Establishing a binding mechanism for Metra service changes along with the Transaction is in the public interest.

**3. Capital improvement conditions to mitigate impacts**

Although Metra strongly believes that CP's control of dispatching will be the root of the interference with Metra's service after introduction of increased train volumes caused by the Transaction, there are also some capital improvements that Metra believes could help relieve some of the impacts of the Transaction, if combined with sensible dispatching practices. From an infrastructure standpoint, CP must make the following capacity expansion investments.

---

<sup>269</sup> See *supra*, Section II.C.

<sup>270</sup> See *supra*, Section II.A.

For MD-N, Metra's experience indicates that the segment between Rondout and the junction between MD-N and the UP line connecting MD-N and MD-W, by Tower A-20, will experience a considerable increase in delays due to additional traffic, particularly in cases where CP decides to reroute traffic from the Marquette Subdivision via the Milwaukee District Lines. Because freight trains take up track on this segment, causing Metra's trains to wait, Metra proposes as a condition that CP construct a new third mainline track from Rondout to Tower A-20.

Installing universal crossovers at Lake Forest and Glenview stations will enable additional routing options that will avoid additional delays at these stations where now the track infrastructure limits the mitigation that dispatchers can make avoiding interference between Metra trains and freight trains. Additionally, construction of a new connection at A-20 to allow parallel moves to new extended connecting tracks would allow CP trains to exit Metra's mainline tracks before entering UP territory, reducing delays and interference that regularly occur here.

On MD-W, the segment of track adjacent to the Bensenville Yard between Towers B-12 to the east and B-17 to the west, where UP's line also connects MD-N to MD-W, is already a major source of delays that will significantly increase due to the larger expected increase in CP traffic using Bensenville. While Applicants assert that planned improvements to the Bensenville Yard will alleviate additional congestion issues, their analysis is inadequate to support this position, and the current delays caused along this segment by freight trains struggling to enter or exit the yard, blocking both towers in the process, is a chronic issue for Metra.

Accordingly, Metra proposes that the Board require construction of two new main tracks between Tower B-17 and Tower B-12. Additionally, at both Bensenville Yard on MD-W and Galewood Yard on MD-N, the Board should order CP to construct receiving tracks equal to the



length of incoming trains or equal to the maximum length possible. As freight train lengths continue to grow, the impact of long trains entering and exiting yards will increase. It has become abundantly clear to Metra over recent years that train movement timing and yard lengths that used to be standard no longer apply, and that the new expected traffic will create new delays at these yards unless the yards are upgraded to accommodate the actual train lengths expected.

Additional new powered crossovers at Bartlett and Itasca Stations will avoid additional delays at these stations where now the track infrastructure limits the mitigation that dispatchers can make avoiding interference between Metra trains and freight trains. Metra proposes that the Board require CP to install these crossovers in order to alleviate the significant new traffic expected on MD-W as a result of the Transaction.

On MD-W between Tower A-5 and Tower B-12, the construction of two new mainline tracks will reduce the impact of additional CP trains in this already congested area. Another point that Metra anticipates will create new issues on MD-W, particularly with longer freight trains, is Cragin Junction, where CP traffic moving southwards toward the BRC must now reverse move, taking up track on MD-W. Metra proposes a new southeasterly wye leg at Cragin Junction in order to direct CP traffic south to BRC without a reverse move.

On MD-W at the junction at Tower A5 where MD-N and MD-W join, is already a bottleneck that will cause significant additional delays with projected increases in traffic. Current curves require speeds of 10 mph which, with increased train lengths, will mean longer occupation of Metra's tracks at this point. Accordingly, Metra proposes that the Board require CP to reduce the curves at this point to increase speeds from 10 mph to 25 mph for moves to MD-W. In addition, Metra believes that separating CP and MD-W tracks and constructing a new fly-over from south of A-5 to MD-W dedicated Metra tracks and dedicated freight connections in

the northwest quadrant interlockings would solve bottleneck issues created by the Transaction by facilitating freight movements to and from MD-N to MD-W without a reverse move.

#### **4. Financial conditions to mitigate impacts**

While CP claims “ample capacity” for expansion of freight service on Metra’s lines, Metra is the party that is responsible for maintenance of these lines and pays the lion’s share of capital improvement expenses on the line.<sup>271</sup> CP on the other hand contributes approximately 21% of the total costs of capital improvements to MD-W and MD-N.<sup>272</sup> The anticipated increases in traffic expected under the Transaction will result in not just more trains, but heavier and longer trains that will disproportionately burden the infrastructure of Metra’s lines.<sup>273</sup> It is reasonable to require CP to pay for the costs of this increased traffic, given that it will receive the benefits. While CP may argue that the Board should not interfere with the deal struck between Metra and CP regarding compensation, the fact is that neither CP nor Metra bargained for the initial terms establishing the relationship.<sup>274</sup> Furthermore, this Transaction will introduce considerable increases in freight traffic on Metra’s lines, fundamentally altering the circumstances that exist as well as the assumption that underly the existing financial arrangements between the parties.

To address the impact of the Transaction on Metra’s infrastructure, the Board should require CP to pay for the full costs of projects if increases in its traffic volume, weight, and frequency, as well as the length of trains, is the reason that the capital project is pursued. This

---

<sup>271</sup> See *supra*, Section IV.E.

<sup>272</sup> See *supra*, Section IV.E.

<sup>273</sup> See *supra*, Section III; Ex. B, V.S. Oppenheim at 6.

<sup>274</sup> See *supra*, Section II.C.

may mean waiving the 50% cap that currently exists for CP capital improvement contributions on Metra's lines.<sup>275</sup>

Because capital improvement projects do not account for the full financial impact of the Transaction, the Board should also require CP to compensate Metra for maintenance of the Metra's lines, for which Metra is responsible, by changing CP's maintenance contribution from a flat fee to a fee based on train counts and gross ton miles. Finally, the Board should order a change in CP's rental terms from a flat fee to a dollar per car mile, as is standard in the industry.

In order to mitigate the impacts of the Transaction, the Board should also impose penalties for future interference with Metra's service caused by the additional traffic. The impact of additional freight trains caused by the Transaction could be assessed based on the baseline conditions that Metra documents in these comments.<sup>276</sup> This would create an incentive for CP to respect its existing contractual constraints on Metra's lines and serve the public interest by avoiding even further impacts on the essential service that Metra provides to its riders. While the Board has indicated reticence to impose service performance penalties on freight railroads, it has done so based on the underlying assumption that there are already contractual performance-based incentives and penalties in place.<sup>277</sup> This is not the case here, due to the original deal struck between parties that were not CP and Metra and that had no direct interest in protecting commuter rail service on these lines.<sup>278</sup> Accordingly, this is not an instance where the Board

---

<sup>275</sup> See *supra*, Section II.C.

<sup>276</sup> See *supra*, Section IV.B.

<sup>277</sup> See, *Major Consolidation Procedures*, EP 582 (Sub-No. 1), slip op. at 26 (STB served June 11, 2001).

<sup>278</sup> See *supra*, Section II.C.

should refrain from ensuring some form of protection to essential commuter rail service from the impacts of the Transaction.<sup>279</sup>

Metra should also not be held accountable for additional charges imposed by Amtrak for delays caused by CP dispatching. The Board should require CP to indemnify Metra for additional charges that are caused by the Transaction.

Finally, the Board should impose penalties for CP's non-compliance with any conditions imposed by the Board regarding its impact on Metra's service as a result of the Transaction. Given CP's consistent flouting of its contractual responsibility to avoid interfering with Metra's service,<sup>280</sup> Metra believes it is important that there be real consequences for further infringement on Metra's rights with respect to providing service on its own lines.

#### **5. Continuing STB oversight conditions to mitigate impacts**

Unfortunately, CP has in the past demonstrated a lack of regard for constraints on its operating and dispatching authority for MD-W and MD-N, suggesting that continued oversight by the Board is necessary to successfully implementing any conditions.<sup>281</sup> In order to avoid this from occurring with respect to the expected impacts of this Transaction, Metra proposes that the Board impose a ten year oversight condition to ensure that the Transaction does not significantly interfere with Metra's service. This would include oversight of any conditions that the Board imposes to ensure transfer of dispatching rights, as well as oversight more broadly regarding actual impacts to Metra's service that are demonstrated to arise from the Transaction.

---

<sup>279</sup> See *Major Consolidation Procedures*, slip op. at 26-27 (acknowledging the Board's power to impose appropriate conditions to protect passenger railroads from merger-related harm and indicating that existing contractual provisions may not always be the best way to resolve the sometimes conflicting needs of the parties).

<sup>280</sup> See *supra*, Section IV.B.3, Section IV.D.

<sup>281</sup> See *id.*

In the absence of providing Metra with dispatching control over its own rail lines, the Board must, at a bare minimum, maintain oversight powers to ensure that CP complies with its contractual obligations to avoid interfering with all Metra trains and prioritizing Metra's peak period trains. To accomplish this, the Board should require the parties to adopt clear, binding, and enforceable dispatching standards that reflect and more clearly define the CP's existing dispatching obligations. Any standards should be informed by RTC modeling to ensure protection to Metra's commuter rail service.

Metra specifically requests oversight of CP's dispatching decisions regarding the additional traffic expected on Metra's lines, as Metra anticipates from past experience<sup>282</sup> that dispatching at existing problem spots such as CP's Bensenville Yard will inevitably occur unless this issue is addressed. Oversight conditions are a common and reasonable means for the Board to ensure that Applicants in fact comply with imposed conditions and that the impacts of transactions do not result in unexpected negative impacts.<sup>283</sup>

## **VIII. CONCLUSION**

As demonstrated herein, CP has failed to properly analyze or evaluate the serious impacts that the Transaction will have on Metra's lines and Metra's service, just as it has continually failed over the years to live up to its obligations to operate and dispatch in a manner that avoids interfering with Metra's service. The only conclusion that Metra can come to is that CP believes it can steamroll Metra, and the Board, into accepting its version of reality, in complete disregard for the real and serious implications of its proposals. Metra believes that the Board has a statutory authority to consider these impacts, and the obligation to address these issues in its

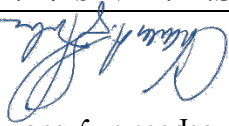
---

<sup>282</sup> *See id.*

<sup>283</sup> *See Major Rail Consolidation Procedures*, slip op. at 10; 49 C.F.R. § 1180.1(g) (2020).

consideration of the public interest when reviewing the Application. The Transaction, as described in the Application, is not consistent with the public interest due to the serious negative impacts it will have on commuter rail service provided by Metra. In view of all of the foregoing and of the Verified Statements and exhibits submitted with these Comments, Metra respectfully submits that the Application must be denied or, if not denied, approved only with the conditions that Metra has described herein.

Respectfully submitted,



Charles A. Spitulnik

Christian L. Alexander

Kaplan Kirsch & Rockwell LLP

1634 I (Eye) Street, Suite 300

Washington, DC 20006

(202) 955-5600

[csputulnik@kaplankirsch.com](mailto:csputulnik@kaplankirsch.com)

[calexander@kaplankirsch.com](mailto:calexander@kaplankirsch.com)

Sue-Ann Rosen

Metra

547 W. Jackson Blvd

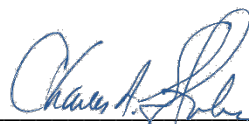
Chicago, IL 60661

[rosen@METRARR.COM](mailto:rosen@METRARR.COM)

Dated: March 15, 2022

**CERTIFICATE OF SERVICE**

I hereby certify that I have on the 15th day of March 2022, caused to be served a copy of the foregoing COMMENTS, upon all parties of record in this proceeding.



---

Charles A. Spitulnik  
Kaplan Kirsch & Rockwell LLP  
1634 I (Eye) Street, NW  
Suite 300  
Washington, DC 20036  
(202) 955-5600  
cspitulnik@kaplankirsch.com

Dated: March 15, 2022

# **EXHIBIT A**

## **Verified Statement of Rocio Gentil**



**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

---

**STB Finance Docket No. 36500**

---

**CANADIAN PACIFIC RAILWAY LIMITED; CANADIAN PACIFIC RAILWAY COMPANY; SOO LINE RAILROAD COMPANY; CENTRAL MAINE & QUEBEC RAILWAY US INC.; DAKOTA, MINNESOTA & EASTERN RAILROAD CORPORATION; AND DELAWARE & HUDSON RAILWAY COMPANY, INC. – CONTROL – KANSAS CITY SOUTHERN, THE KANSAS CITY SOUTHERN RAILWAY COMPANY, GATEWAY EASTERN RAILWAY COMPANY, AND THE TEXAS MEXICAN RAILWAY COMPANY**

---

**VERIFIED STATEMENT OF ROCIO GENTIL**

---

1. I am Rocio Gentil. I am Supervisor of Contracts Administration and have been with Metra for nearly 15 years, the last 10 of which have been in the Contracts Administration Department.
2. In my current role, my responsibilities include administering railroad operating agreements to which Metra is a party.

**Agreements Covering Metra's and CP's Relationship on the Milwaukee District-West  
and Milwaukee District-North Lines**

3. Through my position I am familiar with the history of Metra's acquisition of property interests and operating rights on the Metra Milwaukee District-North ("MD-N") and Milwaukee District-West ("MD-W") railroad corridors, as well as the rights that Canadian Pacific Railway and/or its subsidiaries and affiliates ("CP") have to operate and dispatch these lines.
4. In 1982, Metra's parent entity, the Regional Transportation Authority ("RTA"), entered into a trackage rights agreement, attached as **Exhibit A-1**, with the Trustee ("Milwaukee

- Road Trustee”) for the bankrupt Chicago, Milwaukee, St. Paul and Pacific Railroad (“Milwaukee Road”) granting RTA commuter service rights on the MD-N and MD-W.
5. In 1985, as part of a purchase agreement, the Milwaukee Road Trustee granted the Soo Line Railroad Company (“Soo Line”) a 99-year trackage agreement (“Trackage Agreement”), a copy of which is attached as **Exhibit A-2**, granting freight rail operation and dispatching rights to the Soo Line on what are now MD-N and MD-W. Section 8.2 of the Trackage Agreement requires that rail operations over what are now MD-N and MD-W “shall at all times be in accordance with reasonable safety and operating rules, regulations and operating timetables prescribed by [Soo Line].”
  6. In 1987, Metra’s parent entity, RTA, acquired by condemnation the Milwaukee Road’s Chicagoland commuter territory, including what are now MD-N and MD-W, from the reorganized successor to the Milwaukee Road, the CMC Real Estate Corporation. RTA’s acquisition of the corridor was encumbered by the Trackage Agreement, which continues to govern operation and dispatching of MD-W and MD-N.
  7. In 1993, Metra, as successor in interest to RTA, and the now CP-owned Soo Line entered into a supplemental agreement (“Supplemental Agreement”) to the Trackage Agreement, a copy of which is attached as **Exhibit A-3**. Article 7 of the Supplemental Agreement added Section 8.15 of the Trackage Agreement to provide that “...CP shall not interfere or permit any third party to interfere with peak period trains”, and to also provide that “CP may make *reasonable adjustments* to the operations of traffic on the Joint Line *which do not unreasonably disrupt or delay trains which are not peak period trains*. [Emphasis added.]” Article 7 of the Supplemental Agreement further adds Section 8.16 of the Trackage Agreement to provide that Metra must seek CP’s prior written consent for changes in Metra’s schedule, “*which may not be unreasonably withheld* [by CP]; providing that such change shall not materially interfere with freight operations.

[Emphasis added.]” Finally, Article 6 of the Supplemental Agreement amends Section 7.2 of the Trackage Agreement to provide that with respect to future capital projects “allocation of costs shall be agreed upon; however, in no event shall CP be required to contribute more than fifty percent (50%) of the cost of any Capital Project for the joint benefit of the Parties.”

8. In 2003, Metra and CP entered into an amendment agreement (“Amendment Agreement”) to the Trackage Agreement, a copy of which is attached as **Exhibit A-4**.
9. Per the Trackage Agreement with Metra, CP pays an annual flat fee (the “Fixed Expense”) for use of MD-N and MD-W, which is adjusted annually to match inflation. For the 2021 calendar year, CP paid a total of \$1,658,077 for the use of these lines.
10. Per the Amendment Agreement with Metra, CP pays an annual flat fee (the “Fixed Cap”) for its share of Metra’s operation and maintenance costs of the MD-N and MD-W, which is adjusted annually to match inflation. For the 2021 calendar year, CP paid a total of \$2,364,694 for maintenance and operation of these lines.

I, Rocio, declare under penalty of perjury that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this Verified Statement.

Executed on February 25, 2022.



\_\_\_\_\_  
Rocio Gentil  
Supervisor, Contracts Administration  
Metra

# **EXHIBIT A-1**

## **RTA 1982 Trackage Agreement**



TRACKAGE AGREEMENT

Joint Line Defined.....2  
Grant for Operation.....4  
Connecting Tracks.....7  
Construction of Additional Sidings.....8  
Radio Communications Equipment.....9  
Payment by Authority.....10  
Manner of Payment-Inspection of Records.....19  
Joint Line Capital Expenditures.....23  
Operation & Maintenance of Joint Line.....26  
Examination of Authority Employees.....31  
Switch Keys & Rule Books.....32  
Time Tables.....32  
Compliance with Laws.....33  
Insurance and Casualty.....33  
Claims and Reports.....36  
Security Deposit; Remedies.....37  
Effective Date and Duration.....38  
Abandonment.....39  
Notices.....40  
Section Headings.....41  
Not for Benefit of Third Parties.....41  
Successors and Assigns; Assignment.....41  
Agreement Limitations on Trustee.....42  
Equal Employment Opportunity.....42  
Other Miscellaneous Provisions.....43

TRACKAGE AGREEMENT

THIS AGREEMENT, made and entered into this 16th day of September, 1982, by and between RICHARD B. OGILVIE, TRUSTEE OF THE PROPERTY OF CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY, DEBTOR ("Milwaukee"), and the REGIONAL TRANSPORTATION AUTHORITY, a municipal corporation organized under the provisions of the Regional Transportation Authority Act of the State of Illinois ("Authority").

W I T N E S S E T H:

WHEREAS, Milwaukee owns and operates lines of railroad between Chicago and Fox Lake, Illinois and between Chicago and Almore, Illinois, which lines of railroad are shown on Exhibit A; and

WHEREAS, Milwaukee has discontinued the rail passenger commuter service over such lines; and

WHEREAS, the Authority believes that the continuance of rail passenger commuter service is in the public interest; and

WHEREAS, the Authority is willing to commence operations of the rail passenger commuter service discontinued by the Milwaukee over trackage facilities owned or used by the Milwaukee on the terms and conditions contained herein;

NOW THEREFORE, the parties hereto agree as follows:



## ARTICLE I.

JOINT LINE DEFINED

1.1 The term "Joint Line" refers to the following trackage, as shown in approximation on Exhibit A, and ancillary facilities between Madison Street, Chicago, Illinois (Mile Post 0.2) and Fox Lake, Illinois (Mile Post 49.79) ("North Line") and between Tower A-5 (Mile Post 5.26) and Almora, Illinois (Mile Post 40.26) ("West Line"): (a) the right of way and improvements thereto, including, but not limited to, rails, ties, ballast, switches, turnouts, wyes, crossovers, bridges, culverts, fills, cuts, right of way fences, embankments, tunnels and grade crossings and grade crossing signals; (b) sidings and spurs, except industry spurs; (c) signals and communication facilities; (d) interlocking devices; (e) towers, sheds, buildings and structures; and (f) such other property, equipment and facilities necessary to the provision of Commuter Service on the North line and West Line and used by the Milwaukee in the normal course of providing Commuter Service in the past 3 years. The Joint Line shall not include air rights (except for such air rights as have been necessary to the operation of the Commuter Service in the past 3 years).

1.2 For the purposes of equitably dividing the monthly expenses for billing purposes between the two parties, the Joint Line shall be divided on a zone basis as follows:



a. North Line

Zone 1 (1 main). Between Fox Lake, Illinois (Mile Post 49.79) and Rondout, Illinois (Mile Post 32.25).

Zone 2 (1 and 2 mains). Between Rondout, Illinois (Mile Post 32.25) and Deerfield, Illinois (Mile Post 24.58).

Zone 3 (1 and 2 mains). Between Deerfield, Illinois (Mile Post 24.58) and Tower A-20, Techny, Illinois (Mile Post 20.63).

Zone 4 (1 and 2 mains). Between Tower A-20, Techny, Illinois (Mile Post 20.63) and Tower A-5, Chicago, Illinois (Mile Post 5.85).

Zone 5 (1, 2 and 3 mains). Between Tower A-5, Chicago, Illinois (Mile Post 5.85) and Tower A-2, Chicago, Illinois (Mile Post 3.02).

Zone 6 (1, 2 and 3 mains). Between Tower A-2, Chicago, Illinois (Mile Post 3.02) and Canal Street, Chicago, Illinois (Mile Post 0.57), such mains being jointly owned by Milwaukee and The Consolidated Rail Corporation ("Conrail") under an Agreement dated February 7, 1873, as amended.

Zone 7 (1 and 2 mains). Between Lake Street, Chicago, Illinois (Mile Post 0.55) and Madison Street, Chicago, Illinois (Mile Post 0.20), such mains being jointly owned by Milwaukee and Conrail under an Agreement dated February 7, 1873, as amended.

b. West Line (1 and 2 Mains)

Zone 8. Between Almora, Illinois (Mile Post 40.26) and Elgin, Illinois (Mile Post 36.64).



Zone 9. Between Elgin, Illinois (Mile Post 36.64) and Spaulding, Illinois (Mile Post 32.75).

Zone 10. Between Spaulding, Illinois (Mile Post 32.75) and Tower B-17, Bensenville, Illinois (Mile Post 16.87).

Zone 11. Between Tower B-17, Bensenville, Illinois (Mile Post 16.87) and Tower B-12, Franklin Park, Illinois (Mile Post 12.82).

Zone 12. Between Tower B-12, Franklin Park, Illinois (Mile Post 12.82) and Tower A-5, Chicago, Illinois (Mile Post 5.11).

## ARTICLE II.

### GRANT FOR OPERATION OF AUTHORITY TRAINS

2.1 Milwaukee grants to the Authority the non-exclusive right to use the Joint Line solely for the purpose of operating Commuter Service (as defined in the Transition Agreement between the Milwaukee and the Authority dated August \_\_, 1982) over the Joint Line. The Authority's right to use the Joint Line shall be in common with the Milwaukee and such other railroad company or companies previously or subsequently admitted to the use of any part of the Joint Line; provided that:

(a) The Milwaukee shall not operate, and shall not cause or allow any third party to operate, Commuter Service over the Joint Line; provided, however, nothing in



this Trackage Agreement shall be construed to limit the right of the National Railroad Passenger Corporation, its successors and assigns, to provide intercity rail passenger service over the Joint Line under the provisions of any law or agreement. For purposes of this Agreement, "intercity rail passenger service" means rail passenger service other than commuter and short-haul service in metropolitan and suburban areas, which commuter and short-haul service is usually characterized by reduced fare, multiple-ride and commutation tickets and by morning and evening peak period operations.

(b) Except for (1) FRA track inspections, (2) emergencies and (3) temporary detour usage of less than 30 days in a 12 month period, the Milwaukee shall not admit any third party to the use of any part of the Joint Line ("Third Party Use") if:

- (A) such Third Party Use interferes with the Authority's use of the Joint Line as contemplated by this Agreement, or
- (B) with respect to Joint Line facilities which were paid for in whole or in part by or through the Authority, such Third Party Use may result in deterioration of such facilities in excess of the deterioration which could be expected if such Third Party Use were not allowed, unless (i) with respect to fixed facilities subject to the Fixed Facili-



ties Agreements (as defined in Section 7A of the Transition Agreement), the Authority is compensated in accordance with the provisions of section 7.B.6 of the Transition Agreement, or (ii) the Authority is compensated pursuant to a separate agreement with respect to such Third Party Use.

(c) The Authority shall not permit any third party to use or detour over any portion of the Joint Line or agree to operate on the Joint Line the trains, engines and cars which in the normal course of business would not be considered the trains, engines or cars of the Authority engaged in Commuter Service; provided, however, that the Authority may move Commuter Service trains, engines and cars of other railroads over Zones 5, 6 and 7 of the Joint Line for the purpose of maintenance, repair, rebuilding and storage of cars and engines at the Western Avenue Coach Yard.

2.2 The Authority may ingress and egress to and from the Joint Line at the following connections only: (a) the Western Avenue Coach yard, (b) the Fox Lake yard, (c) Chicago Union Station, (d) the Elgin yard, and (e) any yard or station built at Almore or Spaulding.

2.3 The rights herein granted to the Authority to use the Joint Line are limited solely to the operation of Commuter Service; nothing in this Agreement shall be construed to give the Authority or any third party the right to



operate freight or intercity passenger service trains over the Joint Line.

2.4 If necessary to the safe and efficient operation of the Commuter Service due to an emergency, construction or repair work, the Authority may set out, use or operate trains, engines and cars on non-Joint Line tracks, yards or other facilities as may be designated by and under direction of Milwaukee's train dispatcher. All terms and conditions of this Trackage Agreement shall be applicable to such use or operation by the Authority as though such tracks, yards or other facilities were part of the Joint Line.

### ARTICLE III.

#### CONNECTION TRACKS

3.1 The Milwaukee shall, upon the request of the Authority and at the Authority's sole cost, construct such connecting tracks as may be necessary or useful to the operation of Commuter Service conducted by the Authority; provided that connecting tracks shall not unreasonably interfere with the Milwaukee's operations over the Joint Line. Any such connecting tracks shall be the property of the Authority, but shall, upon the request of the Authority, be maintained, repaired and renewed by the Milwaukee at the Authority's sole expense.



## ARTICLE IV.

CONSTRUCTION OF ADDITIONAL SIDINGS

4.1 As of the date of this Agreement, the sidings which exist on the Joint Line are sufficient to permit safe and efficient operation of the existing level of Commuter Service, intercity passenger service and freight rail traffic over the Joint Line. The Milwaukee shall construct any additional sidings which are made necessary in its judgment by increased levels of traffic over the Joint Line or which are requested by the Authority. The costs of the construction of these additional sidings shall be paid by:

(a) the Authority, if the sidings are made necessary solely due to an increase in the operations of the Authority or are requested by the Authority;

(b) the Milwaukee, if the sidings are made necessary solely due to increases in the operations of the Milwaukee or in the operations of a third party admitted to the use of the Joint Line;

(c) both parties pursuant to a separate agreement allocating such costs if the sidings are made necessary by increases in the operations of both (i) the Authority and (ii) the Milwaukee or any third party admitted to the use of the Joint Line.

4.2 Additional sidings constructed under this Agreement shall be considered personal property and title to an additional siding shall vest in the Milwaukee and the



Authority in proportion to the costs paid by each party for the construction. The additional sidings shall be maintained, repaired and renewed by the Milwaukee but the costs therefor shall be allocated in the proportion to the costs of construction paid by each party.

#### ARTICLE V.

##### RADIO COMMUNICATIONS EQUIPMENT

5.1 As of the date of this Agreement the radio communications equipment on or in the Authority's trains, engines and cars is sufficient for their safe and efficient operation on the Joint Line. The cost of installation and maintenance of additional radio communications equipment on the Authority's trains, engines and cars shall be paid by Milwaukee if the additional radio communications equipment is required by the Milwaukee, or shall be paid by the Authority if the additional radio communications equipment is requested by the Authority or is required by federal, state or local law or regulation.

5.2 The Authority shall, at its sole expense, maintain, repair and replace, as necessary, all radio communications equipment on its trains, engines and cars to permit safe and efficient operation on the Joint Line. The Authority shall comply with the plans and specifications which are reasonably required by the party requiring the purchase, installation and maintenance of such radio communications equipment.



5.3 The radio communications equipment shall become the property of the party paying for such equipment.

ARTICLE VI.

PAYMENT BY AUTHORITY

6.1 The Authority shall pay to the Milwaukee the amounts described in this Article VI. Payment shall be made in accordance with Article VII.

6.2 As used in this Agreement, the following terms shall have the meanings ascribed to them:

(a) Estimated RTA Summary Expense Bill -- the Milwaukee's reasonable and good faith estimate of the Authority's proportionate share of Reimbursable Expenses for a calendar month.

(b) RTA Summary Expense Bill -- the monthly bill submitted by the Milwaukee to the Authority for the Authority's proportion of Reimbursable Expenses for a calendar month, as computed pursuant to Section 6.5.

(c) Property Tax Bill -- the annual bill submitted by the Milwaukee to the Authority for the payment of Authority's proportionate share computed pursuant to Section 6.4 for general real estate taxes with respect to the Joint Line and the property leased to the Authority in the counties of Cook, Lake, DuPage and Kane within the State of Illinois.

(d) Gross Ton Mile Proportion -- the ratio determined by dividing the gross ton miles generated by all



trains, engines, cars and contents (including passengers) by or on behalf of the Authority in each zone of the Joint Line during a calendar month by the total number of gross ton miles generated by all trains, engines, cars and contents (including passengers) by or on behalf of the Milwaukee, the Authority and any third parties in each zone during that month. Deadhead, backup and industry switching movements shall be excluded in determining Gross Ton Miles Proportion except deadhead movements initiated by the Authority after the Commencement Date (as defined in the Transition Agreement) in excess of 51 per week-day shall be used in determining gross ton miles. The number of passengers on each Authority or third party train during a month shall be determined on the basis of an annual joint study of the Authority and the Milwaukee.

(e) Train Count Proportion -- the ratio determined by dividing the number of trains operated by or on behalf of the Authority in each zone of the Joint Line during a calendar month by the total number of all trains operated by or on behalf of the Milwaukee, the Authority and any third parties in each zone during that month. Deadhead, backup and industry switching movements shall be excluded in determining the train count proportion except deadhead movements initiated by the Authority after the Commencement Date in excess of 51 per week-day shall be included.

(f) Reimbursable Expenses -- Reimbursable Expenses means the following expenses incurred by the Milwaukee:



(1) the expenses are incurred during, and attributable to, the Agreement term as recorded in the Milwaukee's accounts;

(2) the expenses are properly chargeable to the zones defined in Section 1.2 of this Agreement;

(3) the expenses are incurred for material, labor, health and welfare benefit, fuel, equipment rentals, payroll taxes (including "head" taxes), sales taxes, use taxes and excise taxes and miscellaneous expenses in maintaining, operating, repairing and renewing the Joint Line.

Reimbursable Expenses shall be accounted for by the accrual method of accounting in the Milwaukee's accounts, consistently applied, in accordance with the Uniform System of Accounts prescribed by 49 CFR Part 1201. Except as required by applicable ICC regulations, changes made by the Milwaukee in its accounting system shall not affect the timing of recognition of Reimbursable Expenses under this Agreement.

6.3 The Authority shall pay the Milwaukee a fixed rental each month during the term of this Agreement as follows:

(a) From the date the Authority commences operations of rail passenger commuter service on the Joint Line through December 31, 1983, the fixed rental shall be \$51,743.31 each month.

(b) Beginning January 1, 1984, the fixed rental described in subparagraph 6.3(a) shall be increased by the percentage increase in the Consumer Price Index ("CPI") for



the City of Chicago of the Bureau of Labor Statistics, U.S. Dept. of Labor, from October, 1982 through November, 1983.

(c) The fixed rental for February, 1984 shall be increased or decreased from the rental for January, 1984 by the percentage increase or decrease in the CPI between November, 1983 and December, 1983. The fixed rental for each succeeding month shall be determined by the same method, that is; the fixed rental shall increase or decrease on the first day of each subsequent month after February, 1984 during the term of the Agreement, by the same percentage as the CPI for the most recently reported month shall have increased or decreased from the CPI used in determining the prior month's fixed rental, provided that the fixed rental shall never be reduced below \$51,743.31 per month. In the event that the CPI as hereinabove defined ceases to exist, then the Milwaukee shall substitute therefor the index replacing the CPI and if none is available, a comparable index based upon changes in the cost of living or purchasing power of the consumer dollar published by an appropriate U.S. governmental agency.

(d) The fixed rental shall be adjusted pro-rata for partial months at the beginning and termination of this Agreement.

6.4 General real estate taxes with respect to the Joint Line and the premises leased to the Authority referred to in the Transition Agreement for Cook, Kane, DuPage and Lake counties shall be based on the total real estate taxes



levied against all property of the Milwaukee located within those counties. These taxes shall be allocated to the Joint Line and the premises leased to the Authority referred to in the Transition Agreement, separately, for each county, on the basis of the ratio of the Joint Line route miles within each county to the total Milwaukee owned route miles within the county. The Authority's proportion of this allocation shall be determined by the ratio of the unit-miles of the locomotives, cars and cabooses operated by or on behalf of the Authority over the entire Joint Line during a calendar year to the unit-miles of all locomotives, cars and cabooses operated over the entire Joint Line during that year. Each yearly Property Tax Bill shall be initially based on the tax bills for the preceding year for which a definite tax bill is available and movements for the preceding year, and shall be adjusted, based on actual movements and actual tax bills, within 30 days of receipt of the actual tax bills for each year during the term of this Trackage Agreement. The Property Tax Bill for each year shall be submitted by the Milwaukee to the Authority on or after August 1 of the year to which it applies, beginning with the year 1982 (for 1982 taxes), payable by the 15th day of the month after the month of receipt of the bill. The Property Tax Bill shall be prorated for a partial year; such prorations shall be made within 30 days after definite data requiring the proration becomes available.



The Milwaukee shall pay any balances due pursuant to such adjustment or proration within 30 days of an adjustment or proration; the Authority shall pay any balance due pursuant to an adjustment or proration within 30 days after receipt of an invoice from the Milwaukee.

Any special assessments levied against the Joint Line shall be amortized over the useful life of the facility for the construction or improvement of which the special assessment was levied. The amount of such special assessment applicable to each calendar year of this Agreement shall be allocated between the parties, billed, paid, prorated and adjusted on the same basis as general real estate taxes.

6.5 The Authority shall pay its proportion of Reimbursable Expenses as follows:

(a) Maintenance of way and structures expenses incurred for each zone of the Joint Line shall be allocated on a monthly basis between the parties on the Gross Ton Mile Proportion. These expenses are currently accounted for in the Milwaukee's primary accounts reflected in Exhibit B.

(b) Transportation, signal and communication systems expenses and maintenance expenses of non-Milwaukee owned equipment incurred for each zone of the Joint Line shall be allocated on a monthly basis between the parties on a Train Count Proportion. These expenses are currently accounted for in the Milwaukee's primary accounts reflected in Exhibit C.



(c) Expenses for train dispatchers (currently primary account numbers 372, 409 and 532) incurred in operating the Joint Line shall be allocated on a monthly basis by the average of the Train Count Proportions for all zones of the Joint Line.

(d) The Authority's monthly allocated share of labor and fringe benefits expenses (including payroll taxes) determined in accordance with subparagraphs (a) through (c) above shall be increased for administrative overhead and vacation and holidays in accordance with Exhibit D.

(e) Monthly expenses incurred for joint facilities which are part of the Joint Line not solely owned by the Milwaukee, identified in Exhibit E, shall be allocated on a Train Count Proportion in the zone in which each facility is located.

(f) Rental rates for the use on the Joint Line of equipment and vehicles which equipment and vehicles are owned by the Milwaukee or leased to the Milwaukee under a lease with a term of at least 12 months will be charged at the rates prescribed in accordance with the Milwaukee Comptroller's Circular Number 41, in effect at the time incurred (but not in excess of the General Managers' Association of Chicago's (GMA) rates if any for specific equipment).

(g) Monthly expenses for material allocated to the Authority under subparagraphs (a) through (c) above shall be increased by an amount calculated in accordance with Exhibit F.



(h) The expenses referred to in subparagraphs (a) through (e) above are recorded in the Milwaukee's primary accounts prescribed by the Interstate Commerce Commission's Uniform System of Accounts in effect on December 31, 1977 ("old U.S.O.A."). If the Milwaukee changes its accounting system to the Interstate Commerce Commission's Uniform System of Accounts in effect January 1, 1978 ("new U.S.O.A.") the old U.S.O.A. will be converted to the new U.S.O.A. on the basis prescribed in 49 CFR part 1201.

6.6 All amounts to be paid by either party under this Agreement shall bear interest from the date the amount was due in accordance with this Agreement until paid, at a rate equal to the lesser of: (a) the maximum rate permitted by law to be paid by the Authority, or (b) the prime commercial rate in effect at the time the amount was originally due. "Prime commercial rate" means the interest rate publicly announced by the largest commercial banking institution located in Illinois (measured in terms of total assets) for 90 day unsecured borrowings by its most credit worthy commercial customers.

6.7 The Authority shall not be obligated to pay: (a) any part of the Capital Expenditures (as defined in 49 CFR part 1201) of the Milwaukee with respect to the Joint Line, except as otherwise specifically provided in Articles III, IV and VIII hereof; (b) any expenses incurred with respect to additions, betterments, improvements, or maintenance to the Joint Line contributed or paid by any third



party and not required to be repaid by the Milwaukee; (c) expenses with respect to a particular matter to the extent the Milwaukee would recover from the Authority and other sources more than 100% of its expenses; or (d) amounts covering expenses of the Milwaukee for which the Authority has been billed by the Milwaukee pursuant to another provision of this Agreement.

6.8 The Authority shall have no liability for any payments or other obligations arising out of its use of the Joint Line pursuant to this Agreement except as provided in this Article VI or specifically provided in another provision of this Agreement.

6.9 At the end of each calendar year (or for the lesser period from Commencement Date to December 31, 1982 and any lesser period in the event of the termination or expiration of this Agreement (hereinafter "lesser period")), the Milwaukee shall recalculate the Authority's proportion of the charges set forth in section 6.5 on the basis of the Authority's gross ton mile proportion and train count proportion for such calendar year (or lesser period). Such recalculation shall be computed within 45 days after the expiration of such calendar year (or lesser period).

In the event that the Authority's proportion of such charges for such calendar year (or lesser period) exceeds the sum of the Authority's proportion of such charges for each of the individual months during such calendar year (or the individual months during a lesser period), the



Authority shall pay the Milwaukee such difference within 30 days of such recalculation; and in the event that the Authority's proportion of such charges for such calendar year (or lesser period) is less than the sum of the Authority's proportion of such charges computed for each of the individual months during such calendar year (or the individual months during a lesser period), the Milwaukee shall pay the Authority such difference within 30 days of such recalculation or credit the Authority with such amount in the next Estimated RTA Summary Expense Bill.

#### ARTICLE VII.

##### MANNER OF PAYMENT -- INSPECTION OF RECORDS

7.1 The Authority shall pay on the fifteenth day of each month the fixed monthly rent defined in Section 6.3.

7.2 The Authority shall pay the annual Property Tax Bill on or before the 15th day of the month following the month in which it was received.

7.3 On the first day of each calendar month the Milwaukee shall submit to the Authority an Estimated RTA Summary Expense Bill for that month, due within 15 days of receipt. The Milwaukee shall submit to the Authority within 45 days after the end of each calendar month the RTA Summary Expense Bill for that month. If the Estimated RTA Summary Expense Bill exceeds the RTA Summary Expense Bill, the Milwaukee shall credit the Authority with the excess in the



following month's Estimated RTA Summary Expense Bill or pay the excess to the Authority within 15 days. If the Estimated RTA Summary Expense Bill is less than the RTA Summary Expense Bill, the Authority shall pay the difference by the 15th day of the month following the month in which the RTA Summary Expense Bill is received.

7.4 The Authority shall furnish to Milwaukee, within 15 days after the end of each calendar month during the term of this Agreement, a statement showing for that month: (a) the train count for the trains operated by or on behalf of the Authority over each zone of the Joint Line; and (b) the gross ton miles generated by the trains, engines and cars and contents operated by or on behalf of the Authority over each zone of the Joint Line. Deadhead movements in excess of 51 per weekday shall be reported by the Authority for (a) and (b) above. The statement shall be subject to verification and correction by the Milwaukee. If the Authority fails to furnish the statement within the 15 day period, the Milwaukee may submit an RTA Summary Expense bill for that month based on to the Gross Ton Proportion and Train Count Proportion during the preceding 12 month period. That bill shall be adjusted upon receipt of the required statement from the Authority.

7.5 The Authority's portion of the costs of the projects described in sections 3.1, 4.1(a), 4.1(c), 8.4(b) 8.4(c) and 8.4(d), shall be billed as incurred and paid on the 15th day of the month following the month in which the



bill is received, subject to verification of the costs and progress of the work.

7.6 The Authority may deduct from any payments due to Milwaukee under this Agreement any undisputed amounts which are due and payable to Authority from the Milwaukee under this Agreement, the Transition Agreement or the Agreements contemplated by the Transition Agreement. In making such deductions, the Authority shall comply with the following procedure: (a) the Authority shall send a written bill to the Milwaukee itemizing the amounts due and payable to the Authority and the reasons for such charges; (b) the Milwaukee shall have 21 days from receipt of a bill from the Authority to send to the Authority a written Notice of Objection to all or a portion of a bill from the Authority which Notice shall set forth the Milwaukee's objections on a detailed basis; and (c) if the Authority receives no Notice of Objection or a Notice objecting to only a portion of the amounts contained in a bill from the Authority within 21 days after receipt by the Milwaukee of a bill sent by the Authority, then the Authority shall have the right to deduct the amounts set forth in the bill or any portions thereof to which the Milwaukee has not objected from its next payment due to the Milwaukee provided that the Authority shall at the time of making such payment or at the time such payment is due, if no payment is made, notify the Milwaukee of what amounts are being deducted and identify the bill containing such amounts and the items giving rise to such amounts. The



Authority may not deduct or offset from any amount due under this Agreement any amounts due to Authority under any other agreement or arrangement (other than the Transition Agreement or the Agreements contemplated by the Transition Agreement).

7.7 No payment shall be delayed because of an error or dispute in a bill. Errors of less than \$5,000 shall be adjusted in the next Estimated or Summary Expense Bill. Bills containing errors or disputed items in excess of \$5,000 may be reduced by the amount of the disputed item.

7.8 The amounts required to be paid by the Authority shall be paid by check or by wire transfer to the Trustee's account #50-30048 at The First National Bank of Chicago or another account designated by the Milwaukee.

7.9 Except as otherwise provided in this Agreement all payments under this Agreement are due and payable within 30 days of receipt of the bill or invoice.

7.10 Records of each party reasonably relating to payment or allocation of expenses under this Agreement shall be open to inspection during regular business hours. Each party shall provide sufficient office space for these inspections together with reasonable assistance in conducting an inspection. Records shall be closed to audit, and no bills as to which no exception has been taken shall be adjusted, after three (3) years from December 31 of the year of the invoice date.

7.11 The amounts reflected in audit exceptions made by the Authority and overpayments by the Authority to



the Milwaukee which in each case are not resolved within 30 days after furnished or claimed in writing to the Milwaukee shall if resolved in favor of the Authority bear interest at the rate specified in Section 6.6 from the expiration of the 30 day period until paid or credited.

## ARTICLE VIII.

JOINT LINE CAPITAL EXPENDITURES

8.1 The Milwaukee may effect capital projects, including significant maintenance projects, in the Joint Line necessary or desirable for the economical and safe operation of trains, engines or cars over the Joint Line, or which are required by applicable law or regulations.

8.2 A report reflecting such capital projects, including significant maintenance projects, for the Joint Line for the periods April-September and October-March shall be furnished by the Milwaukee to the Authority within 60 days after execution of the Transition Agreement and thereafter on February 1 and August 1 of each year during the Agreement Term. This report shall show in reasonable detail new projects, progress on existing projects, an estimate of the Authority's share of the project costs and estimated completion dates. Except in emergencies the Milwaukee shall give 60 days prior notice to the Authority of substantial changes to previously reported projects and previously unreported new projects which the Milwaukee anticipates will



be commenced prior to the submission of the next semi-annual report.

8.3 The Milwaukee shall not charge to the Authority the costs of a capital project, including a significant maintenance project, for which the Authority is liable to pay in the aggregate in excess of \$15,000 unless the Authority has consented in writing to such project; provided the Milwaukee may upon sixty days notice to the Authority (or upon reasonable notice of less than 60 days where a 60 day notice period is not possible) effect without the consent of the Authority any such project to comply with the directive of a government agency having jurisdiction.

8.4 The costs of capital projects, including significant maintenance projects, shall be paid by:

(a) the Milwaukee, if required solely by the operations of the Milwaukee or of third parties admitted to the use of the Joint Line by the Milwaukee;

(b) the Authority, if required solely by the operations of the Authority and the requirements of Section 8.3 have been met;

(c) both parties, in accordance with the allocation formulas for operating expense contained in Section 6.5 applied to capitalized expenses, for projects required by the operations of both the Authority and the Milwaukee or third parties admitted to the use of the Joint Line by the Milwaukee which projects are accounted for in the Milwaukee's accounts described in Exhibit I, and with respect to which



the Authority's share of the allocated costs shall not exceed \$15,000 for a single project or the Authority has consented pursuant to Section 8.3 above;

(d) both parties pursuant to a separate fixed facilities agreement allocating such costs, if the provisions of subsection (c) are inapplicable and if the project is required by the operations of both the Authority and the Milwaukee or third parties admitted to the use of the Joint Line by the Milwaukee.

8.5 The Milwaukee shall determine whether a capital project, including a significant maintenance project, constructed pursuant to this Section is required by the operations of the Authority, the Milwaukee or a third party.

8.6 The Milwaukee shall effect capital projects, including significant maintenance projects, requested by and at the sole expense of the Authority unless such projects would substantially interfere with the Milwaukee's operations over the Joint Line or the rights of a third party admitted to the use of the Joint Line.

8.7 Capital projects, including significant maintenance projects, effected pursuant to this Section shall be considered personal property and title to such projects shall vest in the Authority and Milwaukee in proportion to the costs paid by each party.



## ARTICLE IX.

OPERATION AND MAINTENANCE OF JOINT LINE

9.1 The Milwaukee shall control and manage the Joint Line and shall direct the movement of all trains, engines, cars and inspection vehicles over the Joint Line. All track, bridge, signal and communication work, materials and track operated machinery and equipment used will be in accordance with the Milwaukee's standards, specifications and procedures, which shall be consistent with industry standards.

9.2 The operation of trains over the Joint Line by or on behalf of the Authority is subject to the direction and control of the Milwaukee, and shall at all times be in accordance with reasonable safety and operating rules, regulations and operating timetables prescribed by the Milwaukee. The management of the Authority's Commuter Service is vested solely in the Authority and Authority's trains, engines and cars shall be operated solely by the Authority's employees or agents and at the Authority's sole expense.

9.3 The Milwaukee shall maintain the Joint Line with its own supervision and labor in accordance with the terms and conditions of this Agreement. The Milwaukee shall maintain the track structure of the Joint Line to the level of FRA Class III in accordance with the applicable standards of the Federal Railroad Administration, or any successor



agency, so as to permit operation of commuter trains at a speed of not less than 60 miles per hour. If the Authority withholds its consent to financial participation in any capital or maintenance project required to maintain the track structure to these standards, the Milwaukee shall be relieved to that extent of its obligation under this Section 9.3. The Milwaukee shall maintain minimum clearances on the Joint Line to tolerances in effect as of the date the Authority commences operations of rail passenger commuter service on the Joint Line.

9.4 A report reflecting significant maintenance projects for the Joint Line for the periods April-September and October-March will be furnished by the Milwaukee to the Authority within 60 days after execution of the Transition Agreement and thereafter on February 1 and August 1 of each year during the term of this Agreement. This report shall show in reasonable detail new projects, progress on existing projects, an estimate of the Authority's share of these projects and estimated completion dates. Except for emergencies, the Milwaukee shall give 60 days prior written notice to the Authority of substantial changes to significant maintenance projects and previously unreported new projects which the Milwaukee anticipates will be commenced prior to the submission of the next semi-annual report.

9.5 If the use of or traffic over the Joint Line is interrupted or delayed at any time, the Milwaukee shall expeditiously restore the line for the passage of trains and



if reasonably feasible under the circumstances, prior to the scheduled departures of the peak period trains (defined in Section 9.8, below) immediately following the disruption or delay. Any train, engine or car derailed or damaged on the Joint Line shall be expeditiously picked up or removed by the Milwaukee or its emergency service contractor. The expenses incurred in picking up and removing derailed or damaged trains and the cost of restoration of the Joint Line resulting from a derailment or accident shall be paid by the party whose train was involved in the derailment or accident and shared equally if the trains of both parties are involved. If a minor derailment on the Joint Line to an Authority train, engine or car occurs which can be promptly corrected solely by rerailers and blocking carried on the derailed train, the Authority may with the permission of the Milwaukee train dispatcher reraill the derailed equipment at its expense.

9.6 If the Milwaukee fails to maintain the Joint Line in accordance with Section 9.4 or fails to restore the Joint Line in accordance with Section 9.5, the Authority may on notice to the Milwaukee, subject to the Milwaukee's reasonable direction and subject to non-interference with the Milwaukee's labor arrangements and practices, correct the defects or restore the Joint Line required to maintain and continue the commuter operations contemplated by and in accordance with the schedules provided for in this Agreement. The reasonable costs incurred by the Authority in making the correction or restoration shall be allocated in



accordance with Article VI and to the extent applicable, Section 9.5, above. The provisions of this section shall not be construed to impose any obligation on the Authority to repair, restore or maintain the Joint Line.

9.7 The Milwaukee shall (a) maintain all joint facility agreements, interlocking agreements and similar arrangements necessary to the operations of the Commuter Service over the Joint Line contemplated by this Agreement; (b) pay and discharge when due and payable all lawful governmental charges or levies imposed with respect to the Joint Line (except to the extent and while the validity thereof is contested by appropriate proceedings or when deferred pursuant to an order of the Reorganization Court having jurisdiction over the Milwaukee); (c) provide for utility services necessary to the operations of Commuter Service over the Joint Line; and (d) take all other action necessary to permit the Joint Line to be used for Commuter Service by the Authority.

9.8 The Milwaukee recognizes the priority of Commuter Service operations on the Joint Line on Monday through Friday, inclusive, with respect to trains which depart from their originating stations during the times and in the zones identified below and maintain timetable schedule (the "peak period trains"):

Elgin to CUS -- eastbound

5:30 a.m. - 8:00 a.m.

4:30 p.m. - 6:30 p.m.

-30-

CUS to Elgin -- westbound

5:30 a.m. - 8:30 a.m.

4:00 p.m. - 6:15 p.m.

Rondout to CUS -- southbound

6:00 a.m. - 7:50 a.m.

4:20 p.m. - 6:00 p.m.

CUS to A-20 -- northbound

6:25 a.m. - 8:45 a.m.

4:15 p.m. - 6:10 p.m.

A-20 to Rondout -- northbound

7:00 a.m. - 8:15 a.m.

4:30 p.m. - 6:20 p.m.

Fox Lake to Rondout -- southbound

5:00 a.m. - 8:30 a.m.

Rondout to Fox Lake -- northbound

4:30 p.m. - 6:45 p.m.

Except as required by an emergency, the Milwaukee shall not interfere or permit any third party to interfere with peak period trains. The Milwaukee shall not object to the Authority's operations of peak period trains on the grounds that those operations unreasonably interfere with the Milwaukee's or third parties' ability to provide efficient freight or intercity passenger service. The Milwaukee may make reasonable adjustments to the operations of traffic on the Joint Line which do not unreasonably disrupt or delay trains which are not peak period trains.

9.9 Except as provided in this section 9.9, the operation of the Commuter Service on the Joint Line shall be



subject to the schedule attached to this Agreement as Exhibit G. The Authority may not change the schedule without the Milwaukee's prior written consent, except that: (a) the Authority may upon 45 days prior written notice, change the schedules during peak period, subject to the intercity passenger service schedule then in effect; (b) during the term of this Agreement, upon 45 days prior written notice the Authority may add not more than eight (8) trains as follows: (i) one morning peak period train in each direction on the West Line; (ii) one evening peak period train in each direction on the West Line; (iii) one morning peak period train in each direction on the North Line; and (iv) one evening peak period train in each direction on the North Line; and (c) at any time upon 10 days prior written notice decrease the number of Commuter Service trains.

#### ARTICLE X.

##### EXAMINATION OF AUTHORITY EMPLOYEES

10.1 All employees of the Authority engaged in or connected with Commuter Service over the Joint Line shall at all times comply with the Milwaukee safety and operating rules operating timetable special instructions and shall be required to pass periodic examinations on the rules and regulations of the Milwaukee.

10.2 An officer of Milwaukee shall conduct examinations every two years on the consolidated code of operating



rules and Milwaukee safety rules of the Authority's principal operating officers. These Authority officers in turn shall test Authority employees. Testing of Authority employees may be audited by the Milwaukee.

10.3 The Authority shall bar from the Joint Line any Authority employee who does not comply with the Milwaukee's safety and operating rules or who fails to pass required examinations. If the Authority fails to bar such employee from the Joint Line, the Milwaukee may bar that Authority employee from the Joint Line.

ARTICLE XI.

SWITCH KEYS AND RULE BOOKS

11.1 The Milwaukee shall supply the employees of the Authority with necessary books of rules and switch keys. The Authority shall deposit with Milwaukee \$3.00 for each book of rules and each switch key supplied. This deposit shall be refunded upon the return of such books of rules or switch keys.

ARTICLE XII.

TIME TABLES

12.1 The expenses, including costs of composition, printing, binding and distribution, incurred by Milwaukee in the issuance of revised operating time tables required by

changes in the operations of the Authority, the Milwaukee or third parties shall be allocated proportionately among the parties whose operations required the change, except that the incremental cost of changes made by the Milwaukee with respect to its freight or intercity passenger service in connection with a revision required by the Authority shall be paid by the Milwaukee.

#### ARTICLE XIII.

##### COMPLIANCE WITH LAWS AND OTHER PUBLIC REGULATIONS

13.1 Each party shall comply with all applicable federal, state and local laws, regulations and rules with respect to the use of and the conduct of its operations over the Joint Line. If a party's non-compliance results in any fine, penalty, cost or charge being imposed or assessed on or against the other party, the non-complying party shall defend on notice from the other party, and shall promptly reimburse and indemnify the other party for or on account of such fine, penalty, cost or charge and all expenses and attorneys' fees incurred in defending, any action which may be brought against the other party on account thereof.

#### ARTICLE XIV.

##### INSURANCE: PROPERTY DAMAGE AND CONSEQUENTIAL DAMAGE WAIVERS: FORCE MAJEURE

14.1 The Authority waives and shall require its insurers to waive all rights of recovery from the Milwaukee



for direct physical loss of all property of the Authority located or occurring on the Joint Line during the term of this Agreement. The Authority shall either (a) require third parties whose property is on the Joint Line by permission of the Authority to waive and their insurers to waive all rights of recovery from the Milwaukee for direct physical loss to all property of such third parties (including luggage) located or occurring on the Joint Line during the term of this Agreement; or (b) indemnify the Milwaukee for such loss paid by the Milwaukee.

14.2 The Milwaukee waives and shall require its insurers to waive all rights of recovery from the Authority for direct physical loss to all property of the Milwaukee (including cargo) located or occurring on the Joint Line during the term of this Agreement. The Milwaukee shall either (a) require third parties whose property is on the Joint Line by permission of the Milwaukee to waive and their insurers to waive all rights of recovery from the Authority for direct physical loss to all property of such third parties (including cargo) located or occurring on the Joint Line during the term of this Agreement; or (b) indemnify the Authority for such loss paid by the Authority.

14.3 Neither the Authority nor the Milwaukee shall be liable to the other or any third party for delays, interruptions or the failure to perform its obligations under this Agreement due to causes beyond their reasonable control, including: acts of God; any act, delay or failure to act on



the part of any governmental authority or agency (other than the Authority); insurrection or riot; fires; strikes; work stoppages; wrecks; major equipment breakdowns; failure or delay beyond the control of the Authority or the Milwaukee in obtaining necessary labor, materials or manufacturing facilities or acts of the other party.

14.4 Neither the Milwaukee nor the Authority shall be liable to the other in contract or in tort (including negligence) under any theory of strict liability, or otherwise, for any special, incidental or consequential loss or damage of any nature arising at any time or from any cause under or related to the performance of this Agreement.

14.5 Except as expressly provided in Sections 14.1 and 14.2 hereof, nothing in this Agreement shall be construed as affecting or impairing any rights of the Milwaukee or the Authority to contribution or indemnity arising out of claims of third parties.

14.6 During the term of this Agreement, the Milwaukee and the Authority shall each provide and maintain in effect with respect to the Joint Line and the respective operations of each on and affecting the Joint Line contemplated by this Agreement minimum insurance coverage as follows:

<u>Type of Coverage</u>	<u>Limits of Liability</u>
Third Party Liability	\$50,000,000 per occurrence
Insurance including FELA coverage	



Deductibles and coinsurance provisions with respect to the above policies shall be determined by and shall be assumed by the party furnishing the policy; provided that the deductible portion with respect to such coverage shall not be greater than \$2,000,000.

14.7 The Authority and the Milwaukee shall give each other notice of any proposed settlement of claims involving joint liability, and the party proposing to enter into a settlement agreement shall make itself reasonably available to meet with the other before entering into such settlement agreement.

#### ARTICLE XV.

##### CLAIMS AND REPORTS

15.1 If a claim is made by a third party against the Milwaukee or the Authority for which the other may be liable, in whole or in part, the party against whom the claim is made shall give prompt notice to the other.

15.2 Initial reports of all injuries to or death of persons and loss or destruction of or damage to property on the Joint Line resulting from occurrences involving either party shall be made by that party and a copy furnished to the other party within twenty four (24) hours of the occurrence.

15.3 All claims involving personal injury or death of an employee or property damage of either party shall be



investigated by the party whose employee is injured or whose property is damaged. If employees or property of both parties are involved, the parties shall agree which one of them shall make the investigation.

ARTICLE XVI.

SECURITY DEPOSIT; DEFAULT; REMEDIES

16.1 The Authority shall, on the Commencement Date of this Agreement, deposit the sum of Five Hundred Thousand Dollars (\$500,000) ("deposit") in a separate escrow account in a bank of the Authority's choice pursuant to the form of escrow agreement attached to this Agreement as Exhibit H. The deposit shall be held for the benefit of and disbursed under the terms of this Agreement. Interest on the \$500,000 shall belong to the Authority and shall not be held for the benefit of or disbursed to Milwaukee; such interest may be withdrawn at any time by the Authority. The unused portion of the deposit (plus interest) shall be returned to the Authority on termination of this Agreement.

16.2 If the Authority fails to make any payment due to the Milwaukee under this Agreement within 90 days of the due date, the Milwaukee may withdraw in accordance with the terms of the Escrow Agreement, the amount due plus any interest on such amount due from the escrow account established under Section 16.1. This withdrawal shall constitute payment of the amount due to the extent of the withdrawal.



16.3 If (a) the principal balance of the escrow account is less than \$500,000 for a period of more than 10 days and (b) payment of outstanding bills owed to the Milwaukee under this Agreement are not made within 30 days of their respective due dates and cannot be satisfied in full from the escrow account, the Milwaukee may terminate its obligations under this Agreement on 10 days written notice to the Authority unless the Authority prior to the expiration of the 10 day period both restores the escrow account principal balance to \$500,000 and satisfies all outstanding amounts owed to the Authority which are overdue by more than 30 days at the end of the 10 day period.

#### ARTICLE XVII.

##### EFFECTIVE DATE AND DURATION

17.1 This Agreement shall become effective on the date established in Section 3 of the Transition Agreement.

17.2 This Agreement shall terminate on December 31, 1984; provided that if the Authority files prior to January 1, 1985 an eminent domain action against the Milwaukee with respect to all or substantially all of the Joint Line, either for the taking of an easement or license for the use of or the taking of the Milwaukee's entire interest, this Agreement shall be extended ("Extended Term") from the period January 1, 1985 through the earlier of (a) the date on which the Authority makes payment for the interest in the



Premises taken in the eminent domain action, or (b) December 31, 1988, subject in each case to the following modifications and conditions:

(a) Prior to January 1, 1985 the Authority shall discharge in full all amounts owed to the Milwaukee under the terms of the Trackage Agreement which have not been paid within 30 days from the invoice date.

(b) If the Reorganization Court has jurisdiction over the Milwaukee at the time an eminent domain action is to be filed which would extend the Trackage Agreement, the Authority shall file that action in the reorganization proceeding, subject to the jurisdiction of the Reorganization Court.

17.3 Upon the termination of this Agreement, the Authority may: (a) remove its rolling stock from the Joint Line; and (b) remove the fixed facilities and equipment, title to which is vested in whole or in part in the Authority, provided that the Milwaukee may, at its option, pay the Authority the value of the Authority's portion of such fixed facilities and equipment determined on the basis of net depreciated cost using a straight line basis.

#### ARTICLE XVIII.

##### ABANDONMENT BY EITHER PARTY OF ITS OPERATION OVER THE JOINT LINE

18.1 The Authority may at any time abandon or discontinue its operation over the Joint Line, and on 60 day



prior written notice may terminate this Agreement as of the date the abandonment or discontinuance becomes effective.

18.2 If the Milwaukee abandons, embargoes or discontinues its common carrier operations over the Joint Line or the Reorganization Court orders the liquidation of the Joint Line, the Milwaukee shall use its best efforts to sell or transfer its interest in the Joint Line for continued use as railroad property.

18.3 The Trustee waives any right to reject or disaffirm this Trackage Agreement and agrees that any sale or transfer of any part of the Joint Line to any purchaser other than the Authority, its successors or affiliates, shall be subject to the rights of the Authority under this Agreement.

#### ARTICLE XIX.

##### NOTICES -- HOW GIVEN

19.1 All requests, notices, demands, authorizations, directions, consents or waivers or other documents required or permitted under this Agreement shall be in writing and shall be delivered in person to, or deposited postage pre-paid in the registered or certified mails of the United States addressed to the Authority at:

Contract Manager  
Regional Transportation Authority  
300 North State Street  
Chicago, Illinois 60610



or to the Milwaukee at:

Trustee  
Chicago, Milwaukee, St. Paul and  
Pacific Railroad Company  
874 Union Station Building  
516 West Jackson Boulevard  
Chicago, Illinois 60606

or at such other address as either party may at any time or  
from time to time designate by notice to the other.

ARTICLE XX.

SECTION HEADINGS

20.1 Section headings are inserted for convenience  
only and shall not affect any construction or interpretation  
of this Agreement.

ARTICLE XXI.

NOT FOR BENEFIT OF THIRD PARTIES

21.1 The provisions of this Agreement, are intended  
for the exclusive benefit of the Milwaukee and the Authority  
and not for the benefit of any third party.

ARTICLE XXII.

SUCCESSORS AND ASSIGNS; ASSIGNMENT

22.1 This Agreement shall be binding upon the  
successors of the parties hereto. The respective rights and

obligations the Authority under this Agreement may not be assigned or delegated without the written consent of the Milwaukee except to the Northeast Illinois Regional Commuter Railroad Corporation.

ARTICLE XXIII.

AGREEMENT LIMITATIONS ON TRUSTEE

23.1 This Agreement is binding on Richard B. Ogilvie, not as an individual, but solely in his capacity as Trustee of the property of Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Debtor.

ARTICLE XXIV.

EQUAL EMPLOYMENT OPPORTUNITY

24.1 It is understood and agreed that the parties hereto are subject to, and that to the extent applicable, will comply with all federal and state laws and regulations relating to equal employment opportunity for all persons without regard to race, color, creed, sex, or national origin, and those federal laws and regulations relating to non-segregated facilities, minority business enterprises, the employment of veterans and handicapped persons, including, without limitations, Executive Order No. 11246, 41 CFR Part 60-1, et seq., 41 CFR Part 1-1.1310-2, 41 CFR Part 60-741 et seq., Executive Order No. 11701, and 41 CFR Part



60-250.1 et seq. and 49 CFR Part 265, and the Illinois Human Rights Act, 1981 Ill. Rev. Stat., Ch. 68, §1-101 et seq.

ARTICLE XXV.

OTHER MISCELLANEOUS PROVISIONS

25.1 No modification, addition or amendment to this Agreement shall be effective unless in writing executed by the authorized officers or agents of each party.

25.2 This Agreement shall be governed by the laws of the State of Illinois.

25.3 The provisions of this Agreement shall be interpreted where possible in a manner necessary to sustain their legality and enforceability. The unenforceability of any provision of this Agreement in a specific situation shall not affect the enforceability of: (a) that provision in another situation; or (b) the other provisions of this Agreement if such other provisions could then continue to conform with the purposes of this Agreement and the terms and requirements of applicable law.

25.4 The Milwaukee warrants and represents that it has not paid and agrees not to pay any bonus, commission, fee or gratuity to any employee or official of the Authority for the purpose of obtaining this Agreement. In addition to the obligations imposed by Section 3 of "An Act to Prevent Fraudulent and Corrupt Practices in the Making or Accepting of Official Appointments and Contracts by Public Officers,"



approved April 9, 1872, as amended (1981 Ill. Rev. Stat. Ch. 102, §3), no officer, director, employee or professional consultant or advisor of or to the Authority shall be admitted by Milwaukee to any financial share of this Agreement or to any financial benefit arising therefrom.

25.5 The failure of the Authority or the Milwaukee to insist upon strict performance by the other of its obligations under this Agreement or the failure or delay in exercising any rights or remedies provided under this Agreement or at law shall not be deemed or construed as a waiver of any claims or rights. No waiver of a breach of any provision of this Agreement shall constitute or be construed as a waiver of any other breach or of that provision.

25.6 All obligations of the Authority which may, from time to time, be incurred by it under provisions of the Regional Transportation Authority Act which authorize secured, unsecured, short term, long term, equipment trust certificate or other borrowing shall be superior to and have priority over any and all obligations of the Authority under this Agreement.

25.7 Nothing in this Agreement shall in any way either authorize the Authority to exercise or preclude the Authority from exercising any of its powers of eminent domain.

25.8 If the Milwaukee or the Authority refuses to perform its obligations under this Agreement in accordance with its terms and that action results in the inability of



either the Milwaukee or the Authority to use the Joint Line substantially on the terms contemplated by this Agreement, the non-defaulting party shall, in addition to the remedies available to it at law, be entitled to specific performance of the affected provisions of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this document to be executed in at least quadruplicate as of the day and year first hereinabove written.

RICHARD B. OGILVIE  
TRUSTEE OF THE PROPERTY OF THE  
CHICAGO, MILWAUKEE, ST. PAUL  
AND PACIFIC RAILROAD COMPANY, DEBTOR

WITNESS

Carlisle C. Dine

Richard B. Ogilvie

ATTEST:

REGIONAL TRANSPORTATION  
AUTHORITY

Edmund J. Wolyn  
SECRETARY

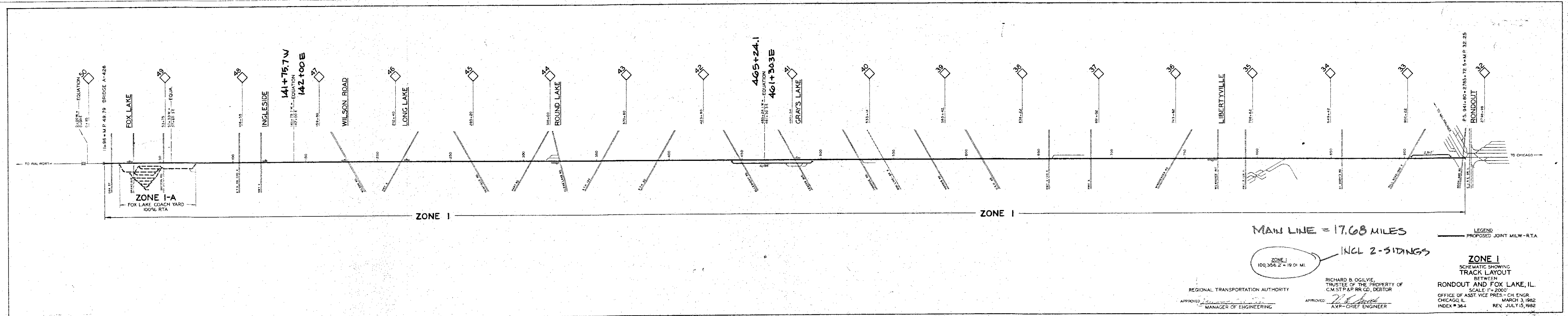
By [Signature]  
Chairman

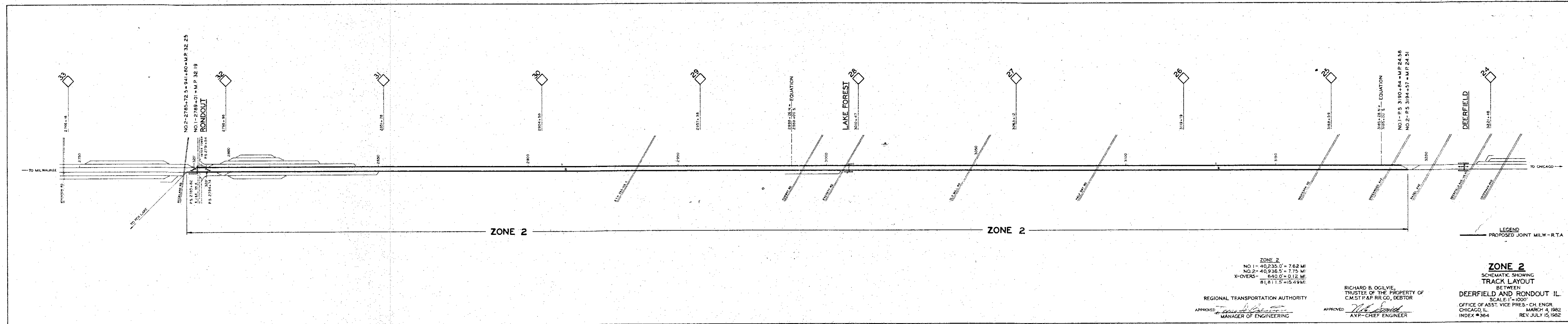
SEP 16 1992

**PUBLIC VERSION**  
TRACKAGE AGREEMENT EXHIBITS

**EXHIBIT A-1**

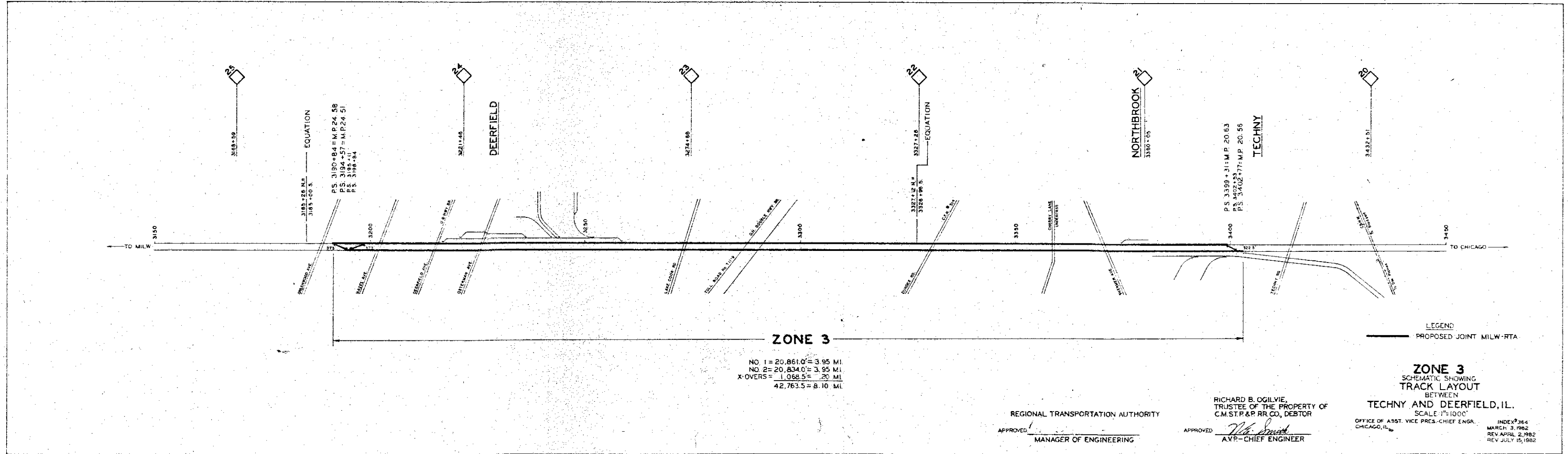
- Exhibit A Location of joint lines (maps of 12 zones)
- Exhibit B Maintenance of Way and Structures Expenses
- Exhibit C Transportation, Signal, and Communication system expenses
- Exhibit D Administration, overhead, vacation, and holiday expenses
- Exhibit E Joint Facilities
- Exhibit F Material
- Exhibit G Commuter Service Schedule
- Exhibit H Escrow Agreement
- Exhibit I Primary Accounts



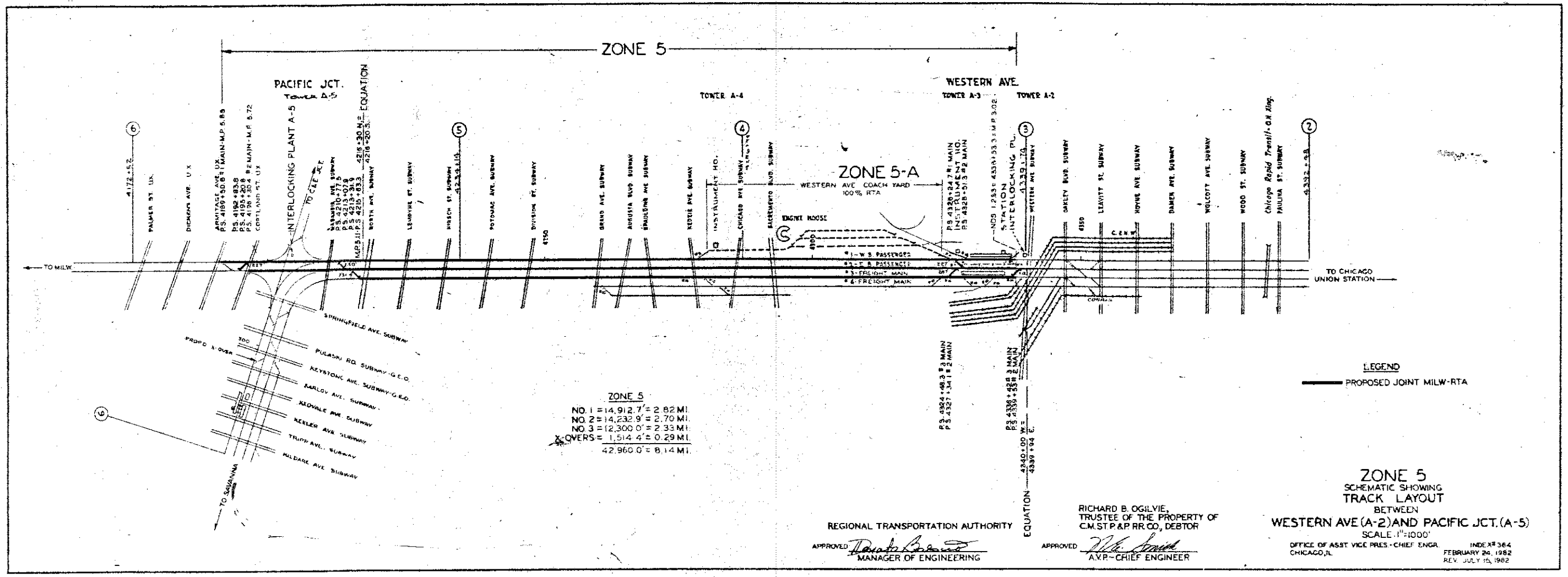


b









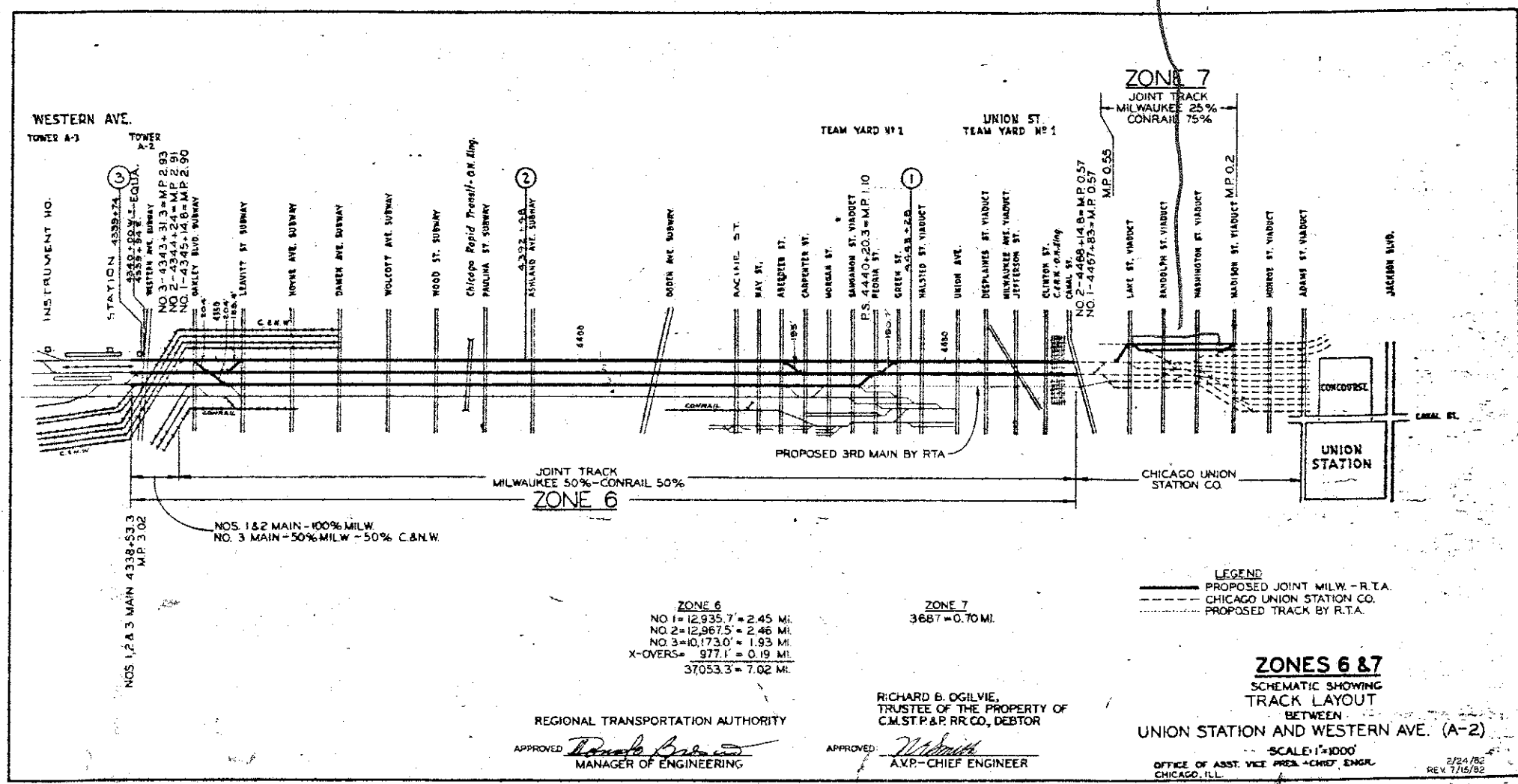
**ZONE 5**  
 NO. 1 = 14,912.7' = 2.82 MI.  
 NO. 2 = 14,232.9' = 2.70 MI.  
 NO. 3 = 12,300.0' = 2.33 MI.  
 CROSINGS = 1,514.4' = 0.29 MI.  
 42,960.0' = 8.14 MI.

REGIONAL TRANSPORTATION AUTHORITY  
 APPROVED *[Signature]*  
 MANAGER OF ENGINEERING

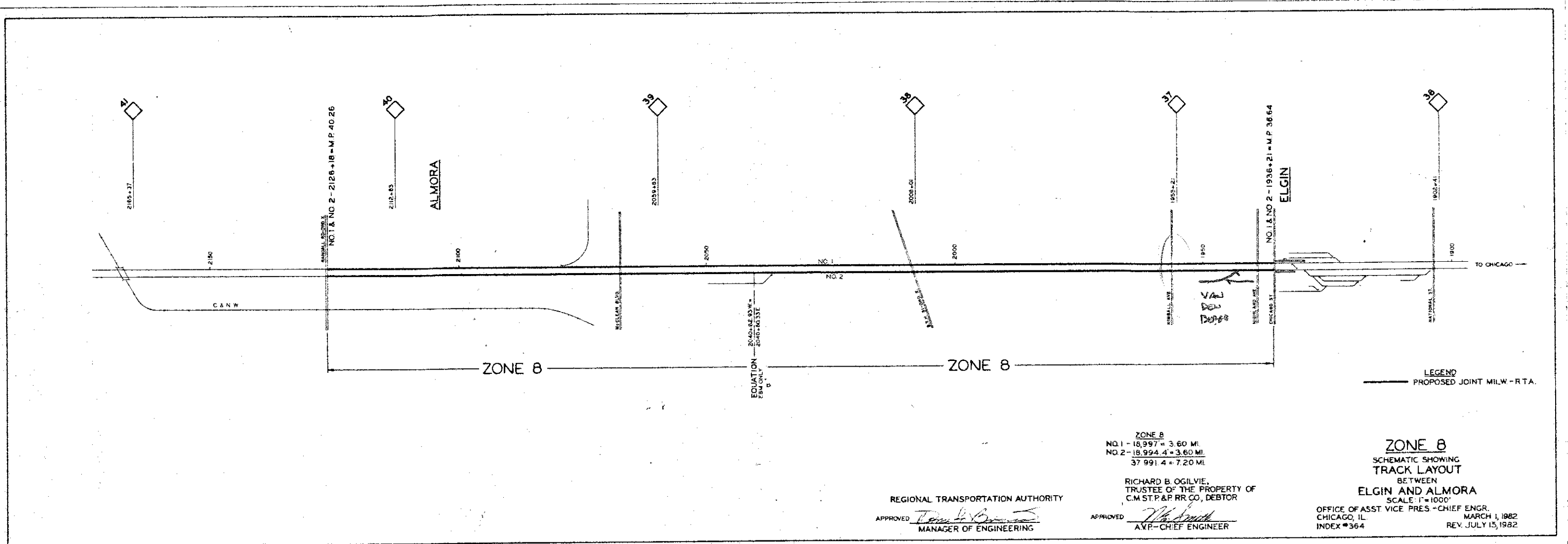
RICHARD B. OGILVIE,  
 TRUSTEE OF THE PROPERTY OF  
 C.M. ST. P. & P. RR. CO., DEBTOR  
 APPROVED *[Signature]*  
 A.V.P. - CHIEF ENGINEER

**ZONE 5**  
 SCHEMATIC SHOWING  
 TRACK LAYOUT  
 BETWEEN  
 WESTERN AVE (A-2) AND PACIFIC JCT. (A-5)  
 SCALE: 1"=1000'  
 OFFICE OF ASST. VICE PRES. - CHIEF ENGR.  
 CHICAGO, ILL.  
 INDEX # 364  
 FEBRUARY 26, 1982  
 REV. JULY 15, 1982

*Lake - Washington  
and  
APR 14, 1986*





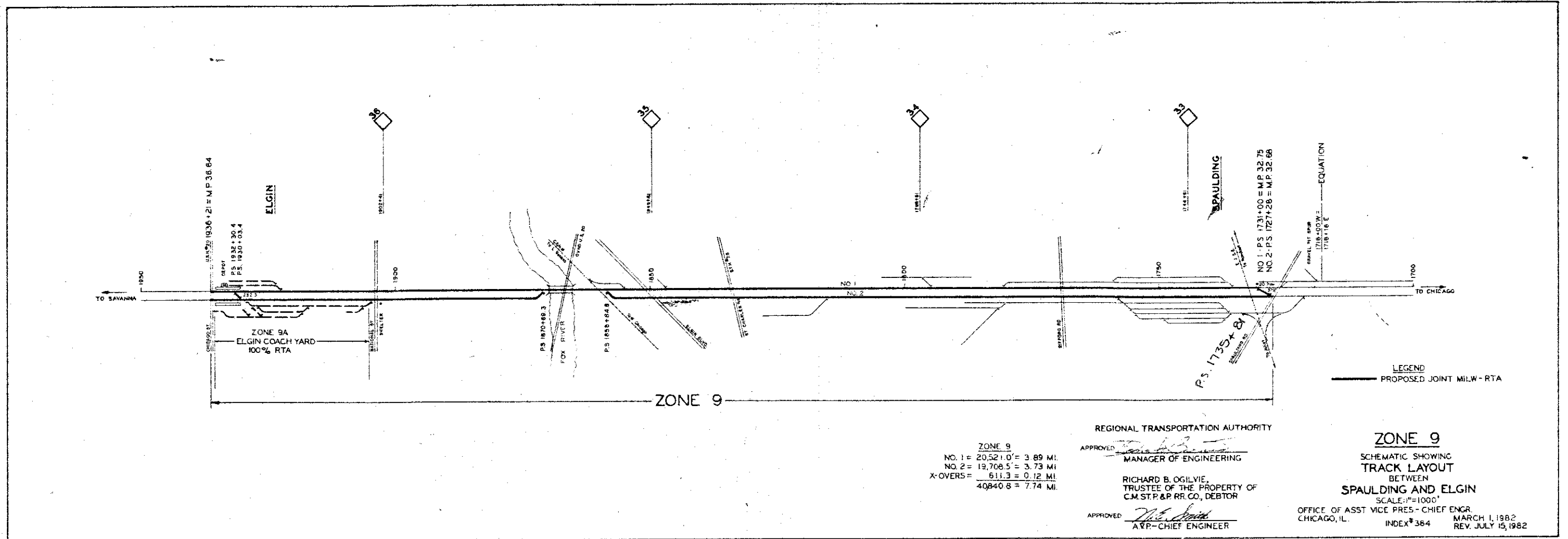


REGIONAL TRANSPORTATION AUTHORITY  
 APPROVED *[Signature]*  
 MANAGER OF ENGINEERING

RICHARD B. OGILVIE,  
 TRUSTEE OF THE PROPERTY OF  
 C.M. ST. P. & P. RR CO., DEBTOR  
 APPROVED *[Signature]*  
 AYP - CHIEF ENGINEER

**ZONE 8**  
 NO. 1 - 18,997' = 3.60 MI.  
 NO. 2 - 18,994.4' = 3.60 MI.  
 37,991.4' = 7.20 MI.

**ZONE 8**  
 SCHEMATIC SHOWING  
 TRACK LAYOUT  
 BETWEEN  
 ELGIN AND ALMORA  
 SCALE: 1"=1000'  
 OFFICE OF ASST. VICE PRES. - CHIEF ENGR.  
 CHICAGO, IL MARCH 1, 1982  
 INDEX #364 REV. JULY 15, 1982

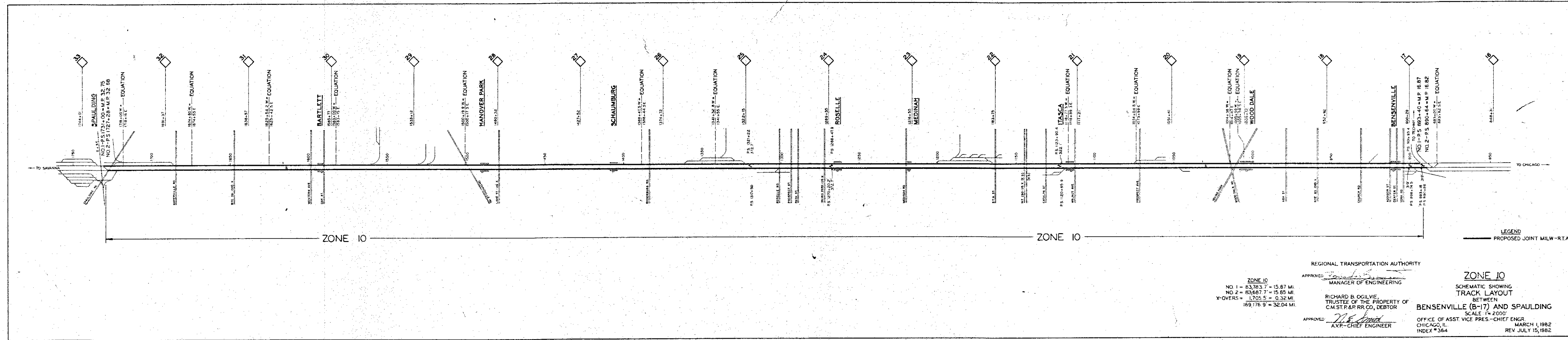


ZONE 9  
 NO. 1 = 20,521.0' = 3.89 MI.  
 NO. 2 = 19,708.5' = 3.73 MI.  
 X-OVERS = 611.3' = 0.12 MI.  
 40840.8 = 7.74 MI.

REGIONAL TRANSPORTATION AUTHORITY  
 APPROVED: *[Signature]*  
 MANAGER OF ENGINEERING  
 RICHARD B. OGILVIE,  
 TRUSTEE OF THE PROPERTY OF  
 C.M. ST. P. & P. RR. CO., DEBTOR  
 APPROVED: *[Signature]*  
 AVP-CHIEF ENGINEER

LEGEND  
 PROPOSED JOINT MILW-RTA

ZONE 9  
 SCHEMATIC SHOWING  
 TRACK LAYOUT  
 BETWEEN  
 SPAULDING AND ELGIN  
 SCALE: 1"=1000'  
 OFFICE OF ASST VICE PRES - CHIEF ENGR.  
 CHICAGO, IL. INDEX# 364 MARCH 1, 1982  
 REV. JULY 15, 1982



**REGIONAL TRANSPORTATION AUTHORITY**

APPROVED: *[Signature]*  
MANAGER OF ENGINEERING

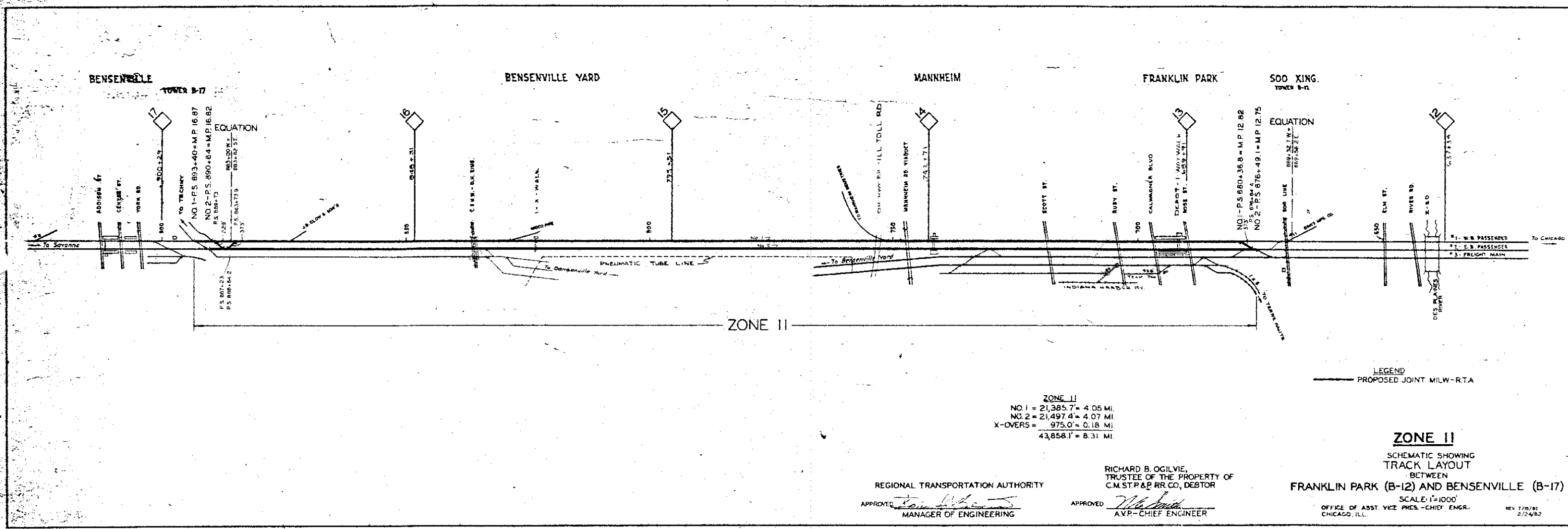
**RICHARD B. OGILVIE**  
TRUSTEE OF THE PROPERTY OF  
C.M. ST. P. & P. RR. CO., DEBTOR

APPROVED: *[Signature]*  
AVP - CHIEF ENGINEER

**ZONE 10**  
NO. 1 = 83,783.7' = 15.87 MI.  
NO. 2 = 83,687.7' = 15.85 MI.  
X-OVERS = 1,705.5' = 0.32 MI.  
169,176.9' = 32.04 MI.

**ZONE 10**  
SCHEMATIC SHOWING  
TRACK LAYOUT  
BETWEEN  
**BENSENVILLE (B-17) AND SPAULDING**  
SCALE: 1" = 2000'  
OFFICE OF ASST. VICE PRES. - CHIEF ENGR.  
CHICAGO, ILL. MARCH 1, 1982  
INDEX # 364 REV. JULY 15, 1982

LEGEND  
PROPOSED JOINT MILW-RTA



ZONE II

ZONE II  
 NO. 1 = 21,385.7' = 4.05 MI.  
 NO. 2 = 21,497.4' = 4.07 MI.  
 X-OVERS = 975.0' = 0.18 MI.  
 43,858.1' = 8.31 MI.

LEGEND  
 PROPOSED JOINT MILW-R.T.A.

REGIONAL TRANSPORTATION AUTHORITY  
 APPROVED: *[Signature]*  
 MANAGER OF ENGINEERING

RICHARD B. OGILVIE,  
 TRUSTEE OF THE PROPERTY OF  
 C.M. ST. P. & P. RR. CO., DEBTOR  
 APPROVED: *[Signature]*  
 A.V.P. - CHIEF ENGINEER

**ZONE II**  
 SCHEMATIC SHOWING  
 TRACK LAYOUT  
 BETWEEN  
 FRANKLIN PARK (B-12) AND BENSENVILLE (B-17)  
 SCALE: 1"=1000'  
 OFFICE OF ASST. VICE PRES. - CHIEF ENGR.  
 CHICAGO, ILL. REV. 1/10/82  
 2/24/82





Trackage Agreement  
Exhibit BPrimary Accounts

<u>Account Number</u>	<u>Description</u>
202	Roadway maintenance
206	Tunnels and subways
208	Bridges, trestles and culverts
210	Elevated structures
212	Ties
214	Rails
216	Other track material
218	Ballast
220	Track laying and surfacing
221	Fences, snowsheds and signs
227	Station and office buildings
229	Roadway buildings
265	Miscellaneous structures
267	Retirements, road
269	Roadway machines*
270	Dismantling retired road property
271	Small tools and supplies
272	Removing snow, ice and sand
273	Public improvements; maintenance
274	Injuries to persons
276	Stationery and printing
281	Right-of-way expenses
282	Other expenses
277	Employees health and welfare benefits
532	Railway tax accruals

\*Non-Milwaukee owned machines

Trackage Agreement  
Exhibit CPrimary Accounts

<u>Account Number</u>	<u>Description</u>
326	Work equipment; repairs*
328	Miscellaneous equipment; repairs*
247	Communication systems
249	Signals and interlockers
253	Power plants
257	Power-transmission systems
373	Station employees
376	Station supplies and expenses
404	Signal and interlocker operation
405	Crossing protection
407	Communication system operation
410	Stationery and printing
411	Other expenses
415	Clearing wrecks
420	Injuries to persons
277	Employees health and welfare benefits
335	Employees health and welfare benefits
409	Employees health and welfare benefits
532	Railway tax accruals

\*Non-Milwaukee owned equipment



TRACKAGE AGREEMENT

EXHIBIT D



## TRACKAGE AGREEMENT

## EXHIBIT D

## METHODOLOGY FOR ALLOCATION OF VACATION AND HOLIDAY EXPENSES

Expenses to be Allocated (A):

Vacation and holiday expenses properly distributed to operating expense accounts as prescribed by the Interstate Commerce Commission's Uniform System of Accounts in 49 CFR part 1201.

Expenses specifically not allocable:

Labor expenses of officers on the exempt payroll, separation allowance payments and productivity fund payments.

Labor Base to Which Vacation & Holiday Expenses are to be Applied (B):

Direct Labor, exclusive of vacation and holiday payments and other payments mentioned above; paid to all employees.

Procedure for Allocation:

Divide the expenses to be allocated (A) by the labor base to which vacation and holiday expenses apply (B). Multiply the resulting ratio by (1) the applicable labor and fringe benefits properly charged or allocated to each zone on the joint line for commuter service and (2) labor and fringe benefit expenses charged for dispatching on the joint line.

Example Allocation (Unaudited):

Vacation and holiday expenses = \$14,891,180

Labor base = \$154,624,225

Vacation and holiday expense ratio =  $\$14,891,180 \div \$154,624,225 = 9.631\%$

Labor and fringe benefit expenses allocated to zone of commuter line =  
\$10,500

Vacation and holiday expenses allocated to zone =  $\$10,500 \times 9.631\% =$   
\$1,011.26

Allocation Statistic Update Procedures:

Update annually in January utilizing data from previous calendar year.



## METHODOLOGY FOR ALLOCATION OF ADMINISTRATIVE OVERHEAD EXPENSES

Labor Expenses to be Allocated (A):

Expenses for Superintendence and General Administration properly charged to operating expense accounts as prescribed by the Interstate Commerce Commission's Uniform System of Accounts in 49 CFR part 1201.

Expenses specifically not allocable:

Expenses properly chargeable to the following functional areas or accounts are specifically not allocable (B):

Marketing, Car Management, Freight Claim Prevention, Customer Services, Freight Adjustment, Regional Accounting, Revenue/Interline Accounting, and operating expense accounts properly chargeable as shop and store expense.

Labor Base to Which Administrative Overhead Expenses are to be Applied (C):

Labor and vacation and holiday expenses properly charged to operating expense accounts as prescribed in 49 CRR part 1201 and excluding expenses reported in sections A and B.

Procedure for Allocation:

Divide the expenses to be allocated (A) by the labor base to which administrative overhead expenses apply (C). Multiply the resulting ratio by (1) the applicable labor, vacation and holiday expenses, fringe benefits and miscellaneous expenses properly charged or allocated to each zone on the joint line for commuter service and (2) labor, vacation and holiday expenses, fringe benefits and miscellaneous expenses charged for dispatching on the joint line.

Example Allocation (Unaudited):

Administrative overhead expenses = \$2,086,187

Labor base = \$8,711,933

Administrative overhead expense ratio = 23.946%

Labor, vacation and holiday expenses, fringe benefits and miscellaneous expenses allocated to zone of commuter line = \$11,511

Administrative overhead expenses allocated to zone = \$2,756.42

Allocation Statistic Update Procedures:

Update monthly based on actual expenses.

TRACKAGE AGREEMENTS

JOINT FACILITY AGREEMENTS

EXHIBIT E



## PUBLIC VERSION

EXHIBIT A-1

## JOINT FACILITY AGREEMENTS

<u>ZONE LOCATION</u>	<u>RAILROAD</u>	<u>AGREEMENT DATE</u>	<u>DESCRIPTION</u>	<u>LOCATION</u>
ONE	SOO LINE	8-15-99	AUTOMATIC INTERLOCKER	GRAYS LAKE
TWO	EJ&E RY.	8- 1-89	TOWER & INTERLOCKER	RONDOUT
FOUR	C&NW TRANSP.	1- 1-95	TOWER & INTERLOCKER	MAYFAIR - CHICAG
FOUR	C&NW TRANSP.	12-31-94	AUTOMATIC INTERLOCKER	GRAYLAND - CHICA
FIVE	C&NW TRANSP. CONRAIL	3-24-04	TOWER A-Z, TRACKS & SWITCHES, CROSSINGS	WESTERN AVE. - C
SIX	CONRAIL	2- 7-73	TRACKS & FACILITIES WESTERN AVE. TO CANAL ST.	CHICAGO
SEVEN	CONRAIL	2- 7-73	TRACKS & FACILITIES  LAKE STREET TO MADISON STREET	CHICAGO
NINE	C&NW TRANSP.	6-11-10	REMOTE CONTROLLED INTERLOCKER	ELGIN
NINE	EJ&E RY.	8- 1-89	TOWER & INTERLOCKER	SPAULDING
ELEVEN	C&NW TRANSP.	4-18-10	OVERHEAD CROSSING	BENSENVILLE
ELEVEN	C&NW TRANSP.	6-26-12	OVERHEAD CROSSING	BENSENVILLE
ELEVEN	SOO LINE	12- 1-30	TOWER & INTERLOCKER	FRANKLIN PARK
TWELVE	I.H.B.R.R.	3- 1-32	REMOTE CONTROLLED INTERLOCKER	FRANKLIN PARK
TWELVE	C&NW TRANSP.	2- 1-05	REMOTE CONTROLLED INTERLOCKER PACIFIC JCT.	CRAIGIN JUNCTION CHICAGO



TRACKAGE AGREEMENT

EXHIBIT F

## Exhibit F

(i) To the chargeout (including taxes and foreign line freight charges) of all items of material, fuel and supplies used (including working timetables and rule books), add 15% to cover inspection, accounting, purchasing, handling and transportation to point of use or point from which handled by work train.

(ii) In all cases of salvage credit in connection with the maintenance of operation, there shall first be deducted 15% to cover expenses in connection with accounting, handling and transportation of such salvaged material.

(iii) When a non-Joint Line track breaks out of a Joint Line track, the Joint Line track shall be charged with 50% of the cost of material to repair or renew the turnout. The material considered as part of the turnout is the frog, switch, guard rails, guard rail clamps, switch stand, switch lamps, switch ties, and ballast and track fastenings. The cost of rail shall be charged to the Joint Line on the same basis as material. Work train services shall be charged to the Joint Line on the same basis as labor.

(iv) Separation of material as between track and signal shall be based on the accounts to which the



material is charged under the ICC Classifications, that is, Maintenance Accounts "Ties," and "Other Track Material," shall be classed as track material and charged to whose track structure it is applied. Signal and interlocker material, and material for highway protection when part of the Joint Line interlocking plant, charged to Investment Account "Signals and Interlockers" and Maintenance Account "Signals and Interlockers" shall be classed as signal and interlocker material and charged to the Authority on bases provided in this Agreement.

Item of material considered as:

Track

- Switches and derails, derail points, switch points and moveable frog points with fastenings.
- Switches, derail and movable point frog timbers or ties.
- Gauge or tie plates with or without insulation and with or without extensions, to tie operating or locking movements in relation to rail, together with fastenings.
- Toe or butt plates with fastenings.
- Rail braces with fastenings.
- Riser plates with fastenings.
- Transit or switch clips with fastenings.
- Switch rods with or without insulation with fastenings.
- Insulated rail joints.
- Head rod guides for derails with fastenings.

Signal and Interlocker

- ° Tie straps with fastenings.
- ° Front and lock rods with switch lugs or feet and fastenings.
- ° Throw rods, with switch adjustments and fastenings.
- ° Machine, tail or base plates with fastenings.
- ° All cranks and stands with fastenings.
- ° Switch circuit controllers with rods, point lugs and fastenings.
- ° Switch and lock movements with fastenings.
- ° Bolt locks with rods and fastenings.
- ° Bolt lock base plates with fastenings.
- ° Bond wires applied in connection with ordinary maintenance of plant, or construction of new plant. (Cost of bond wires or other items of signal material applied in connection with program of rail renewals or other track changes shall be apportioned on basis provided for Track material instead of Signal and Interlocker material.)



RC  
P. 18

PUBLIC VERSION

EXHIBIT G

EXHIBIT A-1

NORTH LINE between CHICAGO and FOX LAKE

NORTHBOUND

SATURDAY ONLY

	2109 AM	2111 AM	2115 PM	2601 PM	2121 PM	2603 PM	2607 PM	2609 PM	2147 AM
Lv UNION STATION	8.35	9.50	12.25	2.00	3.55	5.05	7.35	9.20	12.25
Western Ave.	8.43	9.58	12.33	2.08	4.03	5.13	7.42	9.28	12.33
Healy	8.48	10.04	12.38	2.13	4.08	5.19	7.47	9.33	12.38
Grayland	8.51	10.07	12.41	2.16	4.11	5.21	7.50	9.36	12.41
Mayfair	8.53	10.09	12.43	2.18	4.13	5.23	7.52	9.38	12.43
Forest Glen	8.56	10.12	12.46	2.21	4.16	5.26	7.55	9.41	12.46
Edgebrook	8.59	10.15	12.49	2.24	4.19	5.29	7.58	9.44	12.49
Morton Grove	9.03	10.19	12.53	2.28	4.24	5.33	8.03	9.48	12.53
Golf	9.06	10.22	12.56	2.31	4.27	5.36	8.06	9.51	12.56
Glenview	9.09	10.25	12.59	2.34	4.30	5.39	8.09	9.54	12.59
Northbrook	9.15	10.31	1.04	2.39	4.35	5.45	8.14	10.00	1.05
Deerfield	9.20	10.36	1.09	2.44	4.40	5.50	8.19	10.05	1.09
Lake Forest	9.25	10.41	1.14	2.49	4.45	5.55	8.24	10.10	1.14
Rondout	9.30	10.46	1.19	2.55	4.50	6.00	8.29	10.17	1.19
Libertyville	9.35	10.51	1.24	3.00	4.56	6.05	8.35	10.22	1.24
Grays Lake	9.42	10.58	1.31	3.07	5.04	6.12	8.43	10.29	1.31
Round Lake	9.46	11.02	1.35	3.11	5.09	6.16	8.48	10.33	1.36
Long Lake	9.50	11.06	1.39	3.14	5.12	6.20	8.52	10.37	1.40
Wilson Road	9.53	11.09	1.42	3.17	5.15	6.23	8.55	10.39	1.42
Ingleside		11.11	1.44	3.20	5.18	6.26	8.57	10.41	
Ar FOX LAKE	10.00 AM	11.15 AM	1.50 PM	3.25 PM	5.23 PM	6.30 PM	9.02 PM	10.45 PM	1.47 AM



## PUBLIC VERSION

## WEST LINE between CHICAGO and ELGIN

## EASTBOUND

		MONDAY THROUGH FRIDAY										
		2222	2224	*2226	2228	2230	2232	2236	2244	2246	2248	2250
		AM	AM	PM	PM	PM	PM	PM	PM	PM	PM	PM
	Miles											
Lv ELGIN	0.0	8.55	11.05	1.05	2.05	3.05	4.05	5.05		7.10	8.30	9.35
Elgin (Nat'l St.)	0.6	8.57	11.07	1.07	2.07	3.07	4.07	5.07		7.12	8.32	9.37
Bartlett	6.5	9.05	11.15	1.15	2.15	3.15	4.15	5.15		7.20	8.40	9.45
Hanover Park	8.2	9.08	11.18	1.18	2.18	3.18	4.18	5.18		7.23	8.43	9.48
# Schaumburg	10.1	9.11	11.21		2.21	3.21	4.21	5.21		7.26	8.46	9.49
Roselle	12.7	9.14	11.24	1.24	2.24	3.24	4.24	5.24	6.45	7.29	8.49	9.52
Medinah	13.6	9.17	11.27	1.27	2.27	3.27	4.27	5.27		7.32	8.52	9.54
Itasca	15.6	9.20	11.30	1.30	2.30	3.30	4.30	5.30		7.35	8.55	9.57
Wood Dale	17.5	9.23	11.33	1.33	2.33	3.33	4.33	5.33		7.38	8.58	9.59
Bensenville	19.4	9.26	11.36	1.36	2.36	3.36	4.36	5.36	6.55	7.41	9.01	10.02
Mannheim	22.6	9.32	11.42	1.42	2.42			5.42		7.47	9.07	10.07
Franklin Park	23.4	9.34	11.43	1.43	2.44	3.44	4.42	5.44		7.49	9.09	10.09
River Grove	25.2	9.37	11.47	1.47	2.47	3.47	4.45	5.47		7.52	9.12	10.12
Elmwood Park	26.4	9.39	11.49	1.49	2.49	3.49	4.47	5.49		7.54	9.14	10.14
Mont Clare	27.1	9.41	11.51	1.51	2.51	3.51	4.49	5.51		7.56	9.16	10.16
Mars	27.5	9.43	11.53	1.53	2.53			5.53		7.58	9.18	10.18
Galewood	28.0	9.45	11.55	1.55	2.55	3.55	4.53	5.55		8.00	9.20	10.20
Hanson Park	28.9	9.48	11.58	1.58	2.58			5.58		8.03	9.23	10.23
Cragin	29.6	9.51	12.01	2.01	3.00			6.00		8.05	9.25	10.26
Hermosa	30.7	9.54	12.03	2.03	3.03	3.59	4.57	6.03		8.08	9.28	10.29
Western Ave.	33.7	9.59	12.09	2.09	3.09	4.05	5.03	6.09	7.14	8.14	9.34	10.34
Ar UNION STATION	36.6	10.10	12.20	2.20	3.20	4.15	5.13	6.20	7.25	8.25	9.45	10.45
		AM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM

# Service to this station will begin on or about November 1, 1982.

\*Illinois Commerce Commission Docket No. 82-0169 - Train discontinued from April 16, 1982, to on or before November 1, 1982.

Schedule as contained in Chicago, Milwaukee, St. Paul & Pacific Railroad Company Employee Timetable No. 2 dated April 25, 1982 shall remain in effect until service begins to the Schaumburg station.



PUBLIC VERSION

EXHIBIT G

EXHIBIT A-1

WEST LINE between CHICAGO and ELGIN

WESTBOUND

MONDAY THROUGH FRIDAY

les	2207 AM	2209 AM	2213 AM	*2215 AM	2217 PM	2219 PM	2221 PM	2223 PM	2225 PM	2227 PM	2229 PM
0	6.30	7.15	9.35	11.35	12.35	1.50	2.40	3.40	4.10	4.35	4.55
9	6.38		9.43	11.43	12.43	1.58	2.48	3.48	4.18	4.43	5.02
9	6.44		9.48	11.48	12.48	2.04	2.53	3.54	4.23	4.49	
0	6.46		9.50	11.50	12.50		2.55	3.57	4.26	4.52	
7	6.48		9.52	11.52	12.52		2.57	3.59	4.28	4.54	
6	6.50		9.54	11.54	12.54		2.59	4.01	4.30	4.56	
1	6.51		9.55	11.55	12.55		3.01	4.03	4.31	4.58	
5	6.52		9.56	11.56	12.56		3.03	4.04	4.33	5.00	
2	6.54		9.58	11.58	12.58	2.10	3.05	4.06	4.35	5.02	
6	6.56		10.01	12.01	1.01	2.13	3.08	4.09	4.38	5.05	
2	6.59		10.05	12.05	1.05	2.17	3.12	4.13	4.41	5.08	
0	7.01		10.07	12.07	1.07		3.14	4.15	4.44	5.10	
2	7.07	7.40	10.13	12.13	1.13	2.22	3.20	4.22	4.50	5.15	5.21
1	7.10		10.16	12.16	1.16	2.25	3.23	4.25	4.53	5.18	5.24
0	7.13		10.19	12.19	1.19	2.28	3.26	4.28	4.56	5.21	5.28
0	7.16		10.22	12.22	1.22		3.29	4.31	5.00	5.25	
9	7.19		10.25	12.25	1.25	2.34	3.32	4.35	5.03	5.28	5.34
5	7.21		10.27		1.27	2.36	3.34	4.37	5.05	5.30	5.36
4	7.26		10.32	12.31	1.32	2.41	3.39	4.42	5.10	5.35	5.41
1	7.29		10.35	12.34	1.35	2.44	3.42	4.45	5.14	5.39	5.45
0	7.43		10.46	12.45	1.46	2.53	3.53	4.53	5.21	5.48	
6	7.47		10.50	12.48	1.50	2.57	3.57	4.57	5.27	5.52	
	AM	AM	AM	PM	PM	PM	PM	PM	PM	PM	PM

11 begin on or about November 1, 1982

Train discontinued from April 16, 1982, to on or before November 1, 1982.

Chicago, Milwaukee, St. Paul & Pacific Railroad Company Employee Timetable No. 2 dated April 25, 1982 shall remain in effect to the Schaumburg station.



WEST LINE between CHICAGO and ELGIN

WESTBOUND

	MONDAY THROUGH FRIDAY										
Les	2231 PM	2233 PM	2235 PM	2237 PM	2239 PM	2241 PM	2243 PM	2245 PM	2247 PM	2249 PM	2251 AM
	4.58	5.10	5.17	5.22	5.35	6.05	6.35	7.50	9.15	10.35	12.15
		5.18	5.25	5.30	5.43	6.13	6.43	7.58	9.23	10.43	12.23
				5.36	5.49	6.19	6.49	8.03	9.28	10.49	12.29
				5.39	5.52	6.22	6.52	8.06	9.31	10.52	12.31
					5.54	6.24	6.54	8.09	9.33	10.55	12.33
				5.43	5.56	6.26	6.56	8.11	9.35	10.57	12.35
					5.58	6.28	6.58	8.13	9.37	10.59	12.36
	5.15			5.46	5.59	6.29	6.59	8.14	9.38	11.00	12.37
	5.18			5.49	6.01	6.31	7.01	8.16	9.40	11.02	12.39
					5.52	6.04	6.34	7.04	8.19	9.43	11.04
	5.21			5.56	6.07	6.37	7.07	8.22	9.47	11.07	12.44
	5.25				6.09		7.09	8.24	9.49	11.09	12.46
			5.44	6.02	6.14	6.44	7.14	8.29	9.56	11.15	12.52
			5.48	6.05	6.17	6.47	7.17	8.31	9.59	11.18	12.55
			5.52	6.08	6.20	6.50	7.20	8.34	10.02	11.21	12.58
		5.45		6.11	6.23	6.53	7.23	8.37	10.05	11.24	1.01
		5.49		6.15	6.26	6.56	7.26	8.40	10.09	11.26	1.04
		5.51		6.17	6.28	6.58	7.28	8.42	10.11	11.28	1.07
			6.03	6.22	6.34	7.04	7.34	8.48	10.16	11.33	1.11
		6.01		6.25	6.38	7.08	7.38	8.51	10.19	11.36	1.14
		6.11	6.16		6.48	7.18	7.48	9.03	10.28	11.46	1.23
		6.14	6.19		6.52	7.22	7.52	9.07	10.32	11.50	1.27
	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	AM

11 begin on or about November 1, 1982.

Chicago, Milwaukee, St. Paul & Pacific Railroad Company Employee Timetable No. 2 dated April 25, 1982 shall remain in effect as to the Schaumburg station.



PUBLIC VERSION

WEST LINE between CHICAGO and ELGIN

WESTBOUND

SATURDAY ONLY

	2207 AM	2209 AM	2213 AM	2217 PM	2701 PM	2703 PM	2223 PM	2227 PM	2239 PM	2243 PM	2247 PM	2251 AM
Lv UNION STATION	6.30	7.15	9.35	12.35	1.15	1.24	3.40	4.35	5.35	6.35	9.15	12.15
Western Ave.	6.38		9.43	12.43	1.23	1.32	3.48	4.43	5.43	6.43	9.23	12.23
Hermosa	6.44		9.48	12.48		1.38	3.54	4.49	5.49	6.49	9.28	12.29
Cragin	6.46		9.50	12.50		1.40	3.57	4.52	5.52	6.52	9.31	12.31
Hanson Park	6.48		9.52	12.52		1.42	3.59	4.54	5.54	6.54	9.33	12.33
Galewood	6.50		9.54	12.54		1.44	4.01	4.56	5.56	6.56	9.35	12.35
Mars	6.51		9.55	12.55		1.45	4.03	4.58	5.58	6.58	9.37	12.36
Mont Clare	6.52		9.56	12.56		1.46	4.04	5.00	5.59	6.59	9.38	12.37
Elmwood Park	6.54		9.58	12.58		1.49	4.06	5.02	6.01	7.01	9.40	12.39
River Grove	6.56		10.01	1.01		1.52	4.09	5.05	6.04	7.04	9.43	12.41
Franklin Park	6.59		10.05	1.05		1.56	4.13	5.08	6.07	7.07	9.47	12.44
Mannheim	7.01		10.07	1.07		1.58	4.15	5.10	6.09	7.09	9.49	12.46
Bensenville	7.07	7.40	10.13	1.13	1.40	2.05	4.22	5.15	6.14	7.14	9.56	12.52
Wood Dale	7.10		10.16	1.16	1.43		4.25	5.18	6.17	7.17	9.59	12.55
Itasca	7.13		10.19	1.19	1.46		4.28	5.21	6.20	7.20	10.02	12.58
Medinah	7.16		10.22	1.22	1.49		4.31	5.25	6.23	7.23	10.05	1.01
Roselle	7.19		10.25	1.25	1.52		4.35	5.28	6.26	7.26	10.09	1.04
# Schaumburg	7.21		10.27	1.27	1.54		4.37	5.30	6.28	7.28	10.11	1.07
Hanover Park	7.26		10.32	1.32	1.59		4.42	5.35	6.34	7.34	10.16	1.11
Bartlett	7.29		10.35	1.35	2.02		4.45	5.39	6.38	7.38	10.19	1.14
Elgin (Nat'l St.)	7.43		10.46	1.46	2.13		4.53	5.48	6.48	7.48	10.28	1.23
Ar ELGIN	7.47		10.50	1.50	2.17		4.57	5.52	6.52	7.52	10.32	1.27
	AM	AM	AM	PM	PM	PM	PM	PM	PM	PM	PM	AM

# Service to this station will begin on or about November 1, 1982

Schedule as contained in Chicago, Milwaukee, St. Paul & Pacific Railroad Company Employee Timetable No. 2 dated April 25, 1982 shall remain in effect until service begins to the Schaumburg station.



PUBLIC VERSION

EXHIBIT G

EXHIBIT A-1

WEST LINE between CHICAGO and ELGIN

WESTBOUND

	SUNDAY AND HOLIDAY					
	2213 AM	2217 PM	2239 PM	2245 PM	2247 PM	2251 AM
Lv UNION STATION	9.35	12.35	5.35	7.50	9.15	12.15
Western Ave.	9.43	12.43	5.43	7.58	9.23	12.23
Hermosa	9.48	12.48	5.49	8.03	9.28	12.29
Cragin	9.50	12.50	5.52	8.06	9.31	12.31
Hanson Park	9.52	12.52	5.54	8.09	9.33	12.33
Galewood	9.54	12.54	5.56	8.11	9.35	12.35
Mars	9.55	12.55	5.58	8.13	9.37	12.36
Mont Clare	9.56	12.56	5.59	8.14	9.38	12.37
Elmwood Park	9.58	12.58	6.01	8.16	9.40	12.39
River Grove	10.01	1.01	6.04	8.19	9.43	12.41
Franklin Park	10.05	1.05	6.07	8.22	9.47	12.44
Mannheim	10.07	1.07	6.09	8.24	9.49	12.46
Bensenville	10.13	1.13	6.14	8.29	9.56	12.52
Wood Dale	10.16	1.16	6.17	8.31	9.59	12.55
Itasca	10.19	1.19	6.20	8.34	10.02	12.58
Medinah	10.22	1.22	6.23	8.37	10.05	1.01
Roselle	10.25	1.25	6.26	8.40	10.09	1.04
# Schaumburg	10.27	1.27	6.28	8.42	10.11	1.07
Hanover Park	10.32	1.32	6.34	8.48	10.16	1.11
Bartlett	10.41	1.35	6.38	8.51	10.19	1.14
Elgin (Nat'l St.)	10.46	1.46	6.48	9.03	10.28	1.23
Ar ELGIN	10.50	1.50	6.52	9.07	10.32	1.27
	AM	PM	PM	PM	PM	AM

# Service to station to begin on or about November 1, 1982

Schedule as contained in Chicago, Milwaukee, St. Paul & Pacific Railroad Company Employee Timetable No. 2 dated April 25, 1982 shall remain in effect until service begins to the Schaumburg station.



PUBLIC VERSION

EXHIBIT G EXHIBIT A-1

NORTH LINE between CHICAGO and FOX LAKE

SOUTHBOUND

MONDAY THROUGH FRIDAY

	Miles	2100 AM	2102 AM	2104 AM	2106 AM	2108 AM	2110 AM	2112 AM	2114 AM	2116 AM	2118 AM
FOX LAKE	0.0	5.02	5.35	6.10	6.24	6.40	6.50	6.59		7.12	7.25
Ingleside	1.7	5.05	5.38			6.43					
Wilson Road	2.5	5.07	5.40			6.45				7.16	
Long Lake	3.5	5.10	5.43	6.15		6.47		7.04		7.19	
Round Lake	5.5	5.14	5.47	6.18	6.30		6.57	7.07			7.32
Grays Lake	8.5	5.19	5.52		6.35	6.53		7.11		7.26	
Libertyville	14.0	5.26	5.59	6.28	6.42	6.59	7.07			7.32	7.42
Rondout	17.2	5.32	6.05			7.05					
Lake Forest	21.5	5.37	6.10			7.10		7.27		7.43	
Deerfield	25.3	5.42	6.15	6.43	6.57	7.15		7.32	7.35	7.48	7.57
Northbrook	28.4	5.47	6.20	6.48	7.01	7.19	7.25		7.40	7.52	
Glenview	32.1	5.52	6.26	6.54	7.07		7.32	7.40	7.45	7.58	
Golf	33.3	5.55	6.29	6.57		7.25			7.48		
Morton Grove	35.2	5.58	6.32	7.00	7.11		7.36	7.44	7.50		8.09
Edgebrook	37.9	6.03	6.37	7.05	7.14			7.48	7.53	8.06	
Forest Glen	39.3	6.06	6.40	7.08		7.33			7.56		
Mayfair	40.5	6.09	6.43	7.11		7.36			7.58		
Grayland	41.3	6.11	6.45	7.14		7.39			8.00		
Healy	43.1	6.15	6.49	7.17	7.22	7.43	7.49	7.55	8.03	8.15	8.21
Western Ave.	46.6	6.20	6.53	7.22	7.27	7.48	7.54	8.00	8.08	8.19	8.26
Ar UNION STATION	49.5	6.30 AM	7.05 AM	7.33 AM	7.38 AM	8.00 AM	8.07 AM	8.10 AM	8.20 AM	8.30 AM	8.37 AM



PUBLIC VERSION

EXHIBIT A-1

NORTH LINE between CHICAGO and FOX LAKE

SOUTHBOUND

MONDAY THROUGH FRIDAY

	Miles	2120 AM	2124 AM	2126 AM	2128 AM	2130 PM	2132 PM	2136 PM	2138 PM	2140 PM	2142 PM	2146 PM
FOX LAKE	0.0		8.12	10.12	11.25	12.45	2.12	4.12			7.12	9.50
Ingleside	1.7		8.15	10.15	11.28	12.48	2.15	4.15			7.15	
Wilson Road	2.5		8.17	10.17	11.30	12.50	2.17	4.17			7.17	9.54
Long Lake	3.5		8.20	10.20	11.33	12.53	2.20	4.20			7.20	9.57
Round Lake	5.5		8.24	10.24	11.37	12.57	2.24	4.24			7.24	10.01
Grays Lake	8.5		8.29	10.29	11.42	1.02	2.29	4.29			7.29	10.06
Libertyville	14.0		8.36	10.36	11.49	1.09	2.36	4.36			7.36	10.13
Rondout	17.2		8.41	10.41	11.54	1.14	2.41				7.41	10.17
Lake Forest	21.5		8.46	10.46	11.59	1.19	2.46	4.46			7.46	10.23
Deerfield	25.3	8.08	8.52	10.52	12.05	1.25	2.52	4.52	5.52	6.52	7.52	10.28
Northbrook	28.4	8.13	8.57	10.57	12.10	1.30	2.57	4.57	5.57	6.57	7.57	10.33
Glenview	32.1	8.18	9.03	11.03	12.16	1.36	3.03	5.03	6.03	7.03	8.03	10.39
Golf	33.3	8.21	9.06	11.06	12.19	1.39	3.06	5.06	6.06		8.06	10.42
Morton Grove	35.2	8.24	9.09	11.09	12.22	1.42	3.09	5.09	6.09	7.09	8.09	10.45
Edgebrook	37.9	8.27	9.14	11.14	12.27	1.47	3.14	5.14	6.14	7.14	8.14	10.49
Forest Glen	39.3	8.32	9.17	11.17	12.30	1.50	3.17	5.17	6.17		8.17	10.53
Mayfair	40.5		9.20	11.20	12.33	1.53	3.20	5.20	6.20		8.20	10.56
Grayland	41.3		9.22	11.22	12.35	1.55	3.22	5.22	6.22		8.22	10.58
Healy	43.1	8.37	9.25	11.25	12.38	1.58	3.25	5.25	6.25		8.25	11.01
Western Ave.	46.6	8.42	9.30	11.30	12.43	2.03	3.30	5.30	6.30	7.25	8.30	11.06
Ar UNION STATION	49.5	8.52 AM	9.40 AM	11.40 AM	12.53 PM	2.13 PM	3.40 PM	5.40 PM	6.40 PM	7.35 PM	8.40 PM	11.15 PM



PUBLIC VERSION  
NORTH LINE between CHICAGO and FOX LAKE

EXHIBIT A-1

NORTHBOUND

		MONDAY THROUGH FRIDAY									
		2103	2109	2111	2113	2115	2117	2121	2123	2125	2127
		AM	AM	AM	AM	PM	PM	PM	PM	PM	PM
	Miles										
Lv UNION STATION	0.0	6.38	8.35	9.50	11.05	12.25	2.10	3.55	4.33	4.42	4.46
Western Ave.	2.9	6.46	8.43	9.58	11.13	12.33	2.18	4.03	4.40		4.54
Healy	6.4	6.51	8.48	10.04	11.18	12.38	2.23	4.08		4.54	4.59
Grayland	8.2	6.54	8.51	10.07	11.21	12.41		4.11			
Mayfair	9.0	6.56	8.53	10.09	11.23	12.43		4.13			
Forest Glen	10.2	6.59	8.56	10.12	11.26	12.46		4.16			
Edgebrook	11.6	7.02	8.59	10.15	11.29	12.49	2.30	4.19			
Morton Grove	14.3	7.06	9.03	10.19	11.33	12.53	2.34	4.24	4.55		
Golf	16.2	7.09	9.06	10.22	11.36	12.56	2.36	4.27	4.58		
Glenview	17.4	7.12	9.09	10.25	11.39	12.59	2.39	4.30	5.01		5.12
Northbrook	20.9	7.17	9.15	10.31	11.44	1.04	2.44	4.35	5.05	5.10	
Deerfield	23.9	7.23	9.20	10.36	11.49	1.09	2.49	4.40	5.10		5.21
Lake Forest	28.0		9.25	10.41	11.54	1.14	2.54	4.45		5.18	
Rondout	32.3		9.30	10.46	12.00	1.19	3.00	4.50			
Libertyville	35.5		9.35	10.51	12.05	1.24	3.05	4.56	5.24	5.29	5.35
Grays Lake	41.0		9.42	10.58	12.12	1.31	3.12	5.04	5.32		5.43
Round Lake	44.0		9.46	11.02	12.16	1.35	3.16	5.09	5.37	5.41	5.48
Long Lake	46.0		9.50	11.06	12.19	1.39	3.19	5.12			5.51
Wilson Road	47.0		9.53	11.09	12.22	1.42	3.22	5.15			5.54
Ingleside	47.8			11.11		1.44	3.25	5.18			5.56
Ar FOX LAKE	49.5		10.00	11.15	12.30	1.50	3.30	5.23	5.45	5.50	6.01
			AM	AM	PM	PM	PM	PM	PM	PM	PM

NORTH LINE between CHICAGO and FOX LAKE

NORTHBOUND

MONDAY THROUGH FRIDAY

Miles	2129 PM	2131 PM	2133 PM	2135 PM	2137 PM	2139 PM	2141 PM	2143 PM	2145 PM	2147 AM
0	4.48	5.08	5.20	5.25	5.48	5.55	6.55	8.20	10.05	12.25
9	4.56			5.33	5.56	6.03	7.03	8.27	10.13	12.33
4	5.01			5.38	6.01	6.08	7.08	8.33	10.18	12.38
2	5.04			5.41		6.11	7.11	8.35		12.41
0	5.06			5.43		6.13	7.13	8.37		12.43
2	5.09			5.46		6.16	7.16	8.40	10.24	12.46
6	5.12			5.49		6.19	7.19	8.43	10.27	12.49
3	5.17			5.54		6.24	7.24	8.47	10.32	12.53
2	5.20			5.57		6.27	7.27	8.50	10.35	12.56
4	5.23	5.34	5.43	6.00	6.14	6.30	7.30	8.53	10.38	12.59
9	5.27	5.39	5.49	6.04	6.20	6.35	7.35	8.59	10.44	1.05
9	5.32	5.44	5.54	6.09	6.25	6.42	7.40	9.04	10.49	1.09
0		5.50		6.14	6.31		7.45	9.09	10.54	1.14
3				6.20	6.37		7.50			1.19
5		6.00	6.08	6.25	6.42		7.56	9.20	11.04	1.24
0		6.07	6.16	6.33	6.50		8.04	9.27	11.12	1.31
0		6.11	6.21	6.38	6.55		8.09	9.31	11.17	1.36
0			6.24	6.41	6.58		8.12	9.35	11.20	1.40
0				6.44	7.01		8.15	9.37	11.22	1.42
8				6.47	7.04		8.18	9.40		
5		6.21	6.33	6.53	7.10		8.23	9.45	11.28	1.47



OK KC  
8-18

PUBLIC VERSION  
NORTH LINE between CHICAGO and FOX LAKE

SOUTHBOUND

SATURDAY ONLY

	2100 AM	2602 AM	2604 AM	2126 AM	2606 PM	2132 PM	2136 PM	2142 PM	2146 PM
Lv FOX LAKE	5.02	6.49	7.48	10.12	12.12	2.12	4.12	7.12	9.50
Ingleside	5.05	6.52		10.15	12.15	2.15	4.15	7.15	
Wilson Road	5.07	6.54		10.17	12.17	2.17	4.17	7.17	9.54
Long Lake	5.10	6.57		10.20	12.20	2.20	4.20	7.20	9.57
Round Lake	5.14	7.01	7.55	10.24	12.24	2.24	4.24	7.24	10.01
Grays Lake	5.19	7.05	8.00	10.29	12.29	2.29	4.29	7.29	10.06
Libertyville	5.26	7.12	8.06	10.36	12.36	2.36	4.36	7.36	10.13
Rondout	5.32	7.17		10.41	12.41	2.41		7.41	10.17
Lake Forest	5.37	7.22	8.16	10.46	12.46	2.46	4.46	7.46	10.23
Deerfield	5.42	7.27	8.22	10.52	12.52	2.52	4.52	7.52	10.28
Northbrook	5.47	7.31	8.27	10.57	12.57	2.57	4.57	7.57	10.33
Glenview	5.52	7.37	8.32	11.03	1.03	3.03	5.03	8.03	10.39
Golf	5.55	7.40		11.06	1.06	3.06	5.06	8.06	10.42
Morton Grove	5.58	7.43	8.37	11.09	1.09	3.09	5.09	8.09	10.45
Edgebrook	6.03	7.47	8.42	11.14	1.14	3.14	5.14	8.14	10.49
Forest Glen	6.06	7.50		11.17	1.17	3.17	5.17	8.17	10.53
Mayfair	6.09	7.53	8.46	11.20	1.20	3.20	5.20	8.20	10.56
Grayland	6.11	7.55	8.48	11.22	1.22	3.22	5.22	8.22	10.58
Healy	6.15	7.58	8.50	11.25	1.25	3.25	5.25	8.25	11.01
Western Ave.	6.20	8.03	8.55	11.30	1.30	3.30	5.30	8.30	11.06
Ar UNION STATION	6.30 AM	8.14 AM	9.05 AM	11.40 AM	1.40 PM	3.40 PM	5.40 PM	8.40 PM	11.15 PM



PUBLIC VERSION

EXHIBIT G

EXHIBIT A-1

NORTH LINE between CHICAGO and FOX LAKE

SOUTHBOUND

	SUNDAY AND HOLIDAY					
	2602 AM	2126 AM	2132 PM	2136 PM	2142 PM	2146 PM
Lv FOX LAKE	6.49	10.12	2.12	4.12	7.12	9.50
Ingleside	6.52	10.15	2.15	4.15	7.15	
Wilson Road	6.54	10.17	2.17	4.17	7.17	9.54
Long Lake	6.57	10.20	2.20	4.20	7.20	9.57
Round Lake	7.01	10.24	2.24	4.24	7.24	10.01
Grays Lake	7.05	10.29	2.29	4.29	7.29	10.06
Libertyville	7.12	10.36	2.36	4.36	7.36	10.13
Rondout	7.17	10.41	2.41		7.41	10.17
Lake Forest	7.22	10.46	2.46	4.46	7.46	10.23
Deerfield	7.27	10.52	2.52	4.52	7.52	10.28
Northbrook	7.31	10.57	2.57	4.57	7.57	10.33
Glenview	7.37	11.03	3.03	5.03	8.03	10.39
Golf	7.40	11.06	3.06	5.06	8.06	10.42
Morton Grove	7.43	11.09	3.09	5.09	8.09	10.45
Edgebrook	7.47	11.14	3.14	5.14	8.14	10.49
Forest Glen	7.50	11.17	3.17	5.17	8.17	10.53
Mayfair	7.53	11.20	3.20	5.20	8.20	10.56
Grayland	7.55	11.22	3.22	5.22	8.22	10.58
Healy	7.58	11.25	3.25	5.25	8.25	11.01
Western Ave.	8.03	11.30	3.30	5.30	8.30	11.06
Ar UNION STATION	8.14	11.40	3.40	5.40	8.40	11.15

OK  
RC  
8-18



PUBLIC VERSION

EXHIBIT EXHIBIT A-1

NORTH LINE between CHICAGO and FOX LAKE

NORTHBOUND

	2109	2111	2115	SUNDAY AND HOLIDAY		
	AM	AM	PM	2605	2609	2147
				PM	PM	AM
Lv UNION STATION	8.35	9.50	12.25	5.40	9.20	12.25
Western Ave.	8.43	9.58	12.33	5.48	9.28	12.33
Healy	8.48	10.04	12.38	5.53	9.33	12.38
Grayland	8.51	10.07	12.41	5.56	9.36	12.41
Mayfair	8.53	10.09	12.43	5.58	9.38	12.43
Forest Glen	8.56	10.12	12.46	6.01	9.41	12.46
Edgebrook	8.59	10.15	12.49	6.04	9.44	12.49
Morton Grove	9.03	10.19	12.53	6.08	9.48	12.53
Golf	9.06	10.22	12.56	6.11	9.51	12.56
Glenview	9.09	10.25	12.59	6.15	9.54	12.59
Northbrook	9.15	10.31	1.04	6.21	10.00	1.05
Deerfield	9.20	10.36	1.09	6.26	10.05	1.09
Lake Forest	9.25	10.41	1.14	6.31	10.10	1.14
Rondout	9.30	10.46	1.19	6.36	10.17	1.19
Libertyville	9.35	10.51	1.24	6.41	10.22	1.24
Grays Lake	9.42	10.58	1.31	6.49	10.29	1.31
Round Lake	9.46	11.02	1.35	6.53	10.33	1.36
Long Lake	9.50	11.06	1.39	6.56	10.37	1.40
Wilson Road	9.53	11.09	1.42	6.58	10.39	1.42
Ingleside		11.11	1.44	7.00	10.41	
Ar FOX LAKE	10.00	11.15	1.50	7.05	10.45	1.47
	AM	AM	PM	PM	PM	AM

OK  
R  
2-18



**PUBLIC VERSION**  
WEST LINE between CHICAGO and ELGIN

EASTBOUND

		MONDAY THROUGH FRIDAY										
		2200	2202	2204	2206	2208	2210	2212	2214	2216	2218	2220
		AM	AM	AM	AM	AM	AM	AM	AM	AM	AM	AM
	Miles											
Lv ELGIN	0.0	5.00	5.52	6.25		6.40	6.50		7.03		7.29	7.50
Elgin (Nat'l St)	0.6	5.02	5.54	6.27		6.42	6.52		7.05		7.31	7.52
Bartlett	6.5	5.10	6.02	6.34	6.42	6.50		7.05	7.13		7.38	8.00
Hanover Park	8.2	5.13	6.05	6.37	6.45	6.53	7.02	7.08	7.15		7.41	8.02
# Schaumburg	10.1	5.15	6.07	6.40	6.48	6.56	7.05	7.17			7.44	8.05
Roselle	12.7	5.18	6.10	6.43	6.51	6.59	7.08	7.13	7.21		7.47	8.08
Medinah	13.6	5.20	6.13		6.53			7.15			7.50	
Itasca	15.6	5.23	6.16	6.47	6.56	7.03	7.12		7.26		7.53	8.13
Wood Dale	17.5	5.26	6.19	6.50	6.59	7.06		7.20	7.30		7.56	8.16
Bensenville	19.4	5.29	6.22	6.55	7.04	7.11	7.17	7.24	7.35	7.45	7.59	8.19
Mannheim	22.6	5.35	6.28			7.16				7.51		8.25
Franklin Park	23.4	5.38	6.30	7.00	7.09	7.18	7.23			7.53	8.05	8.28
River Grove	25.2	5.41	6.34	7.03	7.12		7.26	7.32		7.56		
Elmwood Park	26.4	5.43	6.36	7.06	7.15	7.22	7.28	7.35		7.58		8.30
Mont Clare	27.1	5.45	6.38		7.17	7.24	7.30			8.00		
Mars	27.5	5.46	6.40		7.19		7.32			8.02		
Galewood	28.0	5.48	6.42			7.26		7.39		8.04		
Hanson Park	28.9	5.50	6.44		7.22		7.35			8.07		
Cragin	29.6	5.53	6.46	7.14	7.25	7.29				8.09		
Hermosa	30.7	5.57	6.51	7.17	7.28	7.32	7.39	7.44		8.12		
Western Ave.	33.7	6.04	6.56	7.23	7.34	7.39	7.45	7.50	7.52	8.17	8.23	8.45
Ar UNION STATION	36.6	6.15	7.08	7.35	7.45	7.50	7.55	8.02	8.05	8.26	8.34	8.55
		AM	AM	AM	AM	AM	AM	AM	AM	AM	AM	AM

# Service to this station will begin on or about November 1, 1982.

Schedule as contained in Chicago, Milwaukee, St. Paul & Pacific Railroad Company Employee Timetable No. 2 dated April 25, 1982 shall remain in effect until service begins to the Schaumburg station.



**PUBLIC VERSION**  
WEST LINE between CHICAGO and ELGIN

EASTBOUND

SATURDAY ONLY

	2200 AM	2202 AM	2214 AM	2216 AM	2218 AM	2222 AM	2224 AM	2704 PM	2228 PM	2236 PM	2246 PM	2250 PM
Lv Elgin	5.00	5.52	7.03		7.29	8.55	11.05		2.05	5.05	7.10	9.35
Elgin (Nat'l St.)	5.02	5.54	7.05		7.31	8.57	11.07		2.07	5.07	7.12	9.37
Bartlett	5.10	6.02	7.13		7.38	9.05	11.15		2.15	5.15	7.20	9.45
# Hanover Park	5.13	6.05	7.15		7.41	9.08	11.18		2.18	5.18	7.23	9.48
# Schaumburg	5.15	6.07	7.17		7.44	9.11	11.21		2.21	5.21	7.26	9.49
Roselle	5.18	6.10	7.21		7.47	9.14	11.24		2.24	5.24	7.29	9.52
Medinah	5.20	6.13			7.50	9.17	11.27		2.27	5.27	7.32	9.54
Itasca	5.23	6.16	7.26		7.53	9.20	11.30		2.30	5.30	7.35	9.57
Wood Dale	5.26	6.19	7.30		7.56	9.23	11.33		2.33	5.33	7.38	9.59
Bensenville	5.29	6.22	7.35	7.45	7.59	9.26	11.36	2.10	2.36	5.36	7.41	10.02
Mannheim	5.35	6.28		7.51		9.32	11.42		2.42	5.42	7.47	10.07
Franklin Park	5.38	6.30		7.53	8.05	9.34	11.43		2.44	5.44	7.49	10.09
River Grove	5.41	6.34		7.56		9.37	11.47		2.47	5.47	7.52	10.12
Elmwood Park	5.43	6.36		7.58		9.39	11.49		2.49	5.49	7.54	10.14
Mont Clare	5.45	6.38		8.00		9.41	11.51		2.51	5.51	7.56	10.16
Mars	5.46	6.40		8.02		9.43	11.53		2.53	5.53	7.58	10.18
Galewood	5.48	6.42		8.04		9.45	11.55		2.55	5.55	8.00	10.20
Hanson Park	5.50	6.44		8.07		9.48	11.58		2.58	5.58	8.03	10.23
Crugin	5.53	6.46		8.09		9.51	12.01		3.00	6.00	8.05	10.26
Hermosa	5.57	6.51		8.12		9.54	12.03		3.03	6.03	8.08	10.29
Western Ave.	6.04	6.56	7.52	8.17	8.23	9.59	12.09	2.27	3.09	6.09	8.14	10.34
Ar UNION STATION	6.15 AM	7.08 AM	8.05 AM	8.28 AM	8.34 AM	10.10 AM	12.20 PM	2.40 PM	3.20 PM	6.20 PM	8.25 PM	10.45 PM

# Service to this station to begin on or about November 1, 1982

Schedule as contained in Chicago, Milwaukee, St. Paul & Pacific Railroad Company Employee Timetable No. 2 dated April 25, 1982 shall remain in effect until service begins to the Schaumburg station.



## WEST LINE between CHICAGO and ELGIN

## EASTBOUND

		SUNDAY AND HOLIDAY					
		2700	2702	2224	2228	2236	2248
		AM	AM	AM	PM	PM	PM
Lv	ELGIN	6.36	8.20	11.05	2.05	5.05	8.30
	Elgin (Nat'l St.)	6.38	8.22	11.07	2.07	5.07	8.32
	Bartlett	6.44	8.29	11.15	2.15	5.15	8.40
	Hanover Park	6.46	8.32	11.18	2.18	5.18	8.43
#	Schaumburg	6.48	8.34	11.21	2.21	5.21	8.46
	Roselle	6.50	8.37	11.24	2.24	5.24	8.49
	Medinah	6.52	8.39	11.27	2.27	5.27	8.52
	Itasca	6.55	8.42	11.30	2.30	5.30	8.55
	Wood Dale	6.58	8.45	11.33	2.33	5.33	8.58
	Bensenville	7.02	8.49	11.36	2.36	5.36	9.01
	Mannheim	7.07	8.55	11.42	2.42	5.42	9.07
	Franklin Park	7.09	8.58	11.43	2.44	5.44	9.09
	River Grove	7.12	9.01	11.47	2.47	5.47	9.12
	Elmwood Park	7.14	9.03	11.49	2.49	5.49	9.14
	Mont Clare	7.16	9.05	11.51	2.51	5.51	9.16
	Mars	7.18	9.07	11.53	2.53	5.53	9.18
	Galewood	7.20	9.09	11.55	2.55	5.55	9.20
	Hanson Park	7.23	9.11	11.58	2.58	5.58	9.23
	Cragin	7.26	9.13	12.01	3.00	6.00	9.25
	Hermosa	7.30	9.15	12.03	3.03	6.03	9.28
	Western Ave.	7.35	9.20	12.09	3.09	6.09	9.34
Ar	UNION STATION	7.46	9.30	12.20	3.20	6.20	9.45
		AM	AM	PM	PM	PM	PM

# Service to this station to begin on or about November 1, 1982

Schedule as contained in Chicago, Milwaukee, St. Paul & Pacific Railroad Company Employee Timetable No. 2 dated April 25, 1982 shall remain in effect until service begins to the Schaumburg station.



Exhibit H

Escrow No. \_\_\_\_\_

## ESCROW AGREEMENT

To: Bank of LaGrange Park  
Oak Avenue at Sherwood  
LaGrange Park, Illinois 60525

The following property is deposited with you by the Regional  
Transportation Authority:

Five Hundred Thousand Dollars (\$500,000)

As Escrowee, you are hereby directed to hold, deal with and  
dispose of the aforesaid property and any other property at any  
time held by you hereunder in the following manner, subject  
however, to the terms and conditions hereinafter set forth:

1. For purposes of this Agreement, the following  
terms shall have the following meanings:

(a) "Authority" -- The Regional Transportation  
Authority.

(b) "Claim Notice" -- A notice from the Milwaukee to the Escrowee, which notice shall:

- (i) be signed by the principal operating officer of the Milwaukee or, in his absence, the Milwaukee's Vice-President of Finance;
- (ii) state that the Authority has failed to pay the amounts specified in the Applicable Provisions of the Subject Agreements within the time period prescribed for such payment by such provisions;
- (iii) specify the amounts which the Authority has failed to pay, the date or dates on which such payments were to be made by the Authority, and the basis for claiming that the payment was to be made by the Authority and that the Authority has failed to make such payments within the prescribed time period; and
- (iv) state that the Milwaukee has given to the Authority, at least \_\_\_ business days prior to Milwaukee's submission of the Claim Notice to the Escrowee, a copy of such Claim Notice.

(c) "Milwaukee" -- Richard B. Ogilvie, Trustee of the property of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company.



(d) "Applicable Provisions of the Subject Agreements" -- Section 16.2 of the Trackage Agreement dated \_\_\_\_\_ between the Milwaukee and the Authority; Section 7 of the Lease of Stations and Station Grounds dated \_\_\_\_\_ between the Milwaukee and the Authority; Section \_\_\_ of the Lease of Western Avenue Yard dated \_\_\_\_\_ between the Milwaukee and the Authority; Section \_\_\_ of the Lease of the Fox Lake Yard dated \_\_\_\_\_ between the Milwaukee and the Authority; and Section \_\_\_ of the Lease of the Elgin Yard dated \_\_\_\_\_ between the Milwaukee and the Authority.

2. Upon receipt of a Claim Notice from the Milwaukee, you are directed to pay, from the principal amount then on deposit with you, to the Milwaukee the amount which the Milwaukee has, pursuant to subparagraph 1(b) of this Escrow Agreement, stated that the Authority has failed to pay. You shall give notice to the Authority of such payment immediately after making such payment.



3. The Milwaukee shall not submit a Claim Notice to the Escrowee unless and until the Milwaukee gives the Authority, at least 3 business days prior to the Milwaukee's submission of the Claim Notice to the Escrowee, a copy of such Claim Notice.

4. At the direction of the Authority, you are directed to invest the principal balance held by you hereunder in such investments in which the Authority is authorized by law to invest with a maturity not in excess of 31 days.

5. Upon receipt of any investment earnings, you are directed to pay such earnings to the Authority.

6. To the extent necessary to make any payment pursuant to paragraph 2 above, you are directed to liquidate investments made pursuant to paragraph 4 above.

7. Each time the principal balance held by you hereunder is less than \$500,000 for a period of more than 10 days, you are directed to notify the Milwaukee and the Authority of the principal balance and the date on which such balance last was \$500,000 or more. For the purpose of determining the principal balance held by you, you are directed to value any investments at your cost.

8. Upon receipt from the Milwaukee and the Authority of notice of the termination of this Agreement, you are directed to distribute all the property held hereunder to the Authority.

9. This Agreement is binding on Richard B. Ogilvie, not as an individual, but solely in his capacity as Trustee of the property of Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Debtor. After approval by the Reorganization Court the Milwaukee waives any right pursuant to section 77 of the Bankruptcy Act or any other federal law to reject or disaffirm this Agreement.

#### TERMS AND CONDITIONS

10. Your duties and responsibilities shall be limited to those expressly set forth in these escrow instructions, and you shall not be subject to, nor obliged to recognize, any other agreement between, or direction or instruction of, any or all of the parties hereto even though reference thereto may be made herein: provided, however, with your written consent,



these escrow instructions may be amended at any time or times by an instrument in writing signed by all the then parties in interest.

11. You are authorized, in your sole discretion, to disregard any and all notices or instructions given by any of the undersigned or by any other person, firm or corporation, except only such notices or instructions as are hereinabove provided for and orders or process of any court entered or issued with or without jurisdiction. If any property subject hereto is at any time attached, garnished, or levied upon under any court order or in case the payment, assignment, transfer, conveyance or delivery of any such property shall be stayed or enjoined by any court order, or in case any order, judgment or decree shall be made or entered by any court affecting such property or any part thereof, then and in any of such events you are authorized in your sole discretion, to rely upon and comply with any such order, writ, judgment or decree which you are advised by legal counsel of your own choosing is binding upon you; and if you comply with any such order, writ, judgment or decree you shall not be liable to any of the parties hereto or to any other person, firm or corporation by reason of such compliance even though such order, writ, judgment or decree may be subsequently reversed, modified, annulled, set aside or vacated.



12. You shall not be personally liable for any act taken or omitted hereunder if taken or omitted by you in good faith and in the exercise of your own best judgment. You shall also be fully protected in relying upon any written notice, demand, certificate or document which you in good faith believe to be genuine.

13. Unless otherwise specifically indicated herein you shall proceed as soon as practicable to collect any checks or other collection items at any time deposited hereunder. All such collections shall be subject to the usual collection agreement regarding items received by your commercial banking department for deposit or collection. You shall not be required to have a duty to notify anyone of any payment or maturity under the terms of any instrument deposited hereunder, nor to take any legal action to enforce payment of any check, note or security deposited hereunder. You shall have no liability to pay interest on any money deposited or received hereunder (except as provided in paragraphs 4 and 5 above).

14. You shall not be responsible for the sufficiency or accuracy of the form, execution, validity or genuineness of documents or securities now or hereafter deposited hereunder, or of any endorsement thereon, or for any lack of endorsement



thereon, or for any description therein, nor shall you be responsible or liable in any respect on account of the identity, authority or rights of the persons executing or delivering or purporting to execute or deliver any such document, security or endorsement or these escrow instructions.

15. Any notices which you are required or desire to give hereunder to any of the undersigned shall be in writing and may be given by mailing the same to the address indicated below opposite the signature of such undersigned (or to such other address as said undersigned may have theretofore substituted therefor by written notification to you), by United States mail, postage prepaid. For all purposes hereof any notice so mailed shall be as effectual as though served upon the person of the undersigned to whom it was mailed at the time it is deposited in the United States mail by you whether or not such undersigned thereafter actually receives such notice. Notices to you shall be in writing and shall not be deemed to be given until actually received by your employee or officer who administers this escrow. Whenever under the terms hereof the time for giving a notice or performing an act falls upon a Saturday, Sunday or holiday, such time shall be extended to the next business day. Notices between the Milwaukee and the Authority shall not be deemed to be given until actually received.



16. In case you become involved in litigation on account of being escrowee hereunder or on account of having received property subject hereto, your costs, expenses and reasonable attorneys' fees shall be paid by the party that does not prevail in the litigation or as agreed by the parties in any settlement of the litigation.

17. You shall be paid your reasonable fees for your services and reimbursed for your costs and expenses hereunder by the Authority.

18. If your fees, costs expenses, or reasonable attorneys' fees provided for herein, are not promptly paid, you shall have the right to sell a sufficient portion of the property held hereunder to provide for such payment and reimburse yourself therefor from the proceeds of such sale or from the cash held hereunder.

19. It is understood that you reserve the right to resign as Escrowee at any time by giving 30 days written notice of your resignation, specifying the effective date thereof, to the undersigned. Within 30 days after receiving the aforesaid notice, the Authority shall appoint a successor Escrowee to which you may distribute the property then held hereunder, less



your fees, costs and expenses. If a successor Escrowee has not been appointed and has not accepted such appointment by the end of the 30 day period, you may apply to a court of competent jurisdiction for the appointment of a successor Escrowee, and the Authority shall pay the costs, expenses and reasonable attorneys' fees which you incur in connection with such a proceeding.

20. If, by its terms, this escrow shall not have previously terminated, then it shall terminate on December 31, 1989, at which time the property then held hereunder, less your fees, costs and expenses shall be distributed to the Authority.

21. This escrow agreement shall be construed, enforced, and administered in accordance with the laws of the State of Illinois. The Authority may assign its rights hereunder to the Northeast Illinois Regional Commuter Railroad Corporation.

22. The undersigned Escrowee hereby acknowledges receipt of the property described in the above Escrow Agreement and agrees to hold, deal with and dispose of said property and other property at any time held by it hereunder in accordance with the foregoing Escrow Agreement.

23. Executed this \_\_\_\_\_ day of \_\_\_\_\_, 1982  
at Chicago, Illinois.

PARTIES TO ESCROW

ADDRESSES

Regional Transportation Authority

300 North State Street  
Chicago, Illinois 60611  
Attn: Contract Manager

By: \_\_\_\_\_  
Lewis W. Hill, Chairman

Richard B. Ogilvie, Trustee  
of the Property of the Chicago  
Milwaukee, St. Paul and Pacific  
Railroad Company

874 Union Station Building  
516 West Jackson Boulevard  
Chicago, Illinois 60606

\_\_\_\_\_  
Bank of LaGrange Park

Oak Avenue at Sherwood  
LaGrange Park, Illinois 60525

By: \_\_\_\_\_  
Donald H. Schwiesow, President

ATTEST:  
  
\_\_\_\_\_

Trackage Agreement  
Exhibit I

Primary Accounts

<u>Account Number</u>	<u>Description</u>
1	Engineering
2	Land for transportation purposes
3	Grading
6	Bridges, trestles and culverts
8	Ties
9	Rail
10	Other track material
11	Ballast
12	Track laying and surfacing
13	Fences, snowsheds and signs
16	Stations and office buildings
17	Roadway buildings
26	Communication systems
27	Signals and interlockers
29	Power plants
31	Power transmission systems
39	Public improvements
45	Power plant machinery



**EXHIBIT A-2**

**SLRCO 1985 Inc. Trackage Agreement**

EXHIBIT G-1TRACKAGE AGREEMENT

THIS AGREEMENT, made and entered into this 19th day of February, 1985, by and between RICHARD B. OGILVIE, TRUSTEE OF THE PROPERTY OF CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY, DEBTOR ("Milwaukee"), and SLRCO, INC. a Minnesota corporation ("SLRCO").

The parties hereto agree as follows:

## ARTICLE I.

JOINT LINE DEFINED

1.1 The term "Joint Line" refers to the following trackage, as shown in approximation on Exhibit A, and ancillary facilities between Madison Street, Chicago, Illinois (Mile Post 0.2) and Fox Lake, Illinois (Mile Post 49.79) ("North Line") and between Tower A-5 (Mile Post 5.26) and Almora, Illinois (Mile Post 40.26) ("West Line"): (a) the right of way and improvements thereto, including, but not limited to, rails, ties, ballast, switches, turnouts, wyes, crossovers, bridges, culverts, fills, cuts, right of way fences, embankments, tunnels and grade crossings and grade crossing signals; (b) sidings and spurs, except industry owned spurs; (c) signals and communication facilities; (d) interlocking devices;

(e) towers, sheds, buildings and structures; and (f) such other property, equipment and facilities necessary to the provision of freight service and intercity passenger service ("Service") on the North line and West Line and used by the Milwaukee in the normal course of providing Service. The Joint Line shall not include air rights.

1.2 For the purposes of equitably dividing the monthly expenses for billing purposes between the two parties, the Joint Line shall be divided on a zone basis as follows:

a. North Line

Zone 1 (1 main). Between Fox Lake, Illinois (Mile Post 49.79) and Rondout, Illinois (Mile Post 32.25).

Zone 2 (1 and 2 mains). Between Rondout, Illinois (Mile Post 32.25) and Deerfield, Illinois (Mile Post 24.58).

Zone 3 (1 and 2 mains). Between Deerfield, Illinois (Mile Post 24.58) and Tower A-20, Techny, Illinois (Mile Post 20.63).

Zone 4 (1 and 2 mains). Between Tower A-20, Techny, Illinois (Mile Post 20.63) and Tower A-5, Chicago, Illinois (Mile Post 5.85).

Zone 5 (1, 2 and 3 mains). Between Tower A-5, Chicago, Illinois (Mile Post 5.85) and Tower A-2, Chicago, Illinois (Mile Post 3.02).

Zone 6 (1, 2 and 3 mains). Between Tower A-2, Chicago, Illinois (Mile Post 3.02) and Canal Street, Chicago,



Illinois (Mile Post 0.57), such mains being jointly owned by Milwaukee and The Consolidated Rail Corporation ("Conrail") under an Agreement dated February 7, 1873, as amended.

Zone 7 (1 and 2 mains). Between Lake Street, Chicago, Illinois (Mile Post 0.55) and Madison Street, Chicago, Illinois (Mile Post 0.20), such mains being jointly owned by Milwaukee and Conrail under an Agreement dated February 7, 1873, as amended.

b. West Line (1 and 2 Mains)

Zone 8. Between Almore, Illinois (Mile Post 40.26) and Elgin, Illinois (Mile Post 36.64).

Zone 9. Between Elgin, Illinois (Mile Post 36.64) and Spaulding, Illinois (Mile Post 32.75).

Zone 10. Between Spaulding, Illinois (Mile Post 32.75) and Tower B-17, Bensenville, Illinois (Mile Post 16.87).

Zone 11. Between Tower B-17, Bensenville, Illinois (Mile Post 16.87) and Tower B-12, Franklin Park, Illinois (Mile Post 12.82).

Zone 12. Between Tower B-12, Franklin Park, Illinois (Mile Post 12.82) and Tower A-5, Chicago, Illinois (Mile Post 5.11).

## ARTICLE II.

GRANT FOR OPERATION OF TRAINS

2.1 Milwaukee grants to SLRCO the non-exclusive right to use the Joint Line solely for the purpose of providing Service over the Joint Line, and the exclusive right to provide Service to industries on the Joint Line. SLRCO's right to use the Joint Line shall be in common with the Regional Transportation Authority and its assignee, Northeast Illinois Regional Commuter Railroad Corporation (collectively "RTA") pursuant to a Trackage Agreement dated September 16, 1982 between the Milwaukee and RTA (the "RTA Agreement") and such other railroad company or companies previously or subsequently admitted to the use of any part of the Joint Line; provided that:

(a) Except for (1) FRA track inspections, (2) emergencies and (3) temporary detour usage of less than 30 days in a 12 month period, the Milwaukee shall not admit any third party to the use of any part of the Joint Line ("Third Party Use") which materially interferes with SLRCO's use (or the use of any third party admitted by SLRCO) of the Joint Line as contemplated by this Agreement.

(b) SLRCO shall not permit any third party (except Amtrak) to use or detour over any portion of the Joint Line or agree to operate on the Joint Line the trains, engines and cars



which in the normal course of business would not be considered the trains, engines or cars of SLRCO engaged in Service, except that SLRCO may admit a third party to use of the Joint Line in accordance with Section 2.3.

2.2 The rights herein granted to SLRCO to use the Joint Line are limited solely to the provision of Service; nothing in this Agreement shall be construed to give SLRCO or any third party the right to operate Commuter Service as defined in the RTA Agreement.

2.3 SLRCO may admit a third party to use of the Joint Line as long as:

(a) the third party's use of the Joint Line would not materially interfere with any other prior user of the Joint Line;

(b) the third party is not allowed any use of the Joint Line which would not be permitted to SLRCO under this Agreement; and

(c) the third party pays the Milwaukee an amount equal to its proportionate share of Reimbursable Expenses (defined below) and capital expenditures upon the same terms provided in this Agreement with respect to SLRCO, plus a fixed rental at least equal to a base rental of \$645,000 per year escalated from March, 1984 in accordance with the provisions of Section 5.2(g) multiplied by the ratio of the route miles the



third party is admitted to use to the route miles of the entire Joint Line.

ARTICLE III.

CONSTRUCTION OF ADDITIONAL SIDINGS

3.1 As of the date of this Agreement, the sidings which exist on the Joint Line are sufficient to permit safe and efficient operation of the existing level of Commuter Service and Service over the Joint Line. The Milwaukee shall construct any additional sidings which are made necessary in its judgment by increased levels of traffic over the Joint Line or which are requested by SLRCO. The costs of the construction of these additional sidings shall be paid by:

(a) SLRCO, if the sidings are made necessary solely due to an increase in the operations of SLRCO or are requested by SLRCO;

(b) A third party, if the sidings are made necessary solely due to increases in the operations of a third party (including RTA) admitted to the use of the Joint Line;

(c) SLRCO and a third party pursuant to a separate agreement allocating such costs if the sidings are made necessary by increases in the operations of both SLRCO and a third party (including RTA) admitted to the use of the Joint Line.

## ARTICLE IV.

RADIO COMMUNICATIONS EQUIPMENT

4.1 SLRCO shall, at its sole expense, maintain, repair and replace, as necessary, all radio communications equipment on its trains, engines and cars to permit safe and efficient operation on the Joint Line.

## ARTICLE V.

PAYMENT

5.1 SLRCO shall pay to the Milwaukee the amounts described in this Article V. Payment shall be made in accordance with Article VI.

5.2 As used in this Agreement, the following terms shall have the meanings ascribed to them:

(a) Estimated SLRCO Summary Expense Bill -- the Milwaukee's reasonable and good faith estimate of SLRCO's proportionate share of Reimbursable Expenses for a calendar month.

(b) SLRCO Summary Expense Bill -- the monthly bill (or credit) submitted by the Milwaukee to SLRCO for SLRCO's proportion of Reimbursable Expenses for a calendar month, as computed pursuant to Section 5.4.

(c) Property Tax Bill -- the annual bill submitted by the Milwaukee to SLRCO for the payment of SLRCO's proportion-



ate share computed pursuant to Section 5.3 for general real estate taxes with respect to the Joint Line in the counties of Cook, Lake, DuPage and Kane within the State of Illinois.

(d) Gross Ton Mile Proportion -- the ratio determined by dividing the gross ton miles generated by all trains, engines, cars and contents (including passengers) by or on behalf of SLRCO in each zone of the Joint Line during a calendar month by the total number of gross ton miles generated by all trains, engines, cars and contents (including passengers) by or on behalf of the SLRCO and any third parties (including RTA) in each zone during that month. The number of passengers on each SLRCO or third party (including RTA) train during a month shall be determined on the basis of an annual joint study of the RTA and SLRCO.

(e) Train Count Proportion -- the ratio determined by dividing the number of trains operated by or on behalf of Parent in each zone of the Joint Line during a calendar month by the total number of all trains operated by or on behalf of the SLRCO and any third parties (including RTA) in each zone during that month.

(f) Reimbursable Expenses -- Reimbursable Expenses means the following expenses incurred by or on the account of the Milwaukee or on the account of SLRCO:

(1) the expenses incurred during the term of this Agreement and attributable to this Agreement as recorded in the Milwaukee's or SLRCO's accounts;



(2) the expenses properly chargeable to the zones defined in Section 1.2 of this Agreement;

(3) the ordinary and necessary expenses incurred for material (including normal handling charges), labor, health and welfare benefit, fuel, equipment rentals, payroll taxes (including "head" taxes), sales taxes, use taxes and excise taxes and miscellaneous expenses in maintaining, operating, repairing and renewing the Joint Line.

Reimbursable Expenses shall be accounted for by the accrual method of accounting in the Milwaukee's and SLRCO's accounts, consistently applied. Except as required by applicable ICC regulations, changes made by SLRCO or the Milwaukee in its accounting system shall not affect the timing of recognition of Reimbursable Expenses under this Agreement.

(g) Fixed Expense -- Fixed Expense shall mean \$645,000 per year, payable in 12 equal monthly installments, which shall be adjusted in accordance with this paragraph. As of the first of March in each year beginning March 1, 1985, Fixed Expense shall be adjusted based on the ratio of the Consumer Price Index - Urban, All Items, United States City Average ("CPI-U") as published by the U.S. Department of Labor for that month to the CPI-U for March 1984. The adjustment shall be based on the first published final index for March of that year, or if not available, the first published final index for the most recently available prior month. Any adjustment based upon an index for a prior month shall be provisional, and



revisions to this provisional adjustment, if necessary, will be made at the time the first published final index for March is available. Should the CPI-U be discontinued or the basis for its calculation be substantially modified, a proper index shall be substituted by mutual agreement of the parties.

5.3 General real estate taxes payable by the Milwaukee with respect to the Joint Line on a county by county basis shall be allocated on the basis of the ratio of the unit-miles of the locomotives, cars and cabooses operated by or on behalf of SLRCO over the entire Joint Line during a calendar year to the unit-miles of all locomotives, cars and cabooses operated over the entire Joint Line during that year. Each yearly Property Tax Bill shall be initially based on the tax bills for the preceding year for which a definite tax bill is available and movements for the preceding year, and shall be adjusted, based on actual movements and actual tax bills, within 30 days of receipt of the actual tax bills for each year during the term of this Agreement. The Property Tax Bill for each year shall be submitted by the Milwaukee to SLRCO on or after August 1 of the year to which it applies, beginning with the year 1984 (for 1984 taxes), payable by the 15th day of the month after the month of receipt of the bill. The Property Tax Bill shall be pro-rated for a partial year; such prorations shall be made within 30 days after definite data requiring the proration becomes available.



The Milwaukee shall pay any balances due pursuant to such adjustment or proration within 30 days of an adjustment or proration; SLRCO shall pay any balance due pursuant to an adjustment or proration within 30 days after receipt of an invoice from the Milwaukee.

Any special assessments levied against the Joint Line shall be amortized over the useful life of the facility for the construction or improvement of which the special assessment was levied. The amount of such special assessment applicable to each calendar year of this Agreement shall be allocated between the parties, billed, paid, pro-rated and adjusted on the same basis as general real estate taxes.

5.4 SLRCO and the Milwaukee shall allocate Reimbursable Expenses as follows:

(a) Maintenance of way and structures expenses incurred for each zone of the Joint Line shall be allocated on a monthly basis between the parties on the Gross Ton Mile Proportion.

(b) Transportation, signal and communication systems expenses and maintenance expenses of non-Milwaukee owned equipment (used in the operation or maintenance of the Joint Line) incurred for each zone of the Joint Line shall be allocated on a monthly basis between the parties on a Train Count Proportion.

(c) Expenses for train dispatchers incurred in operating the Joint Line shall be allocated on a monthly basis by



the average of the Train Count Proportions for all zones of the Joint Line.

(d) The monthly allocated share of labor and fringe benefits expenses (including payroll taxes) determined in accordance with subparagraphs (a) through (c) above shall be increased for administrative overhead and vacation and holidays in accordance with Exhibit B.

(e) Monthly expenses incurred for joint facilities which are part of the Joint Line not solely owned by the Milwaukee, identified in Exhibit C, shall be allocated on a Train Count Proportion in the zone in which each facility is located.

5.5 All amounts to be paid by either party under this Agreement shall bear interest from the date the amount was due in accordance with this Agreement until paid at a rate equal to 2% in excess of the corporate base rate of interest announced from time to time by The First National Bank of Chicago, changing as and when such corporate base rate changes.

5.6 SLRCO shall have no liability for any payments or other obligations arising out of its use of the Joint Line pursuant to this Agreement except as provided in this Article V or specifically provided in another provision of this Agreement.

5.7 At the end of each calendar year the Milwaukee shall recalculate SLRCO's and the Milwaukee's respective pro-

portions of the charges set forth in section 5.4 on the basis of SLRCO's Gross Ton Mile Proportion and Train Count Proportion for such calendar year. Such recalculation shall be computed within 45 days after the expiration of such calendar year.

In the event that SLRCO's proportion of such charges for such calendar year exceeds the sum of SLRCO's proportion of such charges for each of the individual months during such calendar year, SLRCO shall pay the Milwaukee such difference within 30 days of such recalculation; and in the event that SLRCO's proportion of such charges for such calendar year is less than the sum of SLRCO's proportion of such charges computed for each of the individual months during such calendar year, the Milwaukee shall pay SLRCO such difference within 30 days of such recalculation or credit SLRCO with such amount in the next Estimated SLRCO Summary Expense Bill.

#### ARTICLE VI.

##### MANNER OF PAYMENT -- INSPECTION OF RECORDS

6.1 SLRCO shall pay Fixed Expense installments on the first day of each month, and shall pay the annual Property Tax Bill on or before the 15th day of the month following the month in which it was received.

6.2 On the first day of each calendar month the Milwaukee shall submit to SLRCO an Estimated SLRCO Summary



Expense Bill for that month. If the Estimated SLRCO Summary Expense Bill shows that SLRCO owes the Milwaukee, the amount owing shall be due within 15 days of receipt of the Estimated SLRCO Summary Expense Bill. If the Estimated SLRCO Summary Expense Bill shows that the Milwaukee owes SLRCO, the amount shall be paid to SLRCO within 30 days of the date of the Estimated SLRCO Summary Expense Bill.

The Milwaukee shall submit to SLRCO within 45 days after the end of each calendar month the SLRCO Summary Expense Bill for that month. If the Estimated SLRCO Summary Expense Bill showed more owing by SLRCO or less owing by the Milwaukee than the SLRCO Summary Expense Bill, the Milwaukee shall credit SLRCO with the excess in the following month's Estimated SLRCO Summary Expense Bill or pay the excess to SLRCO within 15 days. If the Estimated SLRCO Summary Expense Bill showed less owing by SLRCO or more owing by the Milwaukee than the SLRCO Summary Expense Bill, SLRCO shall pay the difference by the 15th day of the month following the month in which the SLRCO Summary Expense Bill is received.

6.3 SLRCO shall furnish to Milwaukee, within 15 days after the end of each calendar month during the term of this Agreement, a statement showing for that month: (a) the train count for the trains operated by or on behalf of SLRCO over each zone of the Joint Line; (b) the gross ton miles generated by the trains, engines and cars and contents operated by or on



behalf of SLRCO over each zone of the Joint Line; and (c) any expenses claimed by SLRCO as a reduction of Reimbursable Expenses. The statement shall be subject to verification and correction by the Milwaukee. If SLRCO fails to furnish the statement within the 15 day period, the Milwaukee may submit a SLRCO Summary Expense bill for that month based on the Gross Ton Proportion and Train Count Proportion during the preceding 12 month period, and assuming no reduction of Reimbursable Expenses. That bill shall be adjusted upon receipt of the required statement from SLRCO. Milwaukee shall furnish to SLRCO copies of RTA's statements to the Milwaukee pursuant to Section 7.4 of the RTA Agreement.

6.4 SLRCO's portion of the costs of the projects described in sections 3.1(a), 3.1(c), 7.2(b) 7.2(c) and 7.2(d), shall be billed as incurred and paid on the 15th day of the month following the month in which the bill is received, subject to verification of the costs and progress of the work.

6.5 No payment shall be delayed because of an error or dispute in a bill. Errors of less than \$5,000 shall be adjusted in the next Estimated or Summary Expense Bill.

6.6 The amounts required to be paid by SLRCO shall be paid by check or by wire transfer of immediately available funds to the Trustee's account #50-30048 at The First National Bank of Chicago or another account designated by the Milwaukee.

6.7 Except as otherwise provided in this Agreement all payments under this Agreement are due and payable within 30 days of receipt of the bill or invoice.



6.8 Records of each party reasonably relating to payment or allocation of expenses under this Agreement shall be open to inspection during regular business hours. Each party shall provide sufficient office space for these inspections together with reasonable assistance in conducting an inspection. Records shall be closed to audit, and no bill as to which no exception has been taken shall be adjusted, after three (3) years from December 31 of the year of the invoice date.

#### ARTICLE VII.

##### JOINT LINE CAPITAL EXPENDITURES

7.1 The Milwaukee may effect capital projects, including significant maintenance projects, in the Joint Line necessary or desirable for the economical and safe operation of trains, engines or cars over the Joint Line, or which are required by applicable law or regulations.

7.2 The costs of capital projects, including significant maintenance projects, shall be paid by:

(a) a third party, if required solely by the operations of third parties (including RTA) admitted to the use of the Joint Line;

(b) SLRCO, if required solely by the operations of SLRCO;

(c) SLRCO and a third party, in accordance with the allocation formulas for operating expense contained in

Section 5.4 applied to capitalized expenses, for projects required by the operations of both SLRCO and third parties (including RTA) admitted to the use of the Joint Line.

(d) SLRCO and a third party pursuant to a separate fixed facilities agreement allocating such costs, if the provisions of subsection (c) are inapplicable and if the project is required by the operations of both SLRCO and third parties (including RTA) admitted to the use of the Joint Line.

7.3 The Milwaukee shall effect capital projects, including significant maintenance projects, requested by and at the sole expense of SLRCO unless such projects would substantially interfere with the rights of a third party (including RTA) admitted to the use of the Joint Line.

#### ARTICLE VIII.

##### OPERATION AND MAINTENANCE OF JOINT LINE

8.1 SLRCO shall direct the movement of all trains, engines, cars and inspection vehicles over the Joint Line. All track, bridge, signal and communication work, materials and track operated machinery and equipment used will be in accordance with industry standards. The priority of the Commuter Service operations and schedules of RTA over the Joint Line shall be observed in accordance with the provisions of the RTA Agreement.



8.2 The operation of all trains over the Joint Line is subject to the direction of SLRCO, and shall at all times be in accordance with reasonable safety and operating rules, regulations and operating timetables prescribed by SLRCO. The management of RTA's Commuter Service is vested solely in the RTA and RTA's trains, engines and cars shall be operated solely by RTA's employees or agents and at RTA's sole expense.

8.3 The Milwaukee shall (a) maintain all joint facility agreements, interlocking agreements and similar arrangements necessary to the operations of the Service over the Joint Line contemplated by this Agreement; (b) pay and discharge when due and payable all lawful governmental charges or levies imposed with respect to the Joint Line (except to the extent and while the validity thereof is contested by appropriate proceedings or when deferred pursuant to an order of the Reorganization Court having jurisdiction over the Milwaukee); (c) provide for utility services necessary to the operations of Service over the Joint Line; and (d) take all other action necessary to permit the Joint Line to be used for the Service by SLRCO.

#### ARTICLE IX.

#### TIME TABLES

9.1 The expenses, including costs of composition, printing, binding and distribution, incurred by SLRCO in the

issuance of revised operating time tables required by changes in the operations of SLRCO or third parties (including RTA) shall be allocated proportionately among the parties whose operations required the change, except that the incremental cost of changes made by SLRCO with respect to its freight or intercity passenger service in connection with a revision required by RTA shall be paid by SLRCO.

#### ARTICLE X.

##### COMPLIANCE WITH LAWS AND OTHER PUBLIC REGULATIONS

10.1 Each party shall comply with all applicable federal, state and local laws, regulations and rules with respect to the use of and the conduct of its operations over the Joint Line. If a party's non-compliance results in any fine, penalty, cost or charge being imposed or assessed on or against the other party, the non-complying party shall defend on notice from the other party, and shall promptly reimburse and indemnify the other party for or on account of such fine, penalty, cost or charge and all expenses and attorneys' fees incurred in defending, any action which may be brought against the other party on account thereof.



## ARTICLE XI.

INSURANCE; PROPERTY DAMAGE AND  
CONSEQUENTIAL DAMAGE WAIVERS; FORCE MAJEURE

11.1 SLRCO waives and shall require its insurers to waive all rights of recovery from the Milwaukee for direct physical loss of all property of SLRCO located or occurring on the Joint Line during the term of this Agreement. SLRCO shall either (a) require third parties whose property is on the Joint Line by permission of SLRCO to waive and their insurers to waive all rights of recovery from the Milwaukee for direct physical loss to all property of such third parties (including luggage and cargo) located or occurring on the Joint Line during the term of this Agreement; or (b) indemnify the Milwaukee for such loss paid by the Milwaukee.

11.2 The Milwaukee waives and shall require its insurers to waive all rights of recovery from SLRCO for direct physical loss to all property of the Milwaukee (including luggage and cargo) located or occurring on the Joint Line during the term of this Agreement.

11.3 Neither SLRCO nor the Milwaukee shall be liable to the other or any third party for delays, interruptions or the failure to perform its obligations under this Agreement due to causes beyond their reasonable control, including: "acts of God"; wars (or similar military action); any act, delay or failure to act on the part of any governmental authority or



agency; insurrection or riot; fires; strikes; work stoppages; wrecks; major equipment breakdowns; failure or delay beyond the control of SLRCO or the Milwaukee in obtaining necessary labor, materials or manufacturing facilities or acts of the other party.

11.4 Neither the Milwaukee nor SLRCO shall be liable to the other in contract or in tort (including negligence) under any theory of strict liability, or otherwise, for any special, incidental or consequential loss or damage of any nature arising at any time or from any cause under or related to the performance of this Agreement.

11.5 Except as expressly provided in Sections 11.1 and 11.2 hereof, nothing in this Agreement shall be construed as affecting or impairing any rights of the Milwaukee or SLRCO to contribution or indemnity arising out of claims of third parties.

11.6 During the term of this Agreement, SLRCO shall provide and maintain in effect with respect to the Joint Line and its operations on and affecting the Joint Line insurance coverage of the types and in amounts customary for a line similar to the Joint Line.

## ARTICLE XII.

### DURATION

12.1 This Agreement shall terminate on December 31, 2083; provided, however, this Agreement may be earlier

terminated by SLRCO with respect to any zone on 180 days written notice. The Fixed Expense shall be proportionately reduced in the event of termination of a zone on the basis of the route miles of the zone to the route miles of the entire Joint Line. Upon the termination of this Agreement, SLRCO shall remove its rolling stock from the Joint Line.

12.2 If SLRCO terminates this Agreement with respect to a zone, SLRCO may remove at its expense any sidings or other capital projects in that zone entirely paid for by SLRCO, subject to the Milwaukee's right to purchase any or all of the sidings or other capital projects at their net liquidation value.

#### ARTICLE XIII.

##### NOTICES -- HOW GIVEN

13.1 All requests, notices, demands, authorizations, directions, consents or waivers or other documents required or permitted under this Agreement shall be in writing and shall be delivered in person to, or deposited postage pre-paid in the registered or certified mails of the United States addressed to SLRCO at:

SLRCO, Inc.  
516 West Jackson Boulevard  
Chicago, Illinois 60606

Attention: President



or to the Milwaukee at:

Trustee  
Chicago, Milwaukee, St. Paul and  
Pacific Railroad Company  
P.O. Box 6205  
597 West Jackson Boulevard  
Chicago, Illinois 60680-6205

or at such other address as either party may at any time or  
from time to time designate by notice to the other.

#### ARTICLE XIV.

##### SECTION HEADINGS

14.1 Section headings are inserted for convenience  
only and shall not affect any construction or interpretation of  
this Agreement.

#### ARTICLE XV.

##### SUCCESSORS AND ASSIGNS; ASSIGNMENT

15.1 This Agreement shall be binding upon the succes-  
sors of the parties hereto. The respective rights and obliga-  
tions of SLRCO under this Agreement may not be assigned or  
delegated without the written consent of the Milwaukee, except  
to a successor in interest to SLRCO (whether by merger, con-  
solidation, or acquisition of all or substantially all of  
SLRCO's assets) or to another corporation which controls, is  
controlled by, or is under common control with, SLRCO.



15.2 The respective rights and obligations of the Milwaukee under this Agreement shall be considered to run with and be a burden on the Joint Line and shall be binding on any successor to the Milwaukee. Effective as of any transfer of the title of the Milwaukee to any third party, including for that purpose to SLRCO, the Milwaukee shall to the extent title is transferred have no further rights under and shall be relieved of all obligations under this Agreement, except for rights and obligations accrued as of the date of transfer.

ARTICLE XVI.

AGREEMENT LIMITATIONS ON TRUSTEE

16.1 This Agreement is binding on Richard B. Ogilvie, not as an individual, but solely in his capacity as Trustee of the property of Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Debtor.

ARTICLE XVII.

OTHER MISCELLANEOUS PROVISIONS

17.1 No modification, addition or amendment to this Agreement shall be effective unless in writing executed by the authorized officers or agents of each party.

17.2 This Agreement shall be governed by the laws of the State of Illinois.

17.3 The provisions of this Agreement shall be interpreted where possible in a manner necessary to sustain their legality and enforceability. The unenforceability of any provision of this Agreement in a specific situation shall not affect the enforceability of: (a) that provision in another situation; or (b) the other provisions of this Agreement if such other provisions could then continue to conform with the purposes of this Agreement and the terms and requirements of applicable law.

17.4 The failure of SLRCO or the Milwaukee to insist upon strict performance by the other of its obligations under this Agreement or the failure or delay in exercising any rights or remedies provided under this Agreement or at law shall not be deemed or construed as a waiver of any claims or rights. No waiver of a breach of any provision of this Agreement shall constitute or be construed as a waiver of any other breach or of that provision.

17.5 If the Milwaukee or SLRCO refuses to perform its obligations under this Agreement in accordance with its terms and that action results in the inability of the SLRCO or any third party (including RTA) to use the Joint Line substantially on the terms contemplated by this Agreement, the non-defaulting party shall, in addition to the remedies available to it at law, be entitled to specific performance of the affected provisions of this Agreement.



IN WITNESS WHEREOF, the parties hereto have caused  
this document to be executed as of the day and year first above  
written.

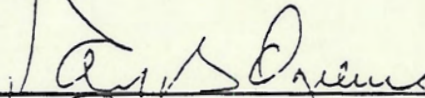
WITNESS

\_\_\_\_\_

ATTEST:

\_\_\_\_\_

RICHARD B. OGILVIE  
TRUSTEE OF THE PROPERTY OF THE  
CHICAGO, MILWAUKEE, ST. PAUL  
AND PACIFIC RAILROAD COMPANY,  
DEBTOR

  
\_\_\_\_\_

SLECO, INC.  
  
\_\_\_\_\_

President



Soo Line Railroad Company



Soo Line Building  
Box 530  
Minneapolis, Minnesota 55440  
(612) 347-8240

**PAUL D. GILMORE**  
Senior Vice President  
Operations

June 13, 1989

CMC Real Estate Corporation  
P. O. Box 6205  
Chicago, Illinois 60680-6205

Metra  
547 West Jackson Boulevard  
Chicago, Illinois 60606

Re: Trackage Agreement dated February 19, 1985, by and between Richard B. Ogilvie, Trustee of the Property of Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Debtor, and SLRCO, Inc. (the "Trackage Agreement")  
Law Department files: 533, 1083

Gentlemen:

The Trackage Agreement refers to Exhibits A, B, and C. Unfortunately, the Exhibits were apparently never attached to the originals of the Trackage Agreement; either that, or they were subsequently lost or misplaced.

The purpose of this letter is to evidence our agreement that the documents attached hereto as Exhibits A, B, and C (which documents are described more particularly below) are in fact true copies of the correspondingly-lettered Exhibits to the Trackage Agreement. We are also in agreement that the attached Exhibits A, B, and C, or copies thereof, may be attached to the executed originals of the Trackage Agreement in lieu of the missing Exhibits.

The attached documents are described more fully as follows:

Exhibit A: A composite Exhibit consisting of eleven maps, which maps are identified as follows --

Zone 1 schematic showing track layout between Rondout and Fox Lake, IL., bearing date of March 3, 1982, and revision date of July 15, 1982.



CMC & Metra  
June 14, 1989  
Page 2

Zone 2 schematic showing track layout between Deerfield and Rondout, IL., bearing date of March 4, 1982, and revision date of July 15, 1982.

Zone 3 schematic showing track layout between Techny and Deerfield, IL., bearing date of March 3, 1982, revision date of April 2, 1982, and revision date of July 15, 1982.

Zone 4 schematic showing track layout between Pacific Jct. (A-5) and Techny (A-20), bearing date of March 1, 1982, and revision date of 4-2-82.

Zone 5 schematic showing track layout between Western Ave. (A-2) and Pacific Jct. (A-5), bearing date of February 24, 1982, and revision date of July 15, 1982.

Zone 6 & 7 schematic showing track layout between Union Station and Western Ave. (A-2), bearing date of 2/24/82 and revision date of 7/15/82.

Zone 8 schematic showing track layout between Elgin and Almora, bearing date of March 1, 1982, and revision date of July 15, 1982.

Zone 9 schematic showing track layout between Spaulding and Elgin, bearing date of March 1, 1982, and revision date of July 15, 1982.

Zone 10 schematic showing track layout between Bensenville (B-17) and Spaulding, bearing date of March 1, 1982, and revision date of July 15, 1982.

Zone 11 schematic showing track layout between Franklin Park (B-12) and Bensenville (B-17), bearing date of 2/24/82 and revision date of 7/15/82.

Zone 12 schematic showing track layout between Pacific Jct. (Tower A-5) and Franklin Park (Tower B-12), IL., bearing date of February 22, 1982, revision date of April 2, 1982, and revision date of July 15, 1982.

Exhibit B: A two-page Exhibit pertaining to the allocation of vacation, holiday, and administrative overhead expense.

CMC & Metra  
June 14, 1989  
Page 3

Exhibit C: A one-page Exhibit entitled "JOINT FACILITY AGREEMENTS."

Very truly yours,

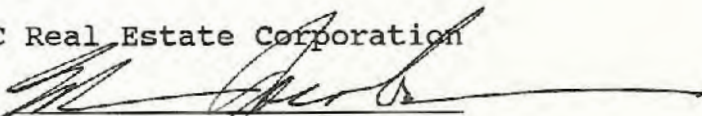


PDG/jr

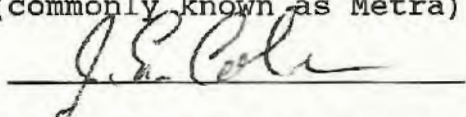
Attachment

AGREED:

CMC Real Estate Corporation

By   
Its President

Commuter Rail Division of the  
Regional Transportation Authority  
(commonly known as Metra)

By   
Its EXECUTIVE DIRECTOR

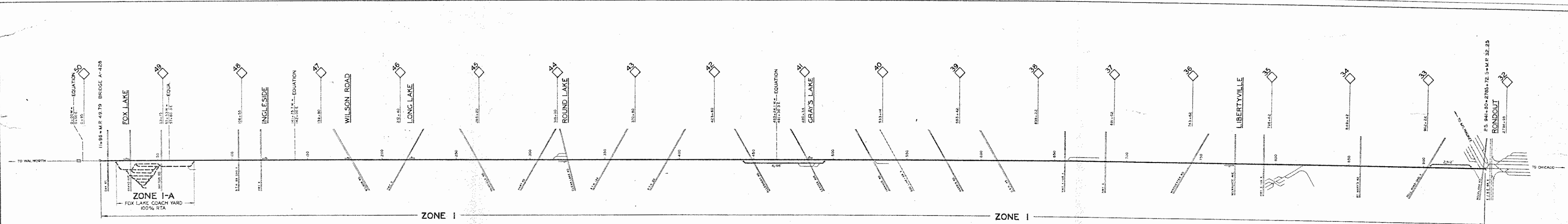
GOQL.081

APPROVED AS TO LEGAL FORM

BY USA

DATE 6/29/89





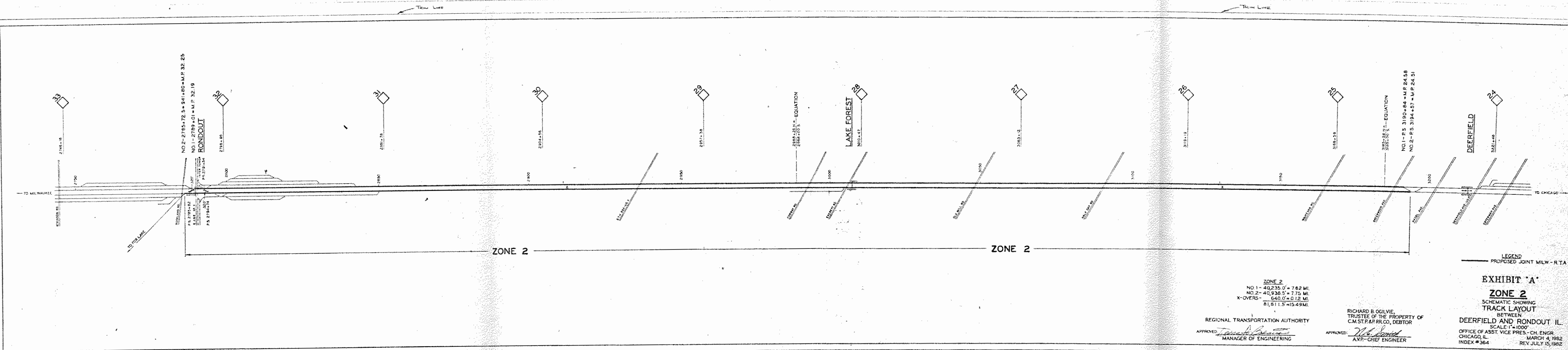
LEGEND  
 PROPOSED JOINT MILW-R.T.A.

ZONE I  
 100,356.2' = 19.01 MI.

REGIONAL TRANSPORTATION AUTHORITY  
 APPROVED: [Signature] MANAGER OF ENGINEERING

RICHARD B. OGILVIE,  
 TRUSTEE OF THE PROPERTY OF  
 C.M. ST. P. & P. RR. CO., DEBTOR  
 APPROVED: [Signature] AMP-CHIEF ENGINEER

EXHIBIT 'A'  
 ZONE I  
 SCHEMATIC SHOWING  
 TRACK LAYOUT  
 BETWEEN  
 RONDOUT AND FOX LAKE, IL.  
 SCALE: 1" = 2000'  
 OFFICE OF ASST. VICE PRES. - CH. ENGR.  
 CHICAGO, IL. MARCH 3, 1982  
 INDEX # 364 REV. JULY 15, 1982



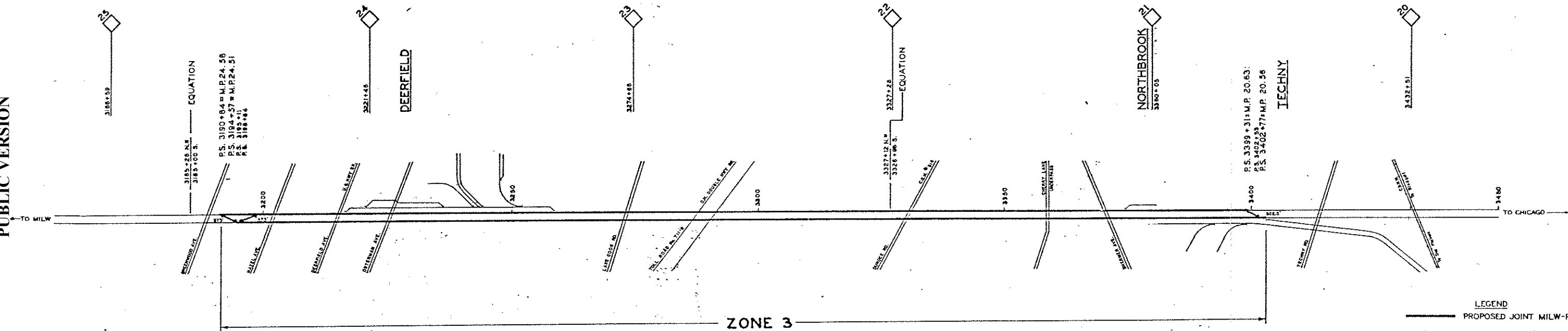
LEGEND  
 PROPOSED JOINT MILW - R.T.A.

**EXHIBIT "A"**  
**ZONE 2**  
 SCHEMATIC SHOWING  
 TRACK LAYOUT  
 BETWEEN  
 DEERFIELD AND RONDOUT, IL.  
 SCALE: 1" = 1000'  
 OFFICE OF ASST. VICE PRES. - CH. ENGR.  
 CHICAGO, IL. MARCH 4, 1982  
 INDEX # 364 REV. JULY 15, 1982

REGIONAL TRANSPORTATION AUTHORITY  
 APPROVED: *[Signature]*  
 MANAGER OF ENGINEERING

RICHARD B. OGILVIE  
 TRUSTEE OF THE PROPERTY OF  
 C.M. ST. P. & N.W. CO., DEBTOR  
 APPROVED: *[Signature]*  
 AXP - CHIEF ENGINEER

ZONE 2  
 NO. 1 - 40,235.0' = 7.62 MI.  
 NO. 2 - 40,936.5' = 7.75 MI.  
 X-OVERS - 640.0' = 0.12 MI.  
 81,811.5' = 15.49 MI.



**ZONE 3**

NO. 1 = 20,861.0' = 3.95 MI  
 NO. 2 = 20,834.0' = 3.95 MI  
 X-OVERS = 1,068.5' = .20 MI  
 42,763.5 = 8.10 MI

LEGEND  
 PROPOSED JOINT MILW-RTA

**EXHIBIT 'A'**  
**ZONE 3**  
 SCHEMATIC SHOWING  
 TRACK LAYOUT  
 BETWEEN  
 TECHNY AND DEERFIELD, IL.  
 SCALE: 1"=1000'

OFFICE OF ASST. VICE PRES.-CHIEF ENGR.  
 CHICAGO, IL.

INDEX 384  
 MARCH 3, 1982  
 REV. APRIL 2, 1982  
 REV. JULY 13, 1982

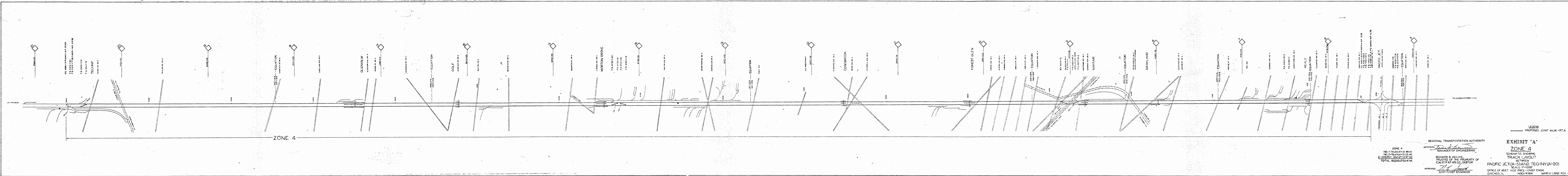
REGIONAL TRANSPORTATION AUTHORITY

APPROVED: \_\_\_\_\_  
 MANAGER OF ENGINEERING

RICHARD B. OGILVIE,  
 TRUSTEE OF THE PROPERTY OF  
 C.M. ST. P. & P. RR. CO., DEBTOR

APPROVED: *Richard B. Ogilvie*  
 A.V.P. - CHIEF ENGINEER



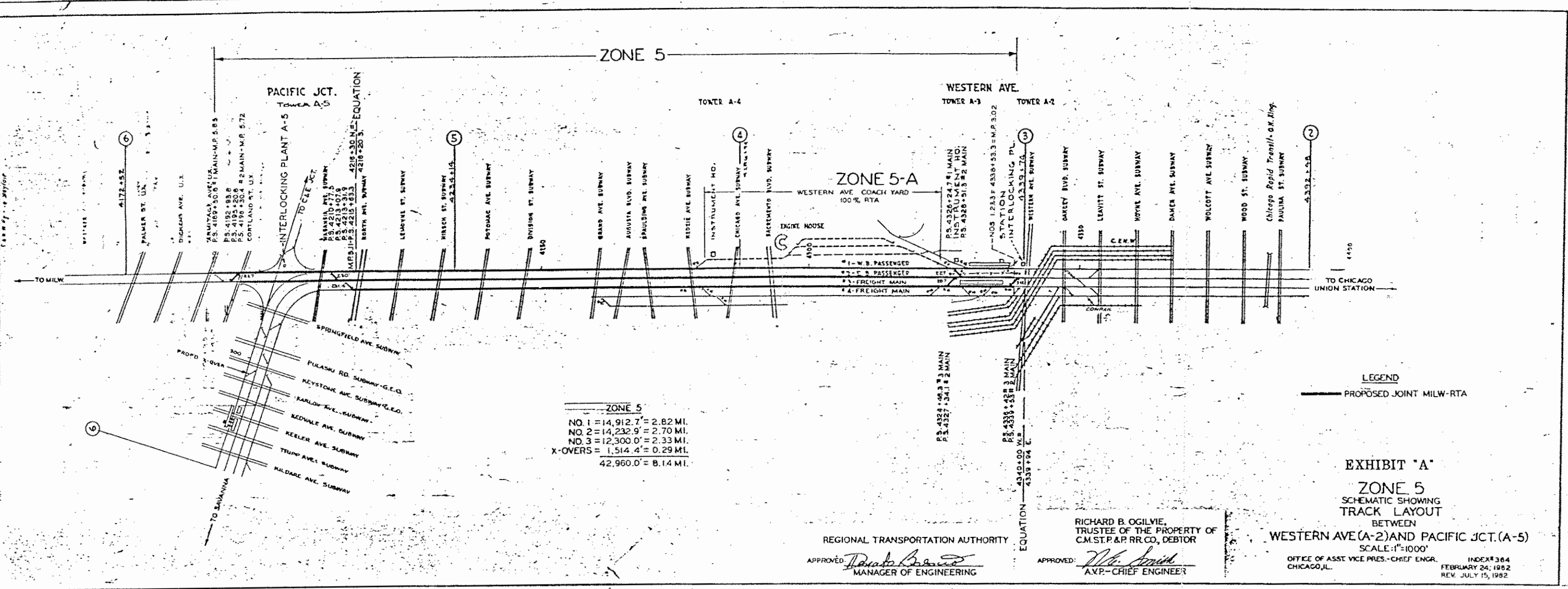


ZONE 4

REGIONAL TRANSPORTATION AUTHORITY  
 APPROVED: *[Signature]*  
 MANAGER OF ENGINEERING  
 RICHARD B. OGILVIE,  
 TRUSTEE OF THE PROPERTY OF  
 CHICAGO & NORTH WESTERN RAILROAD CO., DEBTOR  
 APPROVED: *[Signature]*  
 AVP-CHIEF ENGINEER

LEGEND  
 PROPOSED JOINT MILW-RTA

**EXHIBIT "A"**  
**ZONE 4**  
 SCHEMATIC SHOWING  
 TRACK LAYOUT  
 BETWEEN  
 PACIFIC JCT (A-5) AND TECHNY (A-20)  
 OFFICE OF ASST. VICE PRES. - CHIEF ENGR.  
 INDEX #364 MARCH 1, 1982 REV. 4-2-82



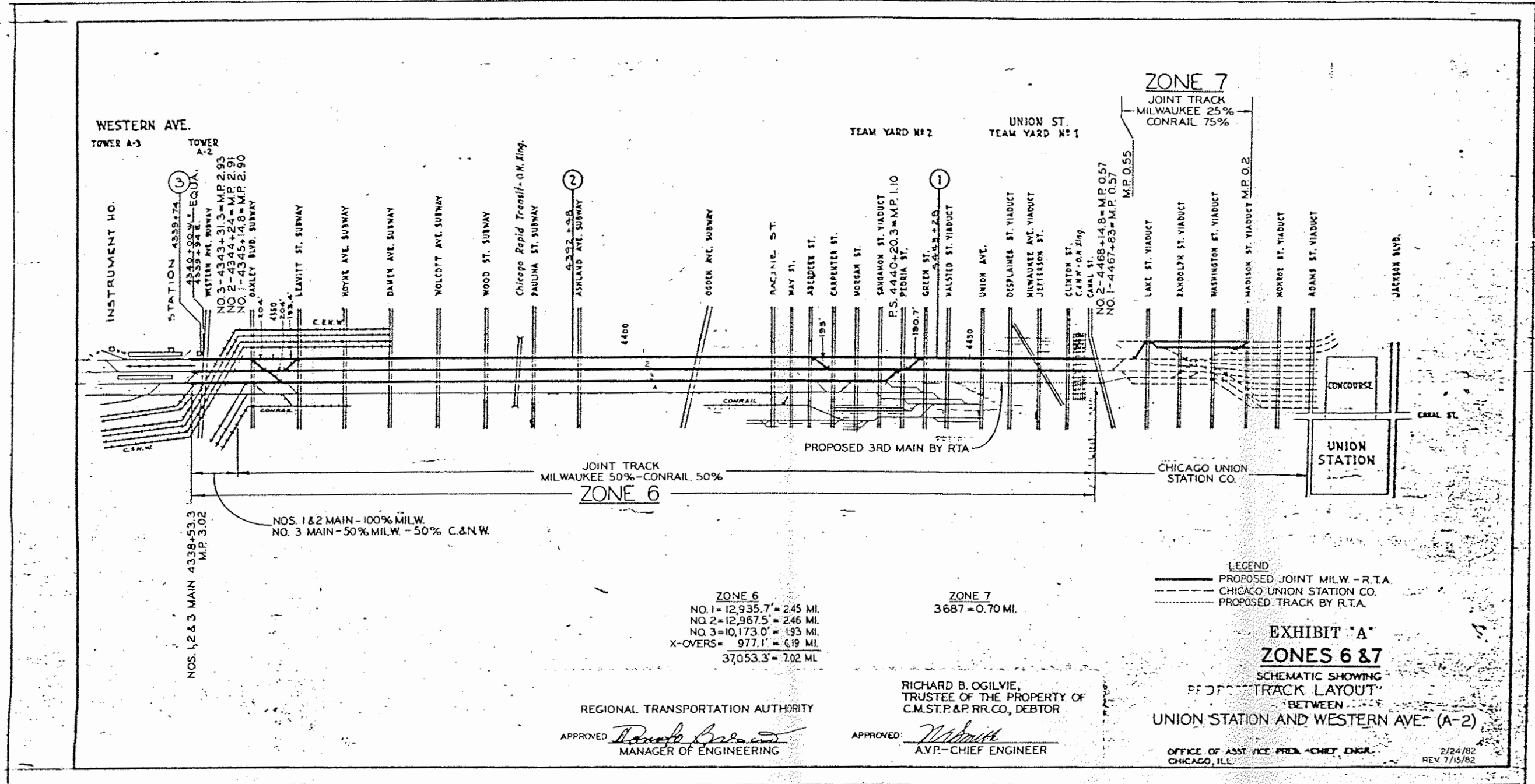
**ZONE 5**

NO. 1	= 14,912.7' = 2.82 MI.
NO. 2	= 14,232.9' = 2.70 MI.
NO. 3	= 12,300.0' = 2.33 MI.
X-OVERS	= 1,514.4' = 0.29 MI.
<b>TOTAL</b>	<b>42,960.0' = 8.14 MI.</b>

**LEGEND**  
 ——— PROPOSED JOINT MILW-RTA

**EXHIBIT "A"**  
**ZONE 5**  
 SCHEMATIC SHOWING  
 TRACK LAYOUT  
 BETWEEN  
 WESTERN AVE (A-2) AND PACIFIC JCT. (A-5)  
 SCALE: 1"=1000'  
 OFFICE OF ASST. VICE PRES.-CHIEF ENGR.  
 CHICAGO, ILL.  
 INDEX# 364  
 FEBRUARY 24, 1982  
 REV. JULY 15, 1982

REGIONAL TRANSPORTATION AUTHORITY  
 APPROVED: *Donald B. ...*  
 MANAGER OF ENGINEERING  
 APPROVED: *Richard B. Ogilvie*  
 A.V.P.-CHIEF ENGINEER



WESTERN AVE.  
TOWER A-3

INSTRUMENT HO.

STATION 4339+74  
1349+00 W. - EQU.  
1359+54 E. - EQU.  
NO. 3 - 4343+31.3 = M.P. 2.93  
NO. 2 - 4344+24 = M.P. 2.91  
NO. 1 - 4345+14.8 = M.P. 2.90  
OAKLEY BLDG. SUBWAY

LEAVITT ST. SUBWAY  
HOYNE AVE. SUBWAY  
DAMEN AVE. SUBWAY  
WOLCOTT AVE. SUBWAY  
WOOD ST. SUBWAY

Chicago Rapid Transit - O.K. King.  
PAULINA ST. SUBWAY

ASHLAND AVE. SUBWAY

OGDEN AVE. SUBWAY

RACINE ST.  
MAY ST.  
APPLETON ST.  
CARPENTER ST.  
MORGAN ST.

SANGAMON ST. VIADUCT  
P.S. 4440+20.3 = M.P. 1.10  
PEORIA ST.  
GREEN ST.

HALSTED ST. VIADUCT

UNION ST. TEAM YARD #1

DESPLAINES ST. VIADUCT  
MILWAUKEE AVE. VIADUCT  
JEFFERSON ST.

CLINTON ST.  
CANAL ST.  
LAKE ST. VIADUCT

ZONE 7  
JOINT TRACK  
MILWAUKEE 25%  
CONRAIL 75%

RANDOLPH ST. VIADUCT  
WASHINGTON ST. VIADUCT  
MADISON ST. VIADUCT M.P. 0.2

MONROE ST. VIADUCT  
ADAMS ST. VIADUCT

CONCOURSE  
UNION STATION

CHICAGO UNION STATION CO.

JOINT TRACK  
MILWAUKEE 50% - CONRAIL 50%  
ZONE 6

NOS. 1 & 2 MAIN - 100% MILW.  
NO. 3 MAIN - 50% MILW. - 50% C.&N.W.

NOS. 1, 2 & 3 MAIN 4338+53.3  
M.P. 3.02

ZONE 6  
NO. 1 = 12,935.7' = 2.45 MI.  
NO. 2 = 12,967.5' = 2.46 MI.  
NO. 3 = 10,173.0' = 1.93 MI.  
X-OVERS = 977.1' = 0.19 MI.  
37,053.3' = 7.02 MI.

ZONE 7  
3687 = 0.70 MI.

LEGEND  
— PROPOSED JOINT MILW. - R.T.A.  
- - - CHICAGO UNION STATION CO.  
... PROPOSED TRACK BY R.T.A.

EXHIBIT 'A'  
ZONES 6 & 7

SCHEMATIC SHOWING  
TRACK LAYOUT

BETWEEN  
UNION STATION AND WESTERN AVE. (A-2)

REGIONAL TRANSPORTATION AUTHORITY

APPROVED: *[Signature]*  
MANAGER OF ENGINEERING

RICHARD B. OGILVIE,  
TRUSTEE OF THE PROPERTY OF  
C.M. ST. P. & P. RR. CO., DEBTOR

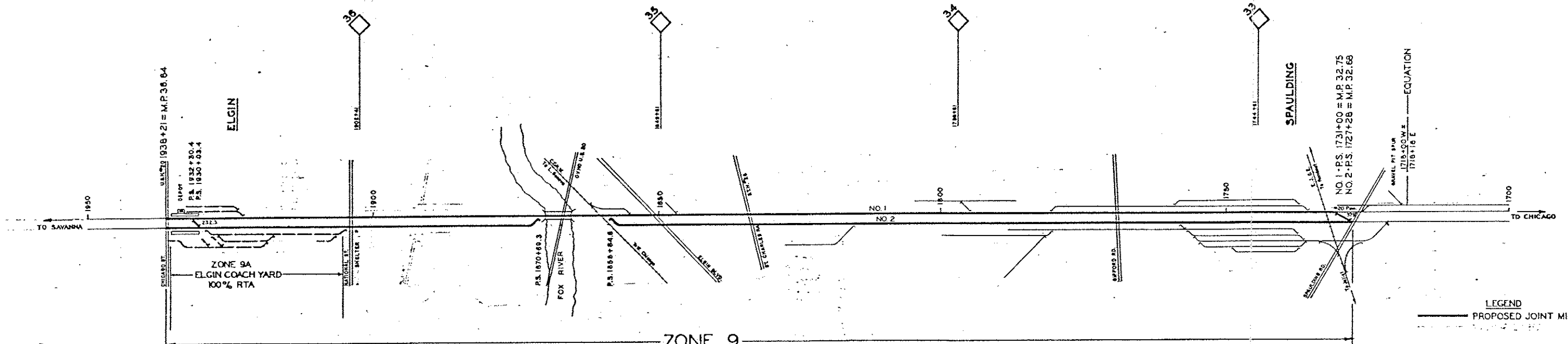
APPROVED: *[Signature]*  
A.V.P. - CHIEF ENGINEER

OFFICE OF ASST. VICE PRES. CHIEF ENGR.  
CHICAGO, ILL.

2/24/82  
REV 7/15/82





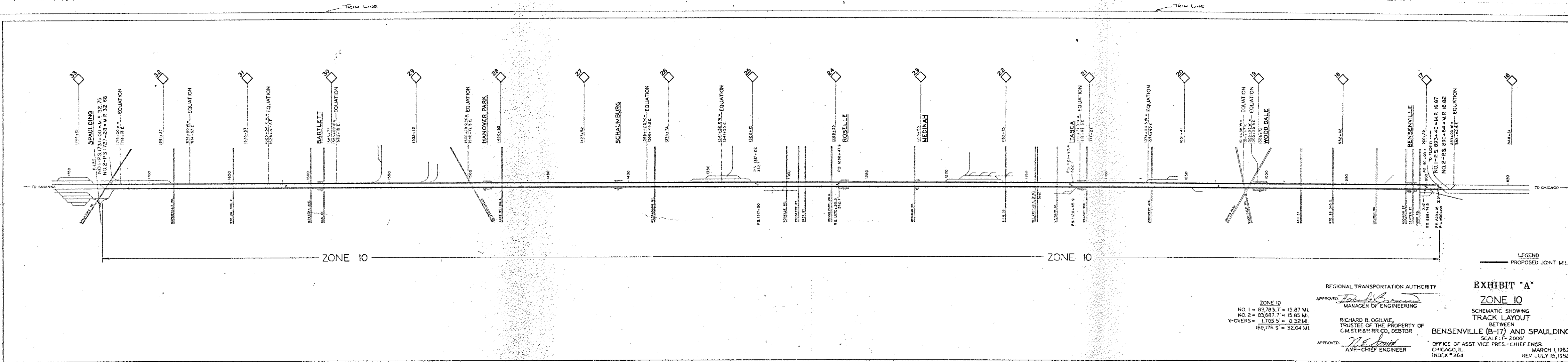


**ZONE 9**  
 NO. 1 = 20,521.0' = 3.89 MI.  
 NO. 2 = 19,708.5' = 3.73 MI.  
 X-OVERS = 611.3 = 0.12 MI.  
 40840.8 = 7.74 MI.

REGIONAL TRANSPORTATION AUTHORITY  
 APPROVED: *[Signature]*  
 MANAGER OF ENGINEERING  
 RICHARD B. OSILVIE,  
 TRUSTEE OF THE PROPERTY OF  
 C.M. ST. P. & P. RR. CO., DEBTOR  
 APPROVED: *[Signature]*  
 A.S.P.-CHIEF ENGINEER

**LEGEND**  
 — PROPOSED JOINT MILW-RTA

**EXHIBIT "A"**  
**ZONE 9**  
 SCHEMATIC SHOWING  
 TRACK LAYOUT  
 BETWEEN  
 SPAULDING AND ELGIN  
 SCALE: 1"=1000'  
 OFFICE OF ASST VICE PRES.- CHIEF ENGR.  
 CHICAGO, IL. INDEX 364 MARCH 1, 1982  
 REV. JULY 15, 1982

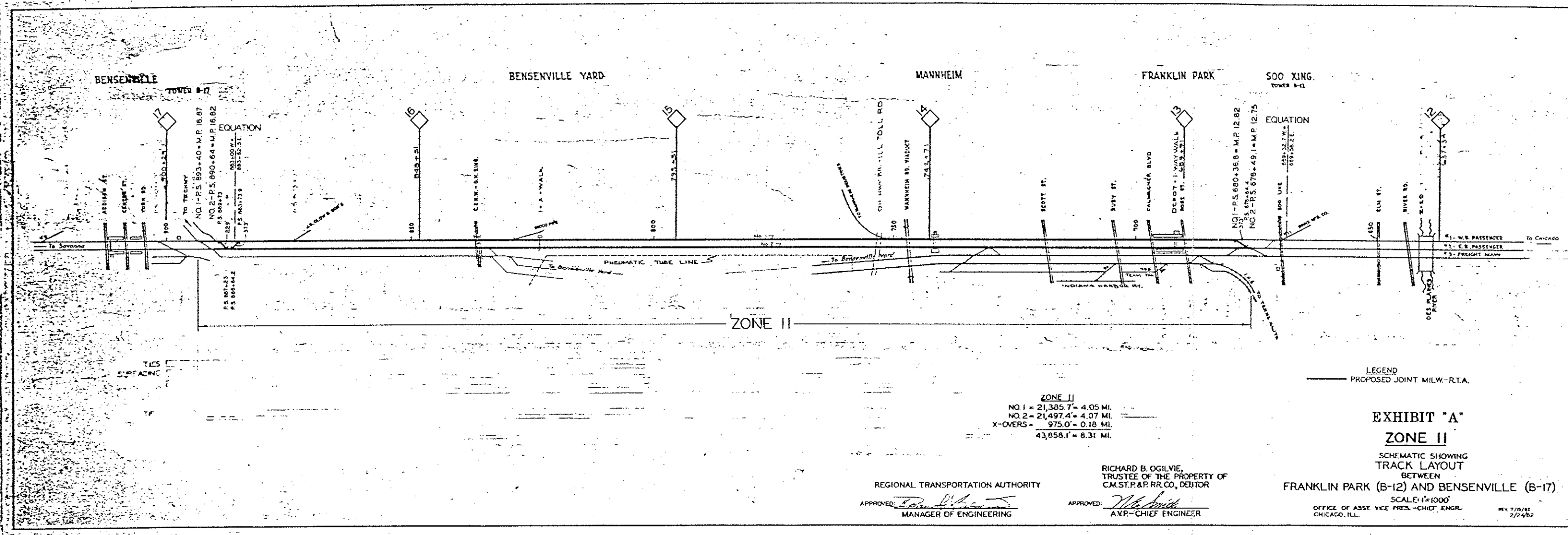


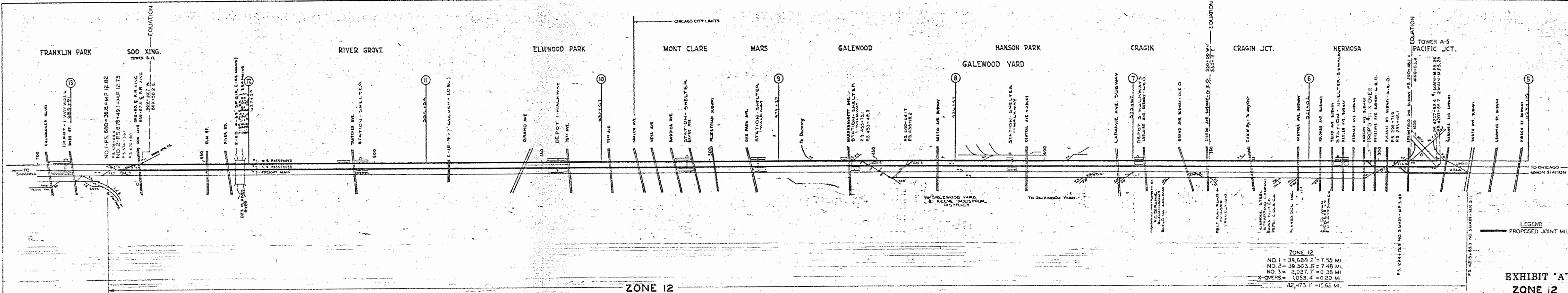
ZONE 10  
 NO. 1 = 83,783.7' = 15.87 MI.  
 NO. 2 = 83,667.7' = 15.85 MI.  
 X-OVERS = 1,705.5' = 0.32 MI.  
 169,176.9' = 32.04 MI.

REGIONAL TRANSPORTATION AUTHORITY  
 APPROVED: *[Signature]*  
 MANAGER OF ENGINEERING  
 RICHARD B. OGILVIE,  
 TRUSTEE OF THE PROPERTY OF  
 C.M. ST. P. & P. RR. CO., DEBTOR  
 APPROVED: *[Signature]*  
 AVP-CHIEF ENGINEER

EXHIBIT "A"  
 ZONE 10  
 SCHEMATIC SHOWING  
 TRACK LAYOUT  
 BETWEEN  
 BENSENVILLE (B-17) AND SPAULDING  
 SCALE: 1" = 2000'  
 OFFICE OF ASST. VICE PRES.-CHIEF ENGR.  
 CHICAGO, ILL.  
 INDEX # 364  
 MARCH 1, 1982  
 REV. JULY 15, 1982







ZONE 12  
 NO. 1 = 39,888.2' = 7.55 MI.  
 NO. 2 = 38,503.8' = 7.48 MI.  
 NO. 3 = 2,027.7' = 0.38 MI.  
 X-OVERS = 1,053.4' = 0.20 MI.  
 82,473.1' = 15.62 MI.

LEGEND  
 PROPOSED JOINT MILW-RTA

EXHIBIT "A"  
 ZONE 12  
 SCHEMATIC SHOWING  
 TRACK LAYOUT  
 BETWEEN  
 PACIFIC JCT. AND FRANKLIN PARK, IL.  
 SCALE: 1"=1000'  
 OFFICE OF ASST. VICE PRES.-CHIEF ENGR.  
 CHICAGO, IL.  
 INDEX # 304  
 FEBRUARY 22, 1982  
 REV. APRIL 2, 1982  
 REV. JULY 15, 1982

REGIONAL TRANSPORTATION AUTHORITY  
 APPROVED: *[Signature]*  
 MANAGER OF ENGINEERING

RICHARD B. OGILVIE,  
 TRUSTEE OF THE PROPERTY OF  
 C.M. ST. P. & N.W. RR CO., DEBTOR  
 APPROVED: *[Signature]*  
 AVP-CHIEF ENGINEER

## TRACKAGE AGREEMENT

## METHODOLOGY FOR ALLOCATION OF VACATION AND HOLIDAY EXPENSES

Expenses to be Allocated (A):

Vacation and holiday expenses properly distributed to operating expense accounts as prescribed by the Interstate Commerce Commission's Uniform System of Accounts in 49 CFR part 1201.

Expenses specifically not allocable:

Labor expenses of officers on the exempt payroll, separation allowance payments and productivity fund payments.

Labor Base to Which Vacation & Holiday Expenses are to be Applied (B):

Direct Labor, exclusive of vacation and holiday payments and other payments mentioned above; paid to all employees.

Procedure for Allocation:

Divide the expenses to be allocated (A) by the labor base to which vacation and holiday expenses apply (B). Multiply the resulting ratio by (1) the applicable labor and fringe benefits properly charged or allocated to each zone on the joint line for commuter service and (2) labor and fringe benefit expenses charged for dispatching on the joint line.

Example Allocation (Unaudited):

Vacation and holiday expenses = \$14,891,180

Labor base = \$154,624,225

Vacation and holiday expense ratio =  $\$14,891,180 \div \$154,624,225 = 9.631\%$

Labor and fringe benefit expenses allocated to zone of commuter line =  
\$10,500

Vacation and holiday expenses allocated to zone =  $\$10,500 \times 9.631\% =$   
\$1,011.26

Allocation Statistic Update Procedures:

Update annually in January utilizing data from previous calendar year.

EXHIBIT B

p. 1 of 2



## METHODOLOGY FOR ALLOCATION OF ADMINISTRATIVE OVERHEAD EXPENSES

Labor Expenses to be Allocated (A):

Expenses for Superintendence and General Administration properly charged to operating expense accounts as prescribed by the Interstate Commerce Commission's Uniform System of Accounts in 49 CFR part 1201.

Expenses specifically not allocable:

Expenses properly chargeable to the following functional areas or accounts are specifically not allocable (B):

Marketing, Car Management, Freight Claim Prevention, Customer Services, Freight Adjustment, Regional Accounting, Revenue/Interline Accounting, and operating expense accounts properly chargeable as shop and store expense.

Labor Base to Which Administrative Overhead Expenses are to be Applied (C):

Labor and vacation and holiday expenses properly charged to operating expense accounts as prescribed in 49 CRR part 1201 and excluding expenses reported in sections A and B.

Procedure for Allocation:

Divide the expenses to be allocated (A) by the labor base to which administrative overhead expenses apply (C). Multiply the resulting ratio by (1) the applicable labor, vacation and holiday expenses, fringe benefits and miscellaneous expenses properly charged or allocated to each zone on the joint line for commuter service and (2) labor, vacation and holiday expenses, fringe benefits and miscellaneous expenses charged for dispatching on the joint line.

Example Allocation (Unaudited):

Administrative overhead expenses = \$2,086,187

Labor base = \$8,711,933

Administrative overhead expense ratio = 23.946%

Labor, vacation and holiday expenses, fringe benefits and miscellaneous expenses allocated to zone of commuter line = \$11,511

Administrative overhead expenses allocated to zone = \$2,756.42

Allocation Statistic Update Procedures:

Update monthly based on actual expenses.

# EXHIBIT B

p. 2 of 2

## JOINT FACILITY AGREEMENTS

<u>ZONE LOCATION</u>	<u>RAILROAD</u>	<u>AGREEMENT DATE</u>	<u>DESCRIPTION</u>	<u>LOCATION</u>
ONE	SOO LINE	8-15-99	AUTOMATIC INTERLOCKER	GRAYS LAKE
TWO	EJ&E RY.	8- 1-89	TOWER & INTERLOCKER	RONDOUT
FOUR	C&NW TRANSP.	1- 1-95	TOWER & INTERLOCKER	MAYFAIR - CHICAGO
FOUR	C&NW TRANSP.	12-31-94	AUTOMATIC INTERLOCKER	GRAYLAND - CHICAGO
FIVE	C&NW TRANSP. CONRAIL	3-24-04	TOWER A-Z, TRACKS & SWITCHES, CROSSINGS	WESTERN AVE. - CHICAGO
SIX	CONRAIL	2- 7-73	TRACKS & FACILITIES WESTERN AVE. TO CANAL ST.	CHICAGO
SEVEN	CONRAIL	2- 7-73	TRACKS & FACILITIES  LAKE STREET TO MADISON STREET	CHICAGO
NINE	C&NW TRANSP.	6-11-10	REMOTE CONTROLLED INTERLOCKER	ELGIN
NINE	EJ&E RY.	8- 1-89	TOWER & INTERLOCKER	SPAULDING
ELEVEN	C&NW TRANSP.	4-18-10	OVERHEAD CROSSING	BENSENVILLE
ELEVEN	C&NW TRANSP.	6-26-12	OVERHEAD CROSSING	BENSENVILLE
ELEVEN	SOO LINE	12- 1-30	TOWER & INTERLOCKER	FRANKLIN PARK
TWELVE	I.H.B.R.R.	3- 1-32	REMOTE CONTROLLED INTERLOCKER	FRANKLIN PARK
TWELVE	C&NW TRANSP.	2- 1-05	REMOTE CONTROLLED INTERLOCKER PACIFIC JCT.	CRAIGIN JUNCTION CHICAGO

## **EXHIBIT A-3**

### **Metra-CP 1993 Supplement**



## METRA COUNTERPART

## SUPPLEMENTAL AGREEMENT

THIS SUPPLEMENTAL AGREEMENT, made and entered into this 27<sup>TH</sup> day of May, 1993, by and between the Commuter Rail Division of the Regional Transportation Authority, a division of a municipal corporation (hereafter referred to as "Metra"), and Soo Line Railroad Company, d/b/a CP Rail System (hereinafter referred to as "CP"). Collectively hereinafter Metra and CP shall be referred to as "the Parties".

## PRELIMINARY STATEMENT

SLRCO (a predecessor in interest to CP) and Richard B. Ogilvie, Trustee of the Property of Chicago, Milwaukee, St. Paul and Pacific Railroad (a predecessor in interest to Metra) entered into a Trackage Agreement dated February 19, 1985 ("Trackage Agreement") whereby SLRCO acquired certain rights to use of the Joint Line as therein defined to provide service over the Joint Line; and

Metra desires to assume certain maintenance obligations on the Joint Line and the Parties wish to supplement the Trackage Agreement to establish the terms and conditions under which Metra will provide such maintenance; and

The Parties desire to incorporate in the Trackage Agreement certain provisions from the September 16, 1982 Trackage Agreement between Richard B. Ogilvie, Trustee of the Property of Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Debtor and the Regional Transportation Authority and the March 2, 1988, Letter Agreement between the Parties.

In consideration of the terms and conditions hereinafter contained, the Parties agree to amend and supplement the Trackage Agreement as follows:

1. All references to Richard B. Ogilvie, Trustee of the Property of Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Debtor ("Milwaukee") shall be deemed to be references to Metra, and all references to SLRCO, Inc. ("SLRCO") shall be deemed to be references to CP.

2. Amend Article 1 as follows:

✓(i) Delete Zone 7 from Section 1.2 a

✓(ii) Amend Article 1.2 b to add to the end of the sentence under Zone 11:

" , including Tracks No. 3, 4, 5, and 6 as shown in Attachment 5 only for the purpose of maintaining signal circuits for the crossings shown in Attachment 5."

✓(iii) Amend Section 1.2 b to add the following: "Zone 13 (#3 main). Between Pacific Junction (Mile Post 5.85) and Tower B-12 (Mile Post 12.82).

✓3. Amend Article II as follows:

(i) Add the following to the end of the first sentence of Section 2.1:

" , including the right to operate self-propelled maintenance of way equipment and inspection equipment. CP shall be required to provide qualified operators when

operating such equipment on the Joint Line."

- ✓(ii) Delete the parenthetical "(except Amtrak)" from Section 2.1 (b)
- ✓(iii) Add to the end of Section 2.1(b) the following:

"; provided however, that CP and its connecting freight carriers shall have the right to carry out normal interchange activities in the Chicago area (cars not destined to or from CP shall in no event be considered interchange cars), and cars and trains of connecting carriers shall be considered those of CP for purposes of compensation to Metra, billing, and liability under this Supplemental Agreement.

- ✓(iv) Add a new Section 2.3 (d) to read as follows:

(d) Prior to April 30, 1996, Amtrak shall be considered a third-party admitted by CP, and until such date CP shall be entitled to all payments due from Amtrak for use of the Joint Line. No additional or other compensation shall be due Metra for Amtrak's use of the Joint Line other than compensation paid by CP for its use of the Joint Line.

- ✓(v) Add a new Section 2.4 to read as follows:

2.4 At any time after April 30, 1996, Metra shall have the right to admit Amtrak to use of the Joint Line and shall be entitled to all compensation due from Amtrak for such use. Amtrak's use of the Joint Line as of and after such aforesaid date shall be considered for



all purposes hereunder as use by Metra trains.

∅ (vi) Add a new Section 2.5 as follows:

2.5 Metra agrees that nothing contained in this Agreement shall in any way be construed or acted upon when such would impede the ability of CP to meet its obligations under the Rail Passenger Service Act of 1970, 45 U.S.C. Section 501, et seq., or under existing and future contracts executed pursuant thereto with the National Railroad Passenger Corporation ("Amtrak"). In such circumstances, the offending provision shall be considered by the Parties to be null and void.

4. Amend Article V as follows:

∅ (i) Section 5.1 shall be amended to read as follows:

"The Parties shall apportion between them the amounts described in this Article V and all payments due under this Article V shall be subject to the special provisions of Attachment 1 attached hereto. Payment shall be made in accordance with Article VI."

(iii) Section 5.2(d) shall be amended to add the following sentence after the first sentence thereof:

"Light engine, backup and industry switching movements shall be excluded in determining Gross Ton Miles Proportion except light engine movements initiated by Metra in excess of 51 per weekday shall be included."

∅ (iv) Amend Section 5.2(e) to add the following sentence

after the first sentence thereof:

"Light engine, backup and industry switching movements shall be excluded in determining the Train Count Proportion except light engine movements initiated by Metra in excess of fifty-one (51) per weekday shall be included."

- √(v) Amend Section 5.4 (d) by adding the following at the end of the section:

", subject to the provisions of Attachment 1 of this Supplemental Agreement."

- √(vi) The word "Parent" in Section 5.2(e) shall be amended to read "either Party."

5. Article VI shall be amended as follows:

- √(i) Section 6.2 shall be amended to add at the beginning of the paragraph the following:

"Except for the first calendar month following the Commencement Date,"

- √(ii) The last sentence of Section 6.3. is amended to read as follows:

Metra shall furnish to CP within 15 days after the end of each calendar month during the term of this Agreement, a statement showing for that month: (a) the train count for the trains operated by or on behalf of Metra over each zone of the Joint Line; and (b) the

gross ton miles generated by the trains, engines and cars and contents operated by or on behalf of Metra over each zone of the Joint Line. Light engine movements in excess of fifty-one (51) per weekday shall be reported by Metra for (a) and (b) above. The statement shall be subject to verification and correction by CP. If Metra fails to furnish the statement within the fifteen (15) day period, the Summary Expense bill for that month shall be based on the Gross Ton Proportion and Train Count Proportion during the preceding twelve (12) month period. That bill shall be adjusted upon receipt of the required statement from Metra.

- ✓(iii) All words after to in the third line of Section 6.6 shall be deleted and replaced with:

"Metra's account 140003100 at Amalgamated Trust and Savings Bank at Chicago or another account designated by Metra."

- ✓6. Article VII is deleted in its entirety and replaced with the following:

#### Section 7. JOINT LINE CAPITAL EXPENDITURES

Definitions: For purposes of this Agreement "Capital Projects" shall mean a project that deals specifically with capital related improvements (e.g.; rehabilitation, replacement, renewal, modernization, or expansion of facilities or equipment) as contained in Attachment 2, as amended from time to time.

7.1. Metra may effect Capital Projects on the Joint Line necessary or desirable for the economical and safe operation of



trains, locomotives or cars over the Joint Line, or which are required by applicable law or regulations. Attachment 2 contains the Five Year Capital Projects Plan through calendar year 1997.

7.2. The costs of Capital Projects shall be paid by:

(a) Metra, if required solely by the operations of Metra or of third parties admitted to the use of the Joint Line by Metra;

(b) CP, if required solely by the operations of CP or of third parties admitted to the use of the Joint Line by CP; provided that CP shall pay the entire cost of the renewal in kind of turnouts for industry spurs used solely for freight operations except those paid for by the industry;

(c) Metra and CP have agreed to an allocation of costs for the Capital Projects identified on Attachment 2. As future Capital Projects are included in amended Attachment 2's, allocation of costs shall be agreed upon; however, in no event shall CP be required to contribute more than fifty percent (50%) of the cost of any Capital Project for the joint benefit of the Parties.

The Parties hereto further agree that the budget figures contained in Attachment 2 are estimates only and will be adjusted to actual expenditures as the work is completed.

7.3. Metra shall effect Capital Projects requested by and at the sole expense of CP unless such projects would substantially interfere with Metra's operations over the Joint Line or the rights

of a third party admitted to the use of the Joint Line.

7.4. Capital Projects effected pursuant to this Section shall be considered personal property and title to such projects shall vest in CP and Metra in proportion to the costs paid by each Party; provided that upon expiration of the useful life (as determined by standard accounting rules) of the project, title to such materials shall automatically transfer to and vest in Metra, except for industry spurs used solely for freight operations.

7.5. The designated representatives from Metra's Engineering Department and CP's Engineering Department shall make an annual joint inspection of the Metra Joint Line for the purpose of determining the Capital Projects to be undertaken and developing the Five Year Capital Program.

A report reflecting Capital Projects for the Metra Joint Line shall be furnished by Metra to CP within thirty (30) days after the annual joint inspection referred to in this Section 7.5 but not later than May 1 of each year. This report shall show in reasonable detail new projects, progress on existing projects, an estimate of total project costs and estimated completion dates. Metra shall not charge to CP the costs of any Capital Project for which CP has not given consent and authorization for expenditure in writing. Such consent shall not be unreasonably withheld, conditioned, or denied.

7.6. In reaching agreement as to allocation, the Parties shall be guided by the following guidelines: CP has no need for the main line tracks to be maintained to higher than FRA Class 3 for freight trains and FRA Class 4 for intermodal trains, and any additional cost needed to meet the Metra Track Standards shall be borne solely by Metra.



7.7. Each Party shall bill the other Party and the Parties shall pay each other in accordance with Article VI Section 6.4.

✓ 7. Article VIII is amended to add the following:

8.3. Metra shall furnish all labor and material and shall maintain, repair and renew the Joint Line, as amended in this Supplemental Agreement, in accordance with the terms of this Agreement, provided that CP shall maintain with its own forces, and at its sole expense, the portion of industry spurs and the portion of side tracks and yards including, but not limited to, those at Spaulding, Rondout, Galewood, Morton Grove, Schaumburg, Itasca, and similar trackage at other locations used exclusively for freight operations all as shown in green on Attachment 3; provided that such trackage owned by Metra shall be maintained by CP to not less than FRA Class 1 standards. Notwithstanding any provision hereof Metra shall perform the entirety of any publicly funded grade crossing improvement project on the Joint Line as amended in this Supplemental Agreement.

8.4. The Parties shall maintain all track, interlocking and crossing signals on the Joint Line as provided in Attachment 4, except the maintenance of the signal system at five (5) grade crossings in Franklin Park shall be governed by Attachment 5.

8.5. Metra shall own and maintain the tower structures at Rondout, A-2, A-5, B-12 and B-17, regardless of which Party operates the towers.

8.6. Metra shall assume maintenance responsibility for the entirety of all bridges spanning or carrying any portion of the Joint Line, but only to the extent CP is currently performing such



maintenance or Metra's predecessors were obligated to perform such maintenance.

8.7. CP shall maintain communication facilities that are related to the control of freight train movements including those related to commuter operations when such facilities overlap with freight operations. CP shall also maintain the CDRC (Centralized Dispatcher Radio Control) communication network including the base stations located at Fox Lake, Rondout, Spaulding, and A-5 and the local radios at Towers B-12, B-17, and Rondout. CP shall maintain the intercom network connecting Towers B-12, B-17, and CP's Bensenville Yard Office and hump tower.

Metra shall maintain the local radio at Towers A-2, A-5, and Track 19 (i.e.; Union Station) including the talk back speakers at those locations. Metra shall also maintain the pole line whether located on Metra property, CP property or third party property.

MCI shall continue to maintain the fiber optics cable. In the event MCI no longer desires to retain fiber optics cable between Cragin and Milwaukee, CP shall have the right to assume MCI's rights to the extent CP uses them for railroad operations.

CP shall continue to own and maintain the T1 equipment, located at the CDRC radio base station building at Rondout and at Bensenville. This equipment is associated with the 24 channel fiber optics circuit between Bensenville and Rondout which is used (or in the process of being used) for the CDRC network, CTC, and telephone circuit.

8.8. CP shall have the right to store inventory at reasonable locations on Metra property for no charge by providing Metra thirty (30) days written notice of its intent to do so, but such storage

shall be at its sole risk and responsibility. The location at which the inventory is stored shall not interfere with Metra's operations. Both CP and Metra shall have such reasonable vehicular and pedestrian access to the other's property as shall be required for their respective maintenance obligations. Each Party shall have the right to locate equipment and other property necessary for its commuter or freight operation on the other Parties property at no charge to the other Party; provided that such equipment and property shall not interfere with the operation of the owning Party. Requests to locate any additional equipment or property on the other Party's property in the future shall be made not less than sixty (60) days in advance of the need to do so and approval of such request shall not be unreasonably withheld.

8.9. As used herein, "Metra Track Standards" means the Class 4 standard of the Federal Railroad Administration or any successor agency ("FRA") for all aspects of track maintenance except track geometry, and the FRA Class 5 standard for track geometry, so as to facilitate the operation of Metra's trains at 70 miles per hour. Metra shall maintain the Joint Line main line tracks to the Metra Track Standards. Exceptions: (i) main line Track No. 3 between Pacific Junction, Chicago, Tower B-12 need only be maintained to FRA Class 2; and (ii) the double main line tracks between Rondout (Mile Post 32.25) and the termination of Metra ownership (Mile Post 32.52) shall be maintained to FRA Class 4 standards for all aspects of track maintenance including geometry. Joint Line facilities other than main line tracks shall be maintained by Metra in accordance with reasonable standards jointly agreed by CP and Metra. Metra shall maintain minimum clearances as are in effect as of the effective date of this Agreement. Track standards necessary for freight operations on the No. 1 and No. 2 main lines (except for intermodal trains and Amtrak) shall be a maximum of FRA Class 3 standards. Track standards necessary for the operation of intermodal trains and Amtrak shall be



not more than FRA Class 4 and 70 miles per hour respectively (79 miles per hour between Mile Post 29 and Mile Post 32.25) in the zones used for such operation.

8.10. If the use of or traffic over the Joint Line is interrupted or delayed at any time, the Parties shall expeditiously restore the line for the passage of trains. Any Metra train, locomotive, or car derailed or damaged on the Joint Line shall be expeditiously picked up or removed by Metra or its emergency service contractor. Any CP train, engine or car derailed or damaged on the Joint Line shall be expeditiously picked up or removed by CP or its emergency service contractor; provided that in the event CP does not so act expeditiously, Metra shall have the right to provide such removal services. The expenses incurred in picking up and removing derailed or damaged trains and the cost of restoration of the Joint Line resulting from a derailment or accident shall be paid in accord with the provision of Section 11.7 hereof.

8.11. In the event Metra fails to meet its obligations under this Section, and if CP gives written notice specifying the failure and requesting that it be remedied, and if Metra fails to remedy such failure within 30 days of receipt of such written notice, then CP shall have the right to correct such failure. With respect to any such corrective work, CP shall also be entitled to deduct from any payments due Metra, Metra's proportionate share of CP's costs of correction, including CP overheads.

8.12. Metra shall (a) maintain all joint facility agreements, interlocking agreements and similar arrangements necessary to the operations controlled by these facilities, with the expense therefore allocated between the Parties as provided in this Agreement; (b) pay and discharge when due and payable all lawful governmental charges or levies imposed with respect to the Joint Line (except to the extent



and while the validity thereof is contested by appropriate proceedings); (c) provide for utility services necessary to operations over the Joint Line; and (d) take all other action necessary to permit the Joint Line to be used for the joint benefit of the Parties and their admittees.

8.13. The routine maintenance forces to be utilized by Metra are specified in Exhibit F of the Transition Agreement. These routine maintenance forces are to remain at or below the levels contained in Exhibit F for the purpose of allocating track and signal maintenance expenses to CP under the Section 5.4 and Attachment 1.

8.14. For costs hereunder, each Party shall bill the other Party and the Parties shall pay each other in accordance with Article V and Article VI, subject to the provisions of Attachment 1.

8.15. CP recognizes the priority of commuter service operations on the Joint Line on Monday through Friday, inclusive, with respect to trains which depart from their originating stations during the times and in the zones identified below and maintain timetable schedule (the "peak period trains"):

Big Timber Road to CUS -- eastbound

5:15 a.m. - 7:45 a.m.

4:30 p.m. - 6:30 p.m.

B-12 to CUS -- eastbound

6:05 a.m. - 8:35 a.m.

5:15 p.m. - 7:15 p.m.

CUS to B-12 & Big Timber Road -- westbound

5:15 a.m. - 8:30 a.m.

4:00 p.m. - 6:15 p.m.

Rondout to CUS -- southbound

6:00 a.m. - 7:50 a.m.

4:20 p.m. - 6:00 p.m.

CUS to A-20 -- northbound

6:25 a.m. - 8:45 a.m.

4:15 p.m. - 6:10 p.m.

A-20 to Rondout -- northbound

7:00 a.m. - 8:15 a.m.

4:30 p.m. - 6:20 p.m.

Fox Lake to Rondout -- southbound

5:00 a.m. - 8:30 a.m.

Rondout to Fox Lake -- northbound

4:30 p.m. - 6:45 p.m.

Except as required by an emergency, CP shall not interfere or permit any third party to interfere with peak period trains. CP shall not object to Metra's operations of peak period trains on the grounds that those operations unreasonably interfere with CP's or third parties' ability to provide efficient freight or intercity

passenger service. CP may make reasonable adjustments to the operations of traffic on the Joint Line which do not unreasonably disrupt or delay trains which are not peak period trains.

8.16. Except as provided in this Section 8.16, the operation of the commuter service on the Joint Line during times outside the peak periods shall be subject to the schedules effective April 25, 1993, for the west line and May 9, 1993 for the north line attached as Attachment 6. Metra may not change the schedule on Attachment 6 without CP's prior written consent, which may not be unreasonably withheld; providing that such change shall not materially interfere with freight operations. However, CP agrees that Metra may add trains to the Joint Line on the new service route between Chicago Union Station and Antioch during the off peak periods as scheduled below:

Eastbound:

Train	Depart	Time
106	B-12	10:38 a.m.
108	B-12	2:38 p.m.

Westbound:

Train	Depart	Time
103	CUS	11:40 a.m.
105	CUS	2:30 p.m.

Additionally, Metra may add, subject to consultation with CP regarding the schedule and CP's consent (whose consent shall not be unreasonably withheld providing that the trains do not materially



interfere with freight operations), ten (10) trains during the off-peak periods as follows: (i) one (1) train in each direction between Tower B-12, Franklin Park and Chicago Union Station (CUS); (ii) Two (2) trains in each direction between Elgin and CUS; (iii) two (2) trains in each direction between Fox Lake and CUS. At any time upon ten (10) days prior written notice, Metra may decrease the number of commuter service trains.

8.17. CP shall operate the interlocking towers, with the exception of Towers A-2 and A-5 which shall be operated by Metra, all under the direction of the CP dispatcher. Billing for the operator positions for Towers A-2 and A-5 shall be in accordance with Article V, Section 5.4 without regard to Attachment 1, subject, however, to the staffing levels contained in Exhibit F.

8. Article XI is amended to add a new Section 11.7 which shall read as follows:

#### Section 11.7 LIABILITY

Definition: Whenever the expression "proportionally by the Parties" is used in this Section, it means that expenses will be borne in proportion to the total gross ton miles handled by each Party in the zone in which the incident occurred in the month prior to the occurrence, or if it cannot be determined in which zone the incident occurred or if the incident occurred in more than one zone, the expenses will be borne in proportion to the total gross ton miles handled by each Party over the entire Joint Line in the month prior to the occurrence. Until April 30, 1996, the locomotives, trains, cars, property, passengers or employees of National Railroad Passenger Corporation (Amtrak) shall be considered CP for liability purposes in this Section 11.7. After such date, said locomotives, trains, cars, property,

passengers, or employees shall be considered Metra for purposes of liability under this Section 11.7. Wisconsin & Calumet Railroad's (WICT) locomotives, trains, cars, and property shall be considered as Metra.

(a) Both Parties shall undertake to comply with all applicable federal and state laws or regulations, and all applicable rules, regulations or orders promulgated by any municipality, board or commission. If any failure of either Party to comply with such laws, rules, regulations or orders in respect to the use of the Joint Line results in any fine, penalty, cost or charge being assessed against the other Party, the Party which failed to comply agrees to reimburse promptly and indemnify the other Party for such amount.

(b) The employees of either Party while operating, maintaining or directing operation along the Joint Line shall not be considered as joint employees but will remain the sole employees of either Party. However, when any sole employee of CP or Metra is engaged in maintaining, repairing, renewing, removing, or inspecting the Joint Line, or in dispatching, giving orders for or directing the movement of trains over the Joint Line, or performing other service involving the Joint Line for the common benefit of the Parties, and the death of, injury to, or loss of property of the sole employee arises out of such service for the common benefit of the Parties, then the liability shall be borne proportionally by the Parties, except for cases covered by Sections 11.7(c) and 11.7(h) below, which losses shall be divided between the Parties in accord with the provisions thereof.

(c) Liability for injury to or death of any persons or loss of or damage to any property, including the Joint Line

and turnouts therefrom, in any manner resulting from or in connection with the operation of locomotives, trains or cars of either Party, or in connection with the presence on the Joint Line of locomotives, trains, cars, property, passengers or employees of either Party, shall be borne and paid by the Parties as follows:

- (i) When the same shall involve the train of only one of the Parties, or a defect in or failure of the Equipment of one of the Parties, liability will be borne by that Party. "Equipment" in this Subparagraph means rolling stock, locomotives and cabooses and includes cars of any ownership which are on the Joint Line in the account of one of the Parties, in which event such cars will be considered to be equipment of the Party in whose account they are unless the car has been repaired by the other Party after it arrived on the Joint Line and the liability is traceable to that repair, in which case that car will be considered to be in the account of the Party performing the repair.
- (ii) When the same shall be due to the acts or omissions of any sole employee of a Party, and that employee is not performing service for the common benefit, liability shall be born by that Party, regardless of any other provision of this Agreement.
- (iii) When the same shall involve the trains of both Parties, the liability shall be borne by each Party as to its own employees, passengers, property, or property in its custody, and as to third party property or persons (other than passengers) the



liability shall be borne proportionally by the Parties.

- (iv) When the same shall be due to any acts or defects not provided for in this Agreement, liability shall be borne by each Party as to its own employees, passengers, property, or property in its custody, but as to third party property or persons (other than passengers) the liability shall be borne by the Party whose locomotive, train or car is **involved** in the accident causing the loss, damage, injury or death, and if the locomotives, trains or cars of both Parties were **involved** in causing such accident, then such liability shall be borne proportionally by the Parties.
- (v) Third-party claims for loss or damage to property arising out of the killing or injuring of livestock or the setting of fires on or along the Joint Line, when caused by the locomotive, train or car of one of the Parties, shall be handled or settled by the Party whose locomotive, train or car caused such loss or damage, but if it cannot be determined whose locomotive, train or car caused such loss or damage, the claim will be handled or settled on behalf of both Parties in the first instance by Metra, and the loss will then be borne proportionally by the Parties.
- (vi) Notwithstanding anything to the contrary herein, claims which are caused by or arise out of the sole negligence of CP train dispatchers or CP or Metra tower operators performing service under the control

of CP or Metra supervision shall be borne by the Party providing such supervision.

(d) Except when Section 11.7(b) is applicable, in the event no locomotive, train or car of either Party is involved, liability shall be borne by each Party as to its own employees, passengers, property, or property in its custody, and as to third party property or persons (other than passengers) the liability shall be borne proportionally by the Parties.

(e) Each Party agrees that it will pay for all loss, damage and expense, the risk of which it has herein assumed, the judgment of any court to the contrary notwithstanding, and will forever indemnify and save harmless the other Party, its successors and assigns, from such judgment.

(f) In the event that both Parties hereto shall be liable under this Agreement for any claim, demand, suit or cause of action, and the same shall be compromised and settled by voluntary payment of money or valuable consideration by one of the Parties, release from liability will be taken in the name of both Parties. Neither Party shall make any such compromise or settlement in excess of \$5,000 without authority of the other Party having liability, but any settlement made by one Party in consideration of \$5,000 or less shall be a settlement releasing all liability of both Parties and shall be binding upon the other Party having liability.

(g) In case a lawsuit or lawsuits shall be commenced against either Party hereto for or on account of any damage or injury for which the other Party would be solely or jointly liable under this Agreement, the Party thus sued shall give

the other Party timely written notice of the pendency of such suit, and thereupon the Party so notified shall assume or join in the defense thereof, and if the Party so notified is liable therefor under this Agreement, such Party shall save harmless the Party so sued from all loss, cost and expense so determined by this Agreement. Neither Party shall be concluded by any judgment against the other Party unless it shall have been so notified and shall have had reasonable opportunity to assume or join in the defense of the action. When so notified, and said opportunity to join in the defense of the action afforded, the Party so notified shall to the extent of its liability under this Agreement be concluded by such judgment.

(h) It is understood and agreed that a number of vehicular crossings of the Joint Line presently exist, or may be constructed. The Parties agree to accept all crossings in their design and configuration as they may be during the term of this Agreement and further agree that rules of liability in this Section 11.7 shall apply to crossing accidents, and such rules shall not be subject to any offset or defense based on such design or configuration.

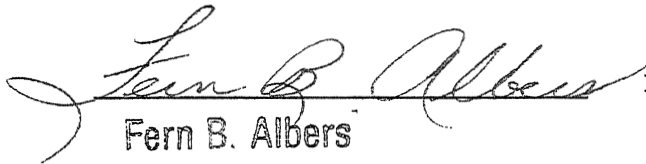



Supplemental Agreement  
Metra/CP Rail

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed by their respective officers thereunto duly authorized.

ATTEST:

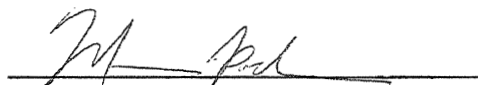
SOO LINE RAILROAD COMPANY  
d/b/a CP RAIL SYSTEM


  
Fern B. Albers  
Corporate Secretary

By:   
P. A. Pender  
Vice President and  
Chief Operating Officer

ATTEST:

COMMUTER RAIL DIVISION OF THE  
REGIONAL TRANSPORTATION AUTHORITY

  
Maureen Pochron  
Assistant Secretary

By:   
Philip A. Pagano  
Executive Director

**EXHIBIT A-4**

**Metra-CP 2003 Amendment Agreement**

## AMENDMENT AGREEMENT

THIS AMENDMENT AGREEMENT is made and entered into this 15<sup>th</sup> day of April, 2003, by and between the Commuter Rail Division of the Regional Transportation Authority, a division of a municipal corporation (hereafter referred to as "Metra") and the Soo Line Railroad Company, a Minnesota corporation d/b/a Canadian Pacific Railway (hereafter referred to as either "CP" or "CPR"), sometimes collectively referred to below as the "Parties" and sometimes individually referred to below as a "Party."

### PRELIMINARY STATEMENT

SLRCO, Inc. (a predecessor in interest to CPR), and Richard B. Ogilvie, Trustee of the Property of Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Debtor (a predecessor in interest to Metra) entered into a Trackage Agreement, dated February 19, 1985 (as amended by agreements executed May 27, 1993, May 11, 1995, June 3, 1996, September 28, 2001, and June 17, 2002) ("Trackage Agreement") whereby CPR acquired certain rights to use the Joint Line as therein defined and to admit a third party to the Joint Line; and

CPR and Metra amended certain aspects of the Trackage Agreement through a Supplemental Agreement, dated May 27, 1993, ("Supplemental Agreement"). In an Agreement, dated April 7, 1997, CPR and Metra acknowledged that CPR was admitting, but not assigning rights to, I&M Rail Link, LLC ("IMRL") pursuant to CPR's rights under the Trackage Agreement; and



In view of the sale of IMRL's assets to the Iowa, Chicago & Eastern Railroad Corporation ("IC&E"), and the discontinuance of IMRL's rail operations, CPR has decided that it will admit IC&E to Zones 8 through 13 of the Joint Line pursuant to its rights under the Trackage Agreement, and Metra has concluded, subject to the following undertakings and subject to those contained in a separate Trackage Rights Agreement executed simultaneously with this Amendment Agreement ("IC&E Trackage Rights Agreement"), that the traffic projected by IC&E for the period immediately following its admission to Zones 8 through 13 of the Joint Line does not at present materially interfere with the current level of traffic on the Joint Line.

The Parties agree that fixing the Base Cap amount is intended to simplify the administration of the existing Base Cap mechanism, and is consistent with the economic arrangement and the protections afforded to CPR by the Base Cap that the Parties agreed to in the 1993 Supplemental Agreement.

The Parties agree it is mutually beneficial to eliminate the monthly compilation of gross ton miles and train counts for the purpose of the equitable allocation of expenses related to the Joint Line as defined in the February 19, 1985 Trackage Agreement as amended.

**NOW THEREFORE**, in consideration of the terms and conditions contained in this Amendment Agreement and in the IC&E Trackage Rights Agreement, the parties agree to amend and supplement the Trackage Agreement as follows:

1. CPR has determined that it will exercise its right under Section 2.3 of the Trackage Agreement to admit IC&E to Zones 8 through 13 of the Joint Line as a replacement for CPR's former admittee, IMRL, effective April 1, 2003. The operations and traffic of IC&E, or any successor to IC&E, shall be governed by the IC&E Trackage Rights Agreement, which

designates Metra as a third party beneficiary with the authority to enforce the terms of the Trackage Rights Agreement in accordance with Section 8.4 thereof. Based upon statements made by IC&E in filings it has made at the Surface Transportation Board in Finance Docket No. 34177, Metra has determined that current operations of the IC&E will not materially interfere with traffic currently on the Joint Line, including Metra's traffic. The Parties agree that IC&E is being admitted as a third party admittee and not as a result of an assignment of a portion of CPR's trackage rights under the Trackage Agreement.

2. The Parties agree that the terms "Existing Traffic," "Increased Traffic," "Coal Trains," "Force Majeure Trains," and "Excess Trains" as used in this Agreement shall have the same meanings as set forth in Section 1.6 of the IC&E Trackage Rights Agreement.

3. The terms of the Trackage Agreement, as amended, will continue to prevail with respect to maintenance, operation and compensation, and the current formula and procedures for capital improvements will stay in effect without modification so long as IC&E's traffic does not include Increased Traffic, Excess Trains, or Coal Trains over any zone(s) to which it has been admitted on the Joint Line. CPR will direct IC&E to report to Metra any increases relative to Increased Traffic, Coal Trains and Excess Trains.

4. In the event IC&E seeks to operate Increased Traffic, Excess Trains, or Coal Trains over the Joint Line, the Trackage Agreement as amended will continue in effect but certain provisions will be modified as expressly provided by this Amendment Agreement. In such an event, CPR will enforce the procedures specified in Sections 2.13 and 2.14 of the IC&E Trackage Rights Agreement, including the refusal to admit Coal Trains, Increased Traffic, or Excess Trains, except as permitted by those Sections, and will assist and cooperate with Metra in Metra's efforts to enforce those provisions. The Parties shall promptly notify each other of any

failure of IC&E to abide by the terms of the IC&E Trackage Rights Agreement entered into between IC&E and CPR. Should CPR's refusal to dispatch or admit IC&E's Increased Traffic, Excess Trains, or Coal Trains pursuant to the terms of that Agreement result in the issuance of an order of the Surface Transportation Board ("STB"), its successor, or a court of law with competent jurisdiction requiring that CPR dispatch or admit said traffic onto the line, Metra agrees that any CPR compliance with such order shall not constitute breach of this Agreement or the Trackage Agreement and that Metra shall have no cause of action arising from CPR's compliance with such order.

5. Section 5.4(a) shall be deleted and replaced with the following language:

"Maintenance of way and structures expenses incurred for each zone of the Joint Line not included in expenses governed by the CPR Base Cap or the Fixed Cap shall be allocated based upon the average Gross Ton Mile Proportion for the applicable zone(s) between the Parties for the preceding Fiscal Year. Five years from June 1, 2004, and at five (5) year intervals thereafter, either Party may reopen and reevaluate this allocation at their expense by notice given to the other at least 30 days prior to the end of each five (5) year period and the Parties shall determine the need to agree to a new allocation."

Section 5.4(b) shall be deleted and replaced with the following language:

"Transportation, signal and communication systems expenses and maintenance of non-Milwaukee owned equipment (used in the operation or maintenance of the Joint Line) incurred for each zone of the Joint Line not included in expenses governed by the CPR Base Cap or the Fixed Cap shall be allocated based upon the average Train Count Proportion for the applicable zone(s) between the Parties for the preceding Fiscal Year. Five years from June 1, 2004, and at five (5) year intervals thereafter, either Party may reopen and reevaluate this allocation at their



expense by notice given to the other at least 30 days prior to the end of each five (5) year period and the Parties shall determine the need to agree to a new allocation.”

Section 5.4(c) shall be deleted and replaced with the following language: “Expenses for train dispatchers incurred in operating the Joint Line shall be allocated based upon the average Train Count Proportion for all zones between the Parties for the preceding Fiscal Year. Five years from June 1, 2004, and at five (5) year intervals thereafter, either Party may reopen and reevaluate this allocation at their expense by notice given to the other at least 30 days prior to the end of each five (5) year period and the Parties shall determine the need to agree to a new allocation.”

Section 5.4(e) shall be deleted and replaced with the following language: “Monthly expenses incurred for joint facilities which are part of the Joint Line and not solely owned by the Milwaukee, identified in Exhibit C, and not included in expenses governed by the CPR Base Cap or the Fixed Cap shall be allocated based upon the average Train Count Proportion for the applicable zone(s) between the Parties for the preceding Fiscal Year. Five years from June 1, 2004, and at five (5) year intervals thereafter, either Party may reopen and reevaluate this allocation at their expense by notice given to the other at least 30 days prior to the end of each five (5) year period and the Parties shall determine the need to agree to a new allocation.”

6. CPR and Metra agree that the computation for the Base Cap for the year beginning June 1, 2003 under Attachment 1 to the Supplemental Agreement shall include, in addition to other CPR traffic, all IMRL and IC&E traffic, as set forth in (i), (ii), and (iii) below, as CPR trains, and shall be based upon applicable IMRL and IC&E operating statistics for the period June 1, 2002 to May 31, 2003 that will be the sum of the following calculations:

- (i) for the period June 1 through July 29, 2002, the applicable operating statistics shall be the actual level of IMRL traffic over the Metra Trackage;
- (ii) for the period July 30, 2002 through August 29, 2002, the applicable operating statistics shall be the average applicable operating statistics for the level of IC&E traffic over the Metra Trackage by IC&E trains from the time period August 30, 2002 through the date of this Agreement, that being the time period during which IC&E trains moved over the Metra Trackage by way of that certain Detour Agreement with Metra; and
- (iii) for the period from August 30, 2002, through May 31, 2003, the applicable operating statistics shall be the actual applicable operating statistics of IC&E trains over the Metra Trackage, whether operated under that certain Detour Agreement or under the IC&E Trackage Rights Agreement.

As of June 1, 2004, CPR's Base Cap as defined in Section (A)(1)(a) of Attachment 1 of the May 27, 1993 Supplemental Agreement shall be referred to as the "Fixed Cap," and shall be established as the greater of \$1,765,137.78 adjusted by the annual average of the CPI-U-Chicago Index (as calculated based on the sum of the monthly Index numbers for the preceding 12 months, divided by 12 ("Index")), for the period beginning June 1, 2003 and ending May 31, 2004), or the annual Base Cap paid by CPR to Metra as set forth above for the period of June 1, 2003 through May 31, 2004, adjusted by the Index for the period beginning June 1, 2003 and ending May 31, 2004. The Fixed Cap shall be adjusted by Metra, on or before August 1 of each fiscal year, being the period of June 1<sup>st</sup> through May 31<sup>st</sup> in any one year ("Fiscal Year"), in accordance with the Index ("Fiscal Year Adjustment"). In the event that the CPI-U-Chicago Index ceases to be published, or the methodology by which it is derived is materially altered, the parties shall determine the most appropriate substitute index that most closely matches the

structure of the canceled/altered CPI-U-Chicago Index. Such replacement index will be used for the remainder of the Agreement, unless and until it ceases to be published, or is materially altered, and is replaced in the manner stated above.

CPR shall pay the annual Fixed Cap in twelve (12) equal installments in the following manner: On or before August 1<sup>st</sup> of each Fiscal Year, Metra shall issue twelve (12) monthly invoices to CPR, and CPR shall pay the amounts due under said invoices in U.S. currency within thirty-five (35) days after the first day of each of the following months, including the month of August, in the Fiscal Year. Fixed Cap Installments paid for the months of June and July shall be the same as the monthly amount paid in the prior Fiscal Year and shall be billed or credited retroactively based on the amount of the Fiscal Year Adjustment and, if billed, shall be paid in U.S. currency within thirty (30) days of CPR's receipt of an invoice for the retroactive amount due. Other than annual CPI-U adjustments, the Fixed Cap shall remain fixed for five (5) year periods starting June 1, 2004, and may be reevaluated at the written request of either party by notice given to the other at least 30 days prior to the end of each five (5) year period. In the absence of such request, the Fixed Cap shall continue for the next five (5) year term. The terms upon which either party may request a reevaluation of the Fixed Cap are as follows:

- (1) Changes in FRA Standards or government mandates which cause an increase or decrease in the maintenance expense incurred by Metra.
- (2) Increases in the allowable gross weight per car that is currently authorized at 286,000 pounds.
- (3) Increases or decreases in expenses experienced by Metra as a result of improvements installed to the Joint Line on behalf of CPR or to accommodate the Existing Traffic of CPR's third party admittee, provided that the additional



expenses are offset by any reduction in expenses due to the removal of replaced structures.

- (4) Material changes to maintenance procedures of Metra or traffic levels of Metra or CPR (including Existing Traffic of CPR's third party admittee, but excluding Increased Traffic, Coal Trains or Excess Trains of CPR's third party admittee).

In the event a Party requests a reevaluation of the Fixed Cap in accordance with the terms of this Agreement, CPR agree to continue to pay the Fixed Cap in accordance with the current formula for the Fixed Cap as adjusted by the Index. At such time as the Parties agree to the amount of the reevaluated Fixed Cap, the new Fixed Cap amount shall be applied retroactively to the beginning of the five (5) year term for which the reevaluation was requested.

7. Effective the first month during which Increased Traffic, Excess Trains, or Coal Trains are transported on the Joint Line, CP shall in addition direct IC&E to pay directly to Metra the GTM Excess Train Charge or the GTM Coal Train Charge in accordance with the terms of the IC&E Trackage Rights Agreement (representing IC&E's obligation for Increased Traffic, Excess Trains, and Coal Trains and for which IC&E must either pay directly or indirectly and reimburse CP). Under the IC&E Trackage Rights Agreement, IC&E has agreed to pay these charges directly to Metra if directed to do so by CPR. Said GTM Excess Train Charge or GTM Coal Train Charge, as applicable, shall be consistent with the charges set forth in Sections 3.1 and 3.2 of the IC&E Trackage Rights Agreement for any IC&E Increased Traffic, Excess Trains or Coal Trains that are transported over the Joint Line. The GTM Train Charge as defined and set forth in the IC&E Trackage Rights Agreement shall be adjusted effective July 1 of each year, beginning July 1, 2003, on the basis established in Appendix A hereto to compensate Metra for increases in the cost of labor, materials and other expenses plus applicable

additives. These charges represent the exclusive charges payable to Metra for all expenses associated with the operation of ICE Increased Traffic, Excess Trains, or Coal Trains other than capital expenditures.

8. To address additional capital expenditures that are necessary to accommodate IC&E's Increased Traffic, Excess Trains, and Coal Trains on the Joint Line, Section 7.2 of the Trackage Agreement, as amended by Section 6 of the Supplemental Agreement, is further amended by substituting the following sentences for the second sentence of subsection (c):

As future Capital Projects are included in amended Attachments 2, allocation of costs shall be agreed upon, however, in no event shall CP be required to contribute more than fifty percent (50%) of the cost of any Capital Project for the joint benefit of the Parties, unless the Capital Project is in part necessitated by the introduction of Increased Traffic, Excess Trains, or Coal Trains. Where introduction of such Increased Traffic, Excess Trains, or Coal Trains causes the need for the Capital Project, the procedures set forth in Sections 2.14, 3.4, 3.6, 3.7, and 3.8 of the IC&E Trackage Rights Agreement shall be used to determine the allocation of such Capital Project costs among Metra, CPR and IC&E. CP, subject to Section 7.2(e), shall be solely responsible for that portion of the Capital Project, plus no more than 50% of the remaining portion of the Capital Project attributable to other CP and Metra traffic. CP's allocation for Capital Projects involving signals, dispatching and communications facilities shall be based upon the Train Count Proportion for the year prior to adoption of the plan for the Capital Project, plus no more than 50% of the remaining portion of the Capital Project attributable to other CP and Metra traffic, except that CP, subject to Section 7.2(e), shall be solely responsible for that portion of the Capital Project attributable to the increase in its Train Count as modified

by projections of future traffic growth for IC&E Increased Traffic and Coal Trains. It is agreed that to the degree that operation of Increased Traffic, Excess Trains, and Coal Trains diminishes the remaining useful life of an existing capital structure as established by Metra and approved by the Federal Transit Administration for commuter rail operations or requires an upgrading of capital structures to prevent annual maintenance expenses from exceeding the average level of annual expenses computed in constant dollars over the preceding ten years, CP shall be solely responsible for that portion of the Capital Project.

An example of the foregoing computations is set forth in Appendix B to this Agreement.

9. Section 7.2 of the Trackage Agreement is further modified by inserting the following new subsections:

(d) Subject to Section 7.2(e), CP, if required solely by the transportation of Increased Traffic, Excess Trains, or Coal Trains on the Joint Line; or if required solely because Increased Traffic, Excess Trains, or Coal Trains causes the remaining useful life of the existing and future rail facilities on the Joint Line to diminish below the “useful life” standards set by Metra and reported to the Federal Transit Administration.

(e) CP will not be responsible to Metra for payments for Capital Projects attributable to Increased Traffic, Excess Trains, or Coal Trains; *provided* that CP creates the Escrow Account described by Section 3.6 of the IC&E Trackage Rights Agreement, including arrangements for Metra to verify the sufficiency of funds deposited therein and to promptly receive payment upon submission of the



appropriate documentation, and cooperates with Metra to insure that the Escrow Account is administered as required by Section 3.6.

10. Section 8.15 to the Supplemental Agreement is amended by adding the following sentence at the end of the Section:

CP shall not admit or permit IC&E trains, including those transporting coal, to operate within Zones 8 through 13 during the periods when peak period trains are operating in those Zones.

11. CPR shall insure that all IC&E engineers and train crews are properly certified to operate on the Joint Line in compliance with the Trackage Agreement, as amended. CPR acknowledges that from time to time Metra will conduct spot inspections including a review of crew certification activities. IC&E trains, equipment and employees will be treated as CPR trains, equipment and employees with regard to liability.

12. CPR waives any claim or cause of action against Metra relating to or arising from any delay in the admission of IC&E to the Metra Trackage or in Metra's refusal to consent to an assignment of the CPR-IMRL Trackage Rights Agreement dated April 4, 1997, or for any delay in completion of capital improvements needed prior to admission of Coal Traffic.

13. Section 6.3 (ii) is amended to eliminate, commencing May 31, 2003, the requirement of both Parties to furnish statements of train counts and gross ton mileage per zone on a monthly basis. CPR shall furnish statements of train counts and gross ton mileage per zone to Metra on an annual basis. Notwithstanding the foregoing, in order for Metra to accurately invoice CPR and confirm that payments received from CP are in accordance with Section 4 of this Agreement, CPR agrees to obtain from IC&E and to forward to Metra gross ton mileage data

described in Section 2.15 of the IC&E Trackage Rights Agreement within 15 days of the close of the calendar month.

14. In Section 11.7, the definition “proportionally by the Parties” shall be modified by the substitution of the following sentences for the existing first sentence: “Whenever the expression ‘proportionally by the parties’ is used in this Section, it means that expenses will be borne in proportion to the total gross ton miles in the preceding year for the applicable zone in which the incident occurred, or if it cannot be determined in which zone the incident occurred or if the incident occurred in more than one zone, the expenses will be borne in proportion to the total gross ton miles handled by each party over the entire Joint line during the preceding year. Five years from June 1, 2004, and at five (5) year intervals thereafter, either Party may review and reevaluate this allocation at their expense by notice given to the other at least 30 days prior to the end of each five (5) year period and the Parties shall determine the need to agree to a new allocation.”

15. Nothing in this Agreement shall be construed to give CPR’s admittee the right to operate any commuter service over the Joint Line, or any portion thereof, or otherwise use the Joint Line, or any portion thereof, to provide any passenger service, unless and until CPR’s admittee has first received Metra’s prior written consent.

16. The Parties agree that a purchaser of all or substantially all of the assets of IC&E shall be permitted to enter into a new trackage rights agreement as provided in Section 8.3 of the IC&E Trackage Rights Agreement. Furthermore, in the event of a sale by IC&E of all or substantially all of its assets, Metra shall enter into a new amendment agreement with CPR containing the same terms and conditions as this Amendment Agreement recognizing said purchaser as CPR's admittee under the terms of the Metra Agreement.

17. The Parties agree that the Amendment Agreement between them dated April 7, 1997 is terminated and shall be of no further force and effect, and that the Chicago Trackage Rights Agreement between CPR and IMRL dated April 4, 1997 shall also be of no further force and effect.

18. CPR agrees that CPR shall not enter into any agreements to amend, revise, or otherwise alter the IC&E Trackage Rights Agreement in any manner that may affect or affects Metra's rights, remedies, or obligations thereunder without Metra's prior written consent, which consent shall not be unreasonably withheld or delayed.

19. In any case where the Parties, after attempting to negotiate with each other for a reasonable period of time, are unable to reach an agreement regarding any of the provisions of Sections 5 and 6 of this Agreement, then either Party may request mediation or binding arbitration to resolve the dispute in accordance with the procedure set forth below.

- a. Such dispute shall be submitted to a single arbitrator; said arbitrator to be chosen in accordance with the Commercial Arbitration Rules of the American Arbitration Association.
- b. In the event of the death or disability of the arbitrator during the pendency of an arbitration, a substitute arbitrator shall be chosen in the manner the original arbitrator was appointed.
- c. The arbitration shall proceed in an expeditious manner with any hearings that are deemed necessary to resolution of the issues properly before the arbitrator, and the arbitrator shall render a decision and, if appropriate, an award. The arbitration shall take place in Chicago, Illinois, unless the Parties otherwise agree. At the discretion of the arbitrator, the Commercial Rules of the



American Arbitration Association may be used, in whole or in part, to govern the conduct of the proceedings (except insofar as they contradict any provision of this Agreement, in which case this Agreement shall take precedence and control). Pending the final resolution of any dispute arising under or relating to this Agreement, the Parties shall continue to perform all obligations in accordance with the terms and conditions of this Agreement.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment Agreement to be executed by their respective officers who are duly authorized.

ATTEST:

SOO LINE RAILROAD COMPANY

d/b/a CANADIAN PACIFIC RAILWAY:

\_\_\_\_\_

By: James Bender  
DIR. I'LINE MGMT

ATTEST:

COMMUTER RAIL DIVISION OF THE

REGIONAL TRANSPORTATION AUTHORITY:

Alfred M. Ellison

By: Philip A. Pagano  
Philip A. Pagano, Executive Director

Appendix A  
To  
Amendment Agreement

ESCALATION

The GTM Train Charges established in the Trackage Rights Agreement and referenced in this Amendment Agreement shall be escalated upward or downward effective July 1 of each year, beginning July 1, 2003, to compensate for the increase or decrease, if any, in the cost of labor and material, excluding fuel, as reflected in the Annual Indexes of Charge-Out Prices and Wage Rates (1977 = 100), Series Q-MPW, included in "Indexes of Railroad Material Prices and Wage Rates" and supplements thereto, issued by the Association of American Railroads. In making such determination, the final "Material prices, wage rates and supplements combined (excl. fuel)" index for the Western District shall be used and the final index figure for the calendar year 2001 of 325.0 shall be taken as the base ("Base Charge"). The method of escalating the GTM Train Charges shall be determined by calculating the percent of increase or decrease in the index of the year to be escalated as related to the base year, and applying that percent to the Base Charge.

By way of example, assuming "A" to be the Material prices, wage rates and supplements combined (excl. fuel) final index figure for the year 2001, "B" to be the "Material prices, wage rates and supplements combined (excl. fuel) for the year 2002; "C" to be the Base Charge and "D" to be the percent of increase or decrease, the escalated charge effective as of July 1, 2003 would be determined by the following formula:



$$(1) \quad (B - A) \div A = D$$

$$(2) \quad (D \times C) + C = \text{escalated charge effective 7/1/03}$$

If the base for the annual Indexes of Charge-Out Prices and Wage Rates issued by the Association of American Railroads shall be changed from the year 1977, appropriate revision shall be made in the base (established as herein provided) for the calendar year 2001. If the Association of American Railroads or any successor organization discontinues publication of the Annual Indexes of Charge-Out Prices and Wage Rates (or of any relevant component), an appropriate substitute for determining the percentage of increase, or decrease, shall be negotiated by the Parties.

Appendix B  
To  
Amendment Agreement

Example of Methodology for Allocation of Capital Project Costs if Necessitated In Part  
by the Introduction of IC&E Increased Traffic, Coal Trains or Excess Trains

Estimated Cost of Capital Project for zones covered by Agreement provisions relating to allocation of Capital Project Costs	\$1,000,000
Gross Ton Miles:	
CP Rail (Including IC&E Existing Traffic)	13,500,000 GTM
Metra	16,500,000 GTM
IC&E Increased Traffic, Coal Trains, and Excess Trains	<u>10,000,000</u> GTM
Total GTM for Line	<u>40,000,000</u> GTM
IC&E Increased Traffic, Coal Trains, and Excess Trains as a percentage of Total Gross Ton Miles (10,000,000+40,000,000)	<u>25%</u> GTM
IC&E Share of capital costs due to IC&E Increased Traffic, Coal Trains, and Excess Trains	\$250,000
Metra & CPR to further split the balance per the Metra Agreement based upon GTM allocation (up to a Maximum of 50% for CP if for benefit of both parties)	
CP Rail Share (all or a portion of which may be the obligation of IC&E based upon the CPR/IC&E Existing Traffic GTM pro ration)	375,000
Metra Share	<u>375,000</u>
Total Capital Cost	<u>\$1,000,000</u>

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

---

**STB Finance Docket No. 36500**

---

**CANADIAN PACIFIC RAILWAY LIMITED; CANADIAN PACIFIC RAILWAY  
COMPANY; SOO LINE RAILROAD COMPANY; CENTRAL MAINE & QUEBEC  
RAILWAY US INC.; DAKOTA, MINNESOTA & EASTERN RAILROAD  
CORPORATION; AND DELAWARE & HUDSON RAILWAY COMPANY, INC. –  
CONTROL – KANSAS CITY SOUTHERN, THE KANSAS CITY SOUTHERN  
RAILWAY COMPANY, GATEWAY EASTERN RAILWAY COMPANY,  
AND THE TEXAS MEXICAN RAILWAY COMPANY**

---

**COMMENTS AND REQUEST FOR CONDITIONS OF  
THE COMMUTER RAIL DIVISION OF  
THE REGIONAL TRANSPORTATION AUTHORITY D/B/A/ METRA**

---

**VOLUME 2 OF 3**

---

Communications with respect to this pleading  
should be addressed to:

Charles A. Spitulnik  
Christian L. Alexander  
Kaplan Kirsch & Rockwell LLP  
1634 I (Eye) Street, Suite 300  
Washington, DC 20006  
(202) 955-5600  
[cspitulnik@kaplankirsch.com](mailto:cspitulnik@kaplankirsch.com)  
[calexander@kaplankirsch.com](mailto:calexander@kaplankirsch.com)

Sue-Ann Rosen  
Metra  
547 W. Jackson Blvd  
Chicago, IL 60661  
[srosen@METRARR.COM](mailto:srosen@METRARR.COM)

*Counsel for the Commuter Rail Division of the  
Regional Transportation Authority d/b/a Metra*

Dated: March 15, 2022

**THIS FILING CONTAINS COLOR IMAGES**



## **EXHIBIT B**

### **Verified Statement of Rich Oppenheim**

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

---

**STB Finance Docket No. 36500**

---

**CANADIAN PACIFIC RAILWAY LIMITED; CANADIAN PACIFIC RAILWAY COMPANY; SOO LINE RAILROAD COMPANY; CENTRAL MAINE & QUEBEC RAILWAY US INC.; DAKOTA, MINNESOTA & EASTERN RAILROAD CORPORATION; AND DELAWARE & HUDSON RAILWAY COMPANY, INC. – CONTROL – KANSASCITY SOUTHERN, THE KANSAS CITY SOUTHERN RAILWAY COMPANY, GATEWAY EASTERN RAILWAY COMPANY, AND THE TEXAS MEXICAN RAILWAY COMPANY**

---

**VERIFIED STATEMENT OF RICHARD P. OPPENHEIM**

---

1. I am Richard P. Oppenheim. I am Director of Operations, Metra Chicago Union Station (“CUS”) District. I have been employed at Metra since June 1997.
2. In my current role my responsibilities include supervising the daily operation of Metra commuter trains on the CUS District, which includes the Milwaukee District-North Line (“MD-N”), Milwaukee District-West Line (“MD-W”), and North Central Service (“NCS”), the latter of which operates over the MD-W line between CUS and Tower B12 at Franklin Park. This encompasses direct supervision of train and engine employees who run the trains, as well as of station and Tower employees. I work closely on a daily basis with Metra mechanical and engineering personnel to ensure that all of the resources necessary to run a safe and on-time operation are available, making adjustments to normal protocols as required. I also work closely with managers and dispatchers at the Canadian Pacific Railway (“CP”), the Canadian National Railway (“CN”), the Union Pacific Railroad Company (“UP”), and the National Railroad Passenger Corporation (“Amtrak”) who handle Metra trains in order to insure optimum handling of them.

3. Before taking this position, I worked 5 summers and Christmas vacations as a tower operator for the Erie Lackawanna Railway on their New York Division Commuter Operation from 1968 through 1972. From October 1972 until May 1997 I was employed by the Chicago, Milwaukee, St. Paul and Pacific Railroad (“Milwaukee Road”), and its successors the Soo Line Railroad Company (“Soo Line”) and CP as a train dispatcher and chief dispatcher, as well as a brief period as a manager of the Milwaukee Road’s Power Bureau. The Milwaukee Road/Soo Line/CP territory I handled included Chicago to Milwaukee, Chicago to Kansas City and Savanna, Illinois to LaCrosse, Wisconsin.].
4. A copy of my resume is attached as **Exhibit B-1**.
5. I am familiar with Metra’s commuter rail service operations, including on MD-W and MD-N.
6. Furthermore, I have extensive experience working and interacting with CP and its operation over and dispatching of MD-W and MD-N.

#### **Metra’s Operations**

7. The Application misrepresents the ownership of Metra’s MD-W, which CP uses as part of its Elgin Subdivision, and Metra’s MD-N, which CP uses as part of its C&M Subdivision. Metra, not CP, owns the MD-W and MD-N lines. CP operates freight service over these two lines pursuant to contractual agreement, discussed further below. In addition, Amtrak operates intercity passenger service over MD-N.
8. MD-N operates between CUS in downtown Chicago to Rondout on the C&M Subdivision, and then to Fox Lake, Illinois, on the Fox Lake Subdivision, a total of approximately 50 miles north of Chicago.
9. MD-W operates between CUS and Elgin (Big Timber Road), Illinois, approximately 40 miles west of Chicago’s downtown. The MD-N and MD-W serve many local



communities in the greater Chicagoland area, including Libertyville and Grayslake to the north and Schaumburg and Elgin to the west.<sup>1</sup>

10. MD-N and MD-W are connected by a Union Pacific Line, the UP Milwaukee Subdivision, between Tower A20 (Shermer) 12 miles South of Rondout on MD-N and Tower B17 (Bryn Mawr) on MD-W. CP maintains trackage rights over this segment.
11. In 2019, pre-pandemic, Metra operated 800 scheduled passenger revenue trains on MD-W and MD-N combined each week, as well as 60 equipment runs.<sup>2</sup> The current numbers for scheduled passenger trains are currently down somewhat since the onset of the COVID-19 pandemic, to 595 scheduled and non-revenue trains per week over both of these lines. While Metra offers higher frequency during morning and evening “peak period” commute times, “peak period” trains constitute a minority of all scheduled trains on these two routes, both pre- and post-COVID-19.
12. Together, the 12.45 million passenger trips in calendar year 2019 on MD-N and MD-W accounted for approximately 15% of Metra’s systemwide ridership.<sup>3</sup> While the effects of the COVID-19 pandemic has significantly reduced Metra’s ridership numbers for 2020 and 2021, Metra expects an eventual return of ridership, and is planning and budgeting accordingly.<sup>4</sup>
13. Between the founding of the agency in 1984 and November 2020, Metra has made capital improvements to MD-N and MD-W to the tune of nearly \$1.45 billion, representing about

---

<sup>1</sup> See Metra, 2020 State of the System Report, (Nov. 2020) (“Metra 2020 Report”) ([https://metra.com/sites/default/files/2021-02/2020\\_State\\_of\\_the\\_System\\_Report.pdf](https://metra.com/sites/default/files/2021-02/2020_State_of_the_System_Report.pdf)).

<sup>2</sup> See Metra 2020 Report, pdf pp. 29, 59. In 2020 frequency on both lines has been reduced to an average of 85 weekly trains on MD-W and 76 weekly trains on MD-N as of 2021. See Metra, 2022 Proposed Operating & Capital Program & Budget (“2022 Metra Budget”), Exhibit 16] ([https://metra.com/sites/default/files/inline-files/Brochure\\_8.5x11\\_ProposedBudgetBookElectronic\\_2022\\_VFINAL.pdf](https://metra.com/sites/default/files/inline-files/Brochure_8.5x11_ProposedBudgetBookElectronic_2022_VFINAL.pdf)).

<sup>3</sup> See Metra, 2022 Proposed Operating & Capital Program & Budget (“2022 Metra Budget”), Exhibit 19] ([https://metra.com/sites/default/files/inline-files/Brochure\\_8.5x11\\_ProposedBudgetBookElectronic\\_2022\\_VFINAL.pdf](https://metra.com/sites/default/files/inline-files/Brochure_8.5x11_ProposedBudgetBookElectronic_2022_VFINAL.pdf)).

<sup>4</sup> 2022 Metra Budget, at 29.

17% of Metra's capital investments system-wide.<sup>5</sup> Capital investments on MD-N and MD-W include \$269 million for track and structure, \$246 million for signal, electrical, and communication upgrades, and \$141 million for stations and parking.<sup>6</sup> Metra also maintains MD-N and MD-W. Metra's responsibilities on MD-W and MD-N also include serving as the "host" railroad for the purposes of implementing Positive Train Control ("PTC") on the Lines.

14. The CP's C&M and Elgin Subdivisions, of which MD-N and MD-W, respectively, are a part, play an important role in connecting traffic west of Chicago with Chicago and points east. The Lines connect with Indiana Harbor Belt Railroad and Belt Railway Company of Chicago to create interchanges for CP with five other Class I railroads, sending traffic from the Quad Cities region (Davenport and Bettendorf in southeastern Iowa, and Rock Island, Moline, and East Moline in northwestern Illinois), Kansas City, Milwaukee, Minneapolis/St. Paul and points in middle and Western Canada to Detroit, eastern Canada, and Buffalo, New York.<sup>7</sup>
15. In terms of freight service, according to the Applicants, CP currently operates 16 trains daily on MD-W and 11 trains daily on MD-N.<sup>8</sup> According to the Application, these freight trains typically carry "intermodal containers from the Port of Vancouver, fertilizers, chemicals, crude oil, frac sand, automotive, grain, and other agricultural products."<sup>9</sup> Two to three Wisconsin Southern ("WSOR") freight movements also occur on the Lines daily.<sup>10</sup>

---

<sup>5</sup> See Metra, 2020 State of the System Report, Introduction p. 10, Table 11 (Nov. 2020). ([https://metra.com/sites/default/files/2021-02/2020\\_State\\_of\\_the\\_System\\_Report.pdf](https://metra.com/sites/default/files/2021-02/2020_State_of_the_System_Report.pdf)).

<sup>6</sup> Metra, 2020 State of the System Report, Introduction p. 10, Table 11 (Nov. 2020). ([https://metra.com/sites/default/files/2021-02/2020\\_State\\_of\\_the\\_System\\_Report.pdf](https://metra.com/sites/default/files/2021-02/2020_State_of_the_System_Report.pdf)).

<sup>7</sup> See Appl. 2-267 through 2-270, Ex. 13, Operating Plan (Redacted Version).

<sup>8</sup> Appl. 2-365 and 2-364, Ex. 13, Operating Plan (Redacted Version).

<sup>9</sup> Appl. 2-270, Ex. 13, Operating Plan (Redacted Version).

<sup>10</sup> Appl. 3-142, Letter from WATCO to STB (Redacted Version).



**Acquisition and Allocation of Rights on Metra's Lines**

16. CP dispatches and operates freight service over MD-N and MD-W pursuant to a 99-year trackage agreement (the "Trackage Agreement") that Metra inherited through acquisition of ownership interest in the lines from the Trustee for the bankrupt Milwaukee Road ("Milwaukee Road Trustee") nearly 40 years ago.<sup>11</sup>
17. In 1982, amidst the Milwaukee Road's bankruptcy and termination of direct involvement in its commuter service, Metra's parent entity, the Regional Transportation Authority ("RTA"), entered into a trackage rights agreement with the Milwaukee Road allowing RTA to operate the valuable commuter service on the Milwaukee Road's lines in the Chicagoland territory.
18. In 1984, the Milwaukee Road Trustee sold to the Soo Line (now 100% owned by CP) some of its assets, excluding the Chicagoland commuter territory. That purchase agreement was contingent on the Milwaukee Road Trustee granting the Soo Line a 99-year trackage agreement for the Chicagoland commuter territory, along with the right to retain dispatch authority for the commuter territory. The result was the Trackage Agreement, which came into effect in 1985. CP acquired the 99-year lease pursuant to its acquisition of the Soo Line Railroad in 1990. Neither of the parties that negotiated the current CP Trackage Agreement—the Milwaukee Road Trustee nor the Soo Line—had any interest in securing a robust future for commuter service on the Chicagoland commuter territory.
19. In 1987, Metra's parent entity RTA acquired by condemnation the Milwaukee Road's Chicagoland commuter territory, including MD-N and MD-W, from the reorganized successor to the Milwaukee Road. Pursuant to a resulting court order regarding

---

<sup>11</sup> Copies of the Trackage Agreement and related agreements establishing the contractual relationship between Metra and CP are attached to the Verified Statement of Rocio Gentil, attached to Metra's Comments as Attachment B, Exhibits B-1, B-2, B-3, and B-4.



- condemnation, Metra's purchase of the corridor was encumbered by the CP/Soo Line 99-year trackage and dispatch agreement and both parties continue to operate on the corridor today. Metra and CP supplemented the Trackage Agreement in 1993, with Metra assuming maintenance responsibilities at that time, and amended it further in 2003.
20. The terms of CP's trackage and dispatching rights for MD-N and MD-W under the Trackage Agreement require CP to utilize reasonable operating rules. As amended the Trackage Agreement also prohibits CP from interfering with "peak period" Metra trains, and from making operational changes that unreasonably disrupt or delaying non-peak period trains. CP may not unreasonably withhold granting permission to allow Metra to make changes in its schedule provided that Metra's changes do not materially interfere with freight operations.
21. With respect to capital improvements, the Trackage Agreement as amended calls for cost-sharing for capital projects that benefit both parties and outlines an annual planning and approval process, and caps CP's contribution on capital projects at 50%.
22. At the time the respective parties entered the agreements that now govern the relationship between CP and Metra on these line segments, train operating characteristics were different – freight trains have become longer and thus take longer to cross the territory, and longer sidings are required to ensure that they do not disrupt the passenger trains that move across the network at higher speeds and more frequently
23. Since the dispatch arrangement was negotiated in 1984, many changes have taken place in the areas that Metra serves. Exponential growth in suburban population has created the need for Metra's services to expand; more commuters mean more trains and an ever-increasing demand for those trains to operate on time according to the schedules advertised to the public. As a result of the COVID-19 pandemic, and other factors, many of Metra's customers are experiencing changing work patterns and hours, a trend which

will likely continue into the future. Potential Metra service expansions will likely need to address these changing patterns by enhancing service outside of the traditional commute windows.

#### **Documenting CP's Joint Operations and Dispatching of Metra's Lines**

24. There are several sources of information for assessing the baseline conditions of CP's joint operation and dispatching of Metra's lines. First, Metra has reportable delay data in its Train On-Time Performance System ("TOPS") data warehouse. Like other commuter railroads, Metra considers a train to have operated on time if it reaches its final destination within five minutes and 59 seconds of its scheduled arrival. When a Metra train does not meet this threshold, it is recorded as a "reportable delay". For "Construction Schedules", which include most midday trains from April through November, the arrival time at final destination is generally restated to 10 minutes later than the standard scheduled time that is advertised to the public —i.e. a train can officially be reported as "on time" so long as it is no later than 15 minutes and 59 seconds off its scheduled arrival at its final destination. This standard is intended to filter out some of the delays that are beyond Metra's control, resulting in a truer reflection of the railroad's efforts to control delays that are controllable. Metra's internal goal is to achieve at least 95% on time performance for all of its trains, based on the above metric.
25. While serving a useful purpose as a simple metric to gauge timeliness in a generalize manner, reportable delays used to calculate Metra's official on-time performance do not encompass all types of delays, nor do they reflect other types of serious interference with Metra's service. Most notably, reportable delays are measured at a train's final destination, and do not register delays that passengers encounter at interim stations, which may be significant. Metra builds extra time into its schedule to account for delays,



including the significant delays that CP's causes on MD-W and MD-N. While Metra trains often make up time along a route to mitigate delays encountered during their trips, greater delays at particular interim stops, or small but consistent delays, can seriously impact customers and reflect poorly on Metra and the goodwill it seeks to build with its passengers. Furthermore, for many riders their final station is not the train's final station, so they will arrive late at their destination even though the train may ultimately not qualify as being reported delayed.

26. On-time performance data also may not reflect details that may inconvenience or endanger passengers, such as dispatching decisions that require passenger to cross tracks unnecessarily, dodge on-coming freight trains, or circumnavigate idling freight trains at Metra stations, as is often the case on MD-N and particularly MD-W. In cases where freight trains interfere with passengers' ability to access their train, Metra conductors are put in a difficult position of choosing between waiting for impeded passenger to board and departing in order to avoid or mitigate reportable delays and the on-time performance metric.
27. Accordingly, Metra's TOPS data masks significant delays and interference caused by CP trains to Metra's commuter rail service. When considering factors like extra time built into schedules, "construction schedules" and final destination vs. intermediate station delays, Metra's reportable delays would be significantly higher due to CP's dispatching and operations.
28. Metra understands that its customers count on Metra service to be on time, and that delays not captured by the above metric may nevertheless inconvenience passengers. That is why Metra strives to keep on schedule for all of its stations and stops, and why achieving minimum on-time performance standards is not adequate for delivering the service that passenger expect and deserve.



29. In addition to automated reportable delay data, my staff and I track delays and other problems that arise for Metra's service manually on a real-time basis through email communications internally within Metra and in communication with CP. We do so in the course of normal business in order to notify passengers of delays, respond to issues requiring operational changes, and to work with CP to resolve issues that require cooperation and coordination with CP. Our goal in initiating these communications is to identify, and hopefully correct for the future, dispatching practices that unfavorably impact our Operation and customers.
30. When Metra dispatching staff become aware of a delay or disruption affecting the system, they will send an email out with a short description to me and other operational staff. If the delay involves CP operations or dispatching, I will often forward on the e-mail to CP for an explanation or to coordinate a response. I also utilize the overview capabilities of our current TMDS Dispatching system in order to observe, in real time, the movement of all trains on the Metra-owned territory. Relevant dispatching practices observed first-hand are also normally addressed with an e-mail and/or phone call to appropriate personnel at both CP and Metra.
31. These e-mails record delays and events that may not be captured in the reportable delay data that tracks Metra's official on-time performance metrics. For example, a delay caused at a particular station for which a Metra train "makes up" time on the remainder of its route will not show up on reportable delay data, but could be reflected in the e-mail correspondence. As another example, retracking of Metra trains in order to bypass CP freight trains may not necessarily result in a recordable delay, but may nevertheless interfere with Metra's operations by forcing passengers to unexpectedly cross train tracks or avoid oncoming or idling freight trains to access their train. Furthermore, these e-mails

provide more detail regarding the causes of delays as well as subsequent dialog between Metra and CP regarding responses.

32. To prepare this verified statement I arranged for retrieval of all such e-mails that I could locate from my own e-mail files dating from 2016 to the present that involved delays caused by CP operations or dispatching on MD-N and MD-W. These e-mails are attached as **Exhibit B-2**. To better quantify the delays and interference recorded in these e-mails, a spreadsheet documenting these events was prepared, attached as **Exhibit B-3**, which I reviewed for correctness. As noted above, this documentation reflects a record of CP-caused delays that is overlapping with but not identical to Metra's on-time performance records.

### **Existing Challenges with CP's Joint Operation and Dispatching of Metra's Lines**

#### **A. Delays**

33. While Metra's operations on MD-W and MD-N are subject to CP's dispatching, CP has at times not upheld its dispatching responsibilities. The current iteration of CP's trackage agreement stipulates that CP shall not, except in the event of an emergency, interfere with Metra's peak period trains. However, CP dispatchers make daily operations decisions which clearly favor their freight operations, both in and outside of the peak-periods. CP also chooses to dispatch trains during Metra's peak periods and day-time service, when it could schedule night service to avoid interference with Metra's trains. All too often this happens at the expense of Metra and the region's commuters who count on Metra to run an on-time service. Metra's on time performance has consistently been negatively affected by freight train interference and/or dispatcher actions and error, as reflected in available Metra data and the day-to-day experience of my staff and myself.



34. As my e-mail correspondence (attached as Exhibit B-2) reflects, despite years of guidance, advice and suggestions from Metra's staff, CP dispatchers make daily operations decisions which clearly favor their freight operations, both in and outside of the peak-periods. Countless times, spanning years of joint operation, my staff and I have made our CP counterparts aware of persistent issues and offered solutions. While CP is at times receptive to this input,<sup>12</sup> the same patterns of problems inevitably continue or re-appear before long.<sup>13</sup>
35. Troublingly, recent experience suggests that CP's senior leadership has actively refused to take action that would reduce Metra delays. CP dispatchers who are able to prioritize or avoid delay to Metra have been recently directly told by senior management to move CP trains, regardless of the impact on the network.<sup>14</sup>
36. Specific issues with CP's joint operation and dispatching that have arisen over the years and continue to be issues include the following: (1) Operation of trains over 10 thousand feet in length between Bryn Mawr and Shermer that arrive at Tower B17 on MD-W without a sufficient time window to allow them to move without interfering with scheduled Metra trains, and without sidings long enough to allow faster Metra trains to pass;<sup>15</sup> (2) Lack of planning for routes through the Bensenville yard that cause entering CP freight trains to stop and block Tower B17 on MD-W while the freight train crew is throwing yard switches;<sup>16</sup> (3) CP crew changes, power, marker light changes, or pick up, or set out of cars or locomotives, or other activities that should be confined to yard tracks are instead directed to take place on Metra's main tracks;<sup>17</sup> (4) Poor operational and

---

<sup>12</sup> While normally receptive to Metra's comments, CP at times has acted dismissive at the outset. *See* Ex. B-2, Metra Emails 2016-2021 at 134-138.

<sup>13</sup> *See id.* at 68, 73, 131.

<sup>14</sup> *See id.* at 204, 152.

<sup>15</sup> *See e.g. id.* at 110, 176, 187, 204, 224, 225, 237, 236.

<sup>16</sup> *See e.g. id.* at 25, 41, 48-50, 54, 60, 64-65, 67, 78, 87-88, 90, 125, 94, 139-40, 122-23, 184, 187, 190, 192, 193, 197, 204-17, 219-25, 228-29, 231-33, 235-47, 251, 256, 260, 273, 280-81, 290-91, 305, 310, 312, 315-16.

<sup>17</sup> *See e.g. id.* at 92, 96, 107, 109, 115, 124, 139, 140, 147, 151, 181, 184-85, 190, 192, 205-06, 208, 213, 219, 220, 222, 223, 231, 233, 241, 243, 245, 247, 260, 277, 294, 300, 310, 311, 312, 316.



dispatching control of freight trains entering and exiting Bensenville that result in use or fouling of Metra mainline;<sup>18</sup> (5) Dispatching of CP freight trains between Rondout and Tower A20 on MD-W in a manner that delays scheduled Metra traffic;<sup>19</sup> (6) Failure of CP westbound freight trains to clear tower A20 a minimum of ten minutes ahead of scheduled Metra and Amtrak trains;<sup>20</sup> (7) Failure of CP eastbound trains to clear Rondout a minimum of fifteen minutes ahead of scheduled Metra and Amtrak trains.<sup>21</sup> In some cases, CP dispatchers have intentionally held Metra trains. My e-mail correspondence attached at Exhibit B-2 provides numerous examples of these issues.

37. For instance, on August 31, 2020, a CP train stopped on Metra's mainline track to cut off power and make a crew change outside of Bensenville Yard, even though this activity is supposed to be conducted inside the yard precisely to avoid interference with Metra trains. The event resulted in delaying a Metra train 20 minutes.<sup>22</sup> This action recurs frequently, as shown by my e-mail correspondence. For years and on many occasions Metra's staff has asked for CP to reserve adequate space in the Bensenville Yard, or to make crew changes at other non-mainline track locations, in order to avoid stopped CP trains on Metra's mainline tracks.

38. In another typical example of the types of delays that CP freight trains cause, between 3:05 and 3:25 pm on December 10, 2021, two Metra trains (train nos. 2221 and 2240) were held up for approximately 20 minutes each for a 12,000+ foot CP freight train (train no. 286) waiting to enter the Bensenville Yard, due to another 13,000 foot CP train (train no. 241) arriving at the Bensenville Yard at the same time. Although the Bensenville Terminal Superintendent recognized the likelihood of delays and called CP's dispatching

---

<sup>18</sup> See e.g. *id.* at 10, 11, 17, 20, 21, 40, 41, 66, 67, 73, 82, 83, 88, 101, 104, 125.

<sup>19</sup> See e.g. *id.* at 5-7, 44-45, 70, 73, 75, 107, 111, 115, 127, 129, 143, 148, 162, 183, 198, 210, 231, 233, 235, 239, 307.

<sup>20</sup> See e.g. *id.* at 44, 107, 115, 142, 233, 313.

<sup>21</sup> See e.g. *id.* at 143, 150.

<sup>22</sup> *Id.* at 191.

office in Minneapolis to request that one of the trains be held back (train no. 286), he was overruled and the train was lined up to run through and go in the yard. Excessively long train lengths, i.e. those over 10,000 feet, increase the likelihood of delays because they block longer segments of track, and at the slower speeds required to enter or leave the yard, result in the Tower B17 Control point (where these freights cross through the Metra Mains) being blocked that much longer.<sup>23</sup>

### **B. Passenger safety and inconvenience at Metra stations**

39. Delays aren't the only result of CP's slow and inappropriate use of mainline tracks during while scheduled Metra trains are operating. CP's joint operation and dispatching of freight trains also often results in the retracking of Metra trains in a manner that requires passengers to unexpectedly cross train tracks or circumnavigate freight trains to get to their passenger trains, resulting in situations that are inconvenient for riders at best and very dangerous at worst.
40. Both Metra's MD-N (with the exception of the Fox Lake Subdivision) and MD-W consist of double- or triple-track main lines. While it is technically possible to dispatch both passenger and freight trains in either direction on all main lines, Metra trains are scheduled to use the same main line tracks every day for service in each direction. This is to provide Metra customers a level of predictability in knowing which side of the tracks to wait for their train at a particular station, and to avoid requiring passengers to try to reach the opposite side of the tracks on short notice. In fact, Metra has installed signage on each station platform indicating whether that platform is for trains "To Chicago" or "From Chicago".

---

<sup>23</sup> *Id.* at 256.



41. Notwithstanding Metra's schedule, CP regularly dispatches Metra trains on different main line tracks from the ones that Metra is scheduled to use. This often occurs in instances where a freight train dispatched by CP is occupying or moving on the main line at or near a station where an arriving Metra train would normally use that track. Frequently, the freight train is not only moving on the track that the scheduled Metra train normally would use, but is even operating in the opposite direction from the Metra train, so that a passenger on the platform, looking in the direction toward where they are anticipating their train appearing, would actually have their back to the approaching freight. While CP is contractually required to dispatch MD-W and MD-N in a manner that prioritizes Metra trains during peak periods and avoids interference with Metra trains at all other times, CP's regular practice of dispatching freight trains directly ahead of Metra trains, or attempting to squeeze a freight train between Metra trains, often results in dispatchers relying on the practice of diverting the Metra train to a track it does not normally use.
42. Because of the additional time it takes for passengers to get to the correct side of the tracks, the Metra train must either wait, causing a potential delay, or leave passengers behind. The situation induces some passengers to make risky or dangerous decisions in order to make their trains and avoid being delayed for work or other appointments, such as running across tracks ahead of oncoming freight trains, crossing tracks at places other than designated crossings, or even crawling under idling freight trains.
43. Unsurprisingly, obstruction of passengers' access to Metra trains by freight trains causes justifiable frustration, not to mention truly dangerous situations among Metra passengers. Furthermore, passenger's frustration and anger at such obstructions is often directed at Metra, which suffers reputational damage as a result of a practice that often is solely a consequence of CP's operational and dispatching decisions.



44. For example, on August 2, 2019, a CP dispatcher gave a CP freight train leaving Bensenville Yard priority over a Metra train that was running 8 minutes late due to high passenger counts related to a concert event. The dispatcher had the freight train take up the mainline that the Metra train was already using, requiring the Metra train to change to a mainline not normally used by that train. The dispatcher's decision not only caused further delay to the Metra train, but the switch to another mainline meant that passengers at several stops would find the freight train between themselves and the Metra train they were seeking to alight. This scenario can prompt passengers to dash across the tracks ahead of the freight train in order to catch their Metra train, resulting in a serious safety concern.<sup>24</sup>
45. CP's practice of creating unsafe conditions at stations through its dispatching decisions has continued up to now. On February 22, 2022, a Metra peak period train was dispatched to a track other than its usual one, in order to avoid a freight train that had been dispatched ahead of it. Passengers wishing to board the train at River Grove, Elmwood Park, Mont Clare, Mars, Galewood, Hanson Park, and Grand Cicero were forced to walk across all three main tracks at the last minute in order to board their train. Some were blocked by the stopped freight train. Most passengers at these stations had their backs to the freight train as it approached, anticipating the arrival of their Metra train.<sup>25</sup>

### **C. Sharing of Capacity on Metra's Lines**

46. In order to grow and maintain ridership and respond to changing customer needs, Metra must be able to change and expand its schedule. This is particularly the case as Chicago and the economy recover from the COVID-19 pandemic, as changes in daily routines and

---

<sup>24</sup> See Ex. B-2 at 131, 233, 239.

<sup>25</sup> See *id.* at 313.

working habits accelerate, and as the imperative to ensure economic and environmentally sustainable urban transportation emerges.

47. The problems with CP's joint operation of Metra's lines extend to CP's interpretation of its authority over excess capacity on the lines in relation to Metra's rights to this capacity. In the existing trackage agreement between Metra and CP, Metra is required to obtain CP's approval for any commuter service changes. While the agreement stipulates that CP's consent to Metra's service changes shall not be unreasonably withheld, CP has, in the past, unreasonably objected to Metra service change requests. CP's treatment of the corridor appears to assume that all capacity that is unused at a particular moment in time is reserved to it not to the owner of the track.
48. In 2019, when Metra pursued the addition of 4 non-peak trains, CP objected. While the slots in question were not, at the time, used for CP freight service, CP argued that if Metra wanted to grow its operation on the Metra-owned corridor, capacity improvements had to be constructed. A copy of Metra's request is attached at **Exhibit B-4**.
49. Additionally, when Metra pursued reinstatement of 4 Saturday and 2 Sunday commuter trains that had been previously terminated due to budgetary issues, CP objected. A copy of this correspondence is attached at **Exhibits B-5, B-6, B-7, B-8**. Again, these slots, at the time of Metra's request to reinstate, were not used for freight service. Unfortunately, due to the dispatch arrangement, there was little Metra could do to implement the desired schedule changes that its customers had asked for.
50. CP has also refused to conduct any sort of RTC modeling to better understand the nature of capacity on Metra's lines. This refusal is clear from the correspondence between Metra and CP regarding Metra's request for additional service on MD-N, see **Exhibits B-5, B-6 B-7, B-8**. The result is that it is difficult for Metra to even assess, let alone plan for, expansion of commuter rail service. Less information about capacity does not serve



the needs of either Metra or CP if there is to be cooperation and coordination of operations as provided in applicable agreements.

#### **D. Dispatching Responsibility**

51. Because CP, not Metra, controls dispatching of these Metra-owned main lines, Metra must seek CP's assistance in addressing dispatching issues when they arise. The ability to quickly reach CP dispatchers is therefore essential to Metra operations.
52. In December 2008, following discussions between Metra staff and CP regarding CP dispatcher responsiveness to Metra operational inquiries, CP agreed to install dedicated "hot line" phones in both the MD-N (C&M) and MD-West (Elgin) dispatchers offices. This is documented in the Memorandum I wrote dated September 25, 2008, attached as **Exhibit B-9**. These phones were to be used exclusively by key Metra operations personnel when the need to contact CP dispatchers immediately for operations purposes became necessary and waiting in the phone queue would not be practicable.
53. However, CP dispatchers have at times ignored or disabled the hot line, leaving me and my staff without expeditious recourse when CP dispatching decisions are either the cause of CP-related issues on Metra's lines or CP-related issues could be resolved or mitigated through dispatching.
54. For example, on December 9, 2021, in the midst of the signal problem during morning peak period commute times, I attempted to contact C&M in order to get several Metra trains crossed over to alternative tracks at Morton Grove East in order to take advantage of the clear signals on that track. I let the Hot line ring for at least 20 minutes while I was also on hold on the other line in the queue, and the Hot Line was never answered.<sup>26</sup>

---

<sup>26</sup> See Ex. B-2 at 254.



55. While CP has from time to time worked with Metra to address hotline issues, experience indicates that solutions are impermanent, and the issue recurs periodically.
56. As indicated by Metra's documentation, the primary cause of CP's delays and interference of Metra's service is its detrimental dispatching of MD-W and MD-N, over which it has complete control. CP refuses to consider changing this arrangement to ensure that Metra has direct control over this crucial aspect of operations, as it does with all of its other lines.
57. Metra is more than capable of dispatching its own lines, as it has demonstrated in dispatching the Metra Electric, Metra's Rock Island line, and portions of Metra's Southwest Service line. Furthermore, Metra has the requisite in-house experience to dispatch MD-W and MD-N, and its employees currently operate control towers on MD-W and MD-N under the oversight of CP.

#### **E. Cost-allocation**

58. Notably, CP pays Metra a flat fee for use of Metra's lines, which under the 1993 agreement Metra is responsible for maintaining. The amount was negotiated decades ago and does not account for the actual costs of CP's use associated with the line.
59. CP's attitude and conduct with regard to capital costs also creates unnecessary challenges for Metra. The trackage agreement between Metra and CP calls for cost-sharing for capital projects that benefit both parties and outlines an annual planning and approval process. CP has on many occasions delayed approving projects in a timely manner, and has insisted on a grant sharing approach for the use of competitive grant funds awarded to Metra. While the trackage agreement doesn't call for any such funding model, CP has pushed this interpretation and has withheld project approvals for that reason. Also, the agreement caps CP's contribution on capital projects at 50%, although on certain

segments of the corridor, CP's use is greater than 50% of the total traffic. The additional traffic that will surely result from the CP/KCS merger, merits a renegotiation of the capital funding cap.

### **Factual Corrections and Responses to the CP/KCS Application**

60. While Metra owns MD-N and MD-W, there are a number of instances in the CP/KCS Application where CP refers to “commuter operations on CP lines” or otherwise infers as much.<sup>27</sup> As explained above, Metra owns these lines, subject to joint operations and dispatching rights that were negotiated by parties other than CP and Metra. To suggest otherwise, as CP/KCS do, serves to negate Metra's legal ownership and rights on the line and suggests a lack of regard for Metra's commuter rail service.
61. Even where CP correctly identifies MD-N and MD-W as belonging to Metra, not CP, their statements are factually false in other ways. For instance, CP erroneously states that the 17 miles between Rondout and Fox Lake are owned by CP.<sup>28</sup> This is not true; Metra owns those 17-miles as well.
62. The Applicants note Metra's operation on MD-W and MD-N, but states current Metra train numbers without explanation that these are lower COVID-19-era train counts. Pre-COVID-19 Metra train schedules for these lines were significantly higher, and we expect train counts to increase as the country and the economy recover from the COVID-19 pandemic. It is therefore incomplete and unrealistic for the Applicants to cite current Metra train counts without more explanation. Consideration of the Application must take into account expanded Metra train schedules.<sup>29</sup>

---

<sup>27</sup> Appl. 2-267, 2-269, 2-321, Ex. 13, Operating Plan at 11, 13, 65. *See also* Appl. 1-172 to 1-173, V.S. Creel at 17-18.

<sup>28</sup> *See id.* 2-321, Ex. 13, Operating Plan at 65.

<sup>29</sup> *See id.* 1-172, V.S. Creel at 17; *id.* 2-321, Ex. 13, Operating Plan at 65.



63. The Applicants misrepresent the nature of “peak period” operations on the lines on MD-N and MD-W. The Applicants suggest in the Application’s supporting documents that Metra operations are confined to “passenger service windows”,<sup>30</sup> assumedly referring to Metra’s peak periods, when in fact a majority of Metra trains that operate on these lines operate outside of peak periods. While CP has wrongfully used its dispatching and operating rights on the line to block Metra’s expansion of service outside of peak periods, there is no contractual prohibition on Metra providing service at any time on its own lines. Looking at our pre-COVID-19 schedules, MD-N had 31 Mon-Fri trains operating in Peak Period, but there are also 33 scheduled Metra trains operating in the non-Peak (commuter window) periods that also need to be handled in a manner that enables schedules to be maintained for our customers. Similarly, MD-W had 38 trains scheduled during the Peak Period, but 39 off peak. Proper handling of our off-Peak service has been a great concern for Metra’s Operation.

64. CP’s references to “peak periods” also suggest that CP does not dispatch freight traffic during the two “commuter windows.” This is entirely false. CP does this on a regular basis. Unable to prevent CP from dispatching CP freight trains during its peak period due to CP’s control over dispatching rights, Metra has over the course of many years sought to provide information and guidance to CP in order to at least mitigate the impact of CP’s operations during Metra’s peak periods. The language in the Trackage Agreement says that CP will not interfere with Metra Operations during Peak Periods, however, from my experience, CP has an extremely loose interpretation of what they consider interference. CP continues to regularly dispatch freight through the Metra-owned territory during Peak Periods, usually in extremely narrow windows that may or may not work out without

---

<sup>30</sup> See *id.* 2-268, 2-314, Ex. 13, Operating Plan at 12 (“daily commuter window”), 58 (“passenger service window”).



causing delays to our service. More often than not, these attempts are unsuccessful. Even when CP is able to accomplish this without causing any actual delays to our trains, passengers who must cross tracks in order to get to the boarding platform for their scheduled trains, often find a CP freight train that is operating through the peak period blocking them from getting to their train.

65. Applicants assert that on “CP’s underutilized Elgin Subdivision . . . the existing double track on the Elgin Subdivision will allow for this growth without impact to the METRA passenger service windows.”<sup>31</sup> Likewise, elsewhere the Applicants state that “[t]he Transaction is projected to increase freight traffic by 7.1 trains per day between Almore and Bensenville, however there is ample capacity for these additional freight train frequencies. The Elgin Sub is double track, with triple track east of Bensenville Yard, and train slot capacity is not a concern given the low current freight train frequencies and the ample infrastructure”.<sup>32</sup> The reality is that even with the “low current freight train frequencies”, Metra’s operations are frequently interrupted with freight handling. As discussed above, there are no specific “passenger service windows”, and a majority of Metra’s trains in fact operate outside of the peak period times. A 7.1 increase in daily trains projected by CP would constitute a 44% increase in CP freight traffic, according to CP’s own numbers. Metra experiences consistent disruption and interference to its service during both peak periods and non-peak periods on *its* (not CP’s) line serving the Bensenville Yard on MD-W/Elgin Subdivision, even with the double tracking that CP asserts will mitigate the impact of 7.1 additional trains. Metra’s MD-W is hardly “underutilized”, as Metra operates dozens of trains most days, and experiences disruption from CP’s freight trains on a weekly, sometimes daily and multi-daily basis. Given the

---

<sup>31</sup> *Id.* 2-313, Ex. 13, Operating Plan at 57.

<sup>32</sup> *Id.* 2-322, Ex. 13, Operating Plan at 66.

current issues at and around Bensenville with existing traffic, such an increase would necessarily create additional congestion and interfere with Metra's service even more than it does now.

66. Furthermore, the Elgin Subdivision reduces from two tracks to one less than two miles west of Metra's Big Timber Road station. It is not uncommon for westward CP freight waiting at the end of the two main track territory to block the Big Timber Road station while waiting for opposing traffic to clear. The last few miles from Elgin to Big Timber Road are up a steep grade, so Westward freight trains occasionally stall, or "crawl" up the hill, resulting in delays to any Metra trains who may be following. Additional traffic will predictably lead to additional delays, even if CP's low frequency assumptions are accepted as true. Additional congestion problems are inevitable.

67. Additionally, while the Applicants acknowledge that "[s]ome of this new traffic will continue east of Bensenville/Schiller Park via CP's operating rights on NS and haulage rights on CSX", they state that "that traffic will not burden the Chicago terminal."<sup>33</sup> CP's extremely cursory description of the Transaction's impact to Chicago east of Bensenville Yard belies a critical fact: trains arriving or departing west of Bensenville will not simply disappear. Instead, they will travel through Chicago, impacting not just the eastern end of MD-W, but likely other portions of Metra's Chicago-area service, due to the interconnected nature of the Chicagoland rail network. The Applicants' own projections regarding avoided truck traffic indicates that there will be a significant amount of traffic moving directly through Chicago.<sup>34</sup> Yet the Applicants provide virtually no discussion or analysis regarding the impact to the Chicago rail network east of Bensenville and MD-W.

---

<sup>33</sup> Appl. 2-314, Ex. 13, Operating Plan at 57.

<sup>34</sup> *Id.* 1-311, Wilson V.S. a 8).



68. Referring to the Rondout-Chicago line segment of the MD-N, the Applicants state that:

“The Transaction is not expected to generate additional freight traffic on this segment, and as a result there will be no impact on Metra operations”.<sup>35</sup> In fact, Applicants state that “CP’s route between Chicago and Milwaukee will see *less traffic* as a result of the Transaction [emphasis in original],” while in the very next sentence stating that the line will actually see a rise in traffic due to “organic growth.”<sup>36</sup> Applicants’ position is based on CP’s assertion that the majority of the new traffic between the Twin Cities and KCS will operate via the Marquette Subdivision (i.e. the Dubuque Line - LaCrosse WI to Savanna IL) which is the direct route. However, the limitations of the Marquette Subdivision – slow speed, few sidings which are mostly too small to accommodate the train lengths currently being operated, and no signals – will undoubtedly mean that this line will quickly reach full capacity for handling the anticipated traffic. As CP has done many times in the past with the existing traffic, they will no doubt quickly begin sending any overflow via Metra’s MD-N, then to Tower A5, and then West on MD-W out to Bensenville Yard for a crew change, and on to Savanna to rejoin the “direct” route. CP often ties up Metra’s Main Tracks across from the Bensenville Yard office while trains change crews.

69. Applicants’ description of the allegedly negligible impact of the Transaction and Metra’s lines resembles CP’s position during its acquisition of the DM&E lines in 2007 before the Board, where CP argued that its acquisition would “have no negative effects on Amtrak and commuter train passenger operations.”<sup>37</sup> In fact, CP’s acquisition of these lines resulted in significant additional traffic that CP had not projected in its application.

---

<sup>35</sup> *Id.* 2-322, Ex. 13, Operating Plan at 66.

<sup>36</sup> Appl. 2-314, 2-315, , Ex. 13, Operating Plan at 57, 58.

<sup>37</sup> Application by Canadian Pacific Railway Company, et al for Approval of Control of Dakota, Minnesota and Eastern Railroad Corporation, et al, FD 35081, Exhibit 13, page 40 (Filed Oct. 5, 2007).



70. It should be noted that CP's assertions regarding available capacity on Metra's lines stand directly in contrast to CP's assertions regarding available capacity for expanded Metra service. Likewise, CP's negotiated settlement with Amtrak, which provides for additional Amtrak trains on MD-N, suggests that CP's previous statements to Metra that there is no capacity on MD-N for additional passenger service without Metra paying for improvements that expand capacity is false. CP's assertions in support of this transaction indicate that there is sufficient capacity stand in direct contradiction of the stance they took when Metra approached them to run a few additional off-peak trains. This would mean that CP unreasonably withheld permission for the minor off-Peak expansion previously requested by Metra. In so doing, CP has violated its contractual responsibilities for MD-N and MD-W.
71. Regarding Amtrak, Metra is the host for the operation of Amtrak's Chicago-Milwaukee Hiawatha Service as well as for Amtrak's Empire Builder. Hiawatha Service consists of 16 trains (8 round trips) Monday through Friday and 14 trains (7 round trips) on Saturdays and Sundays. Empire Builder trains 7 and 8 operate 7 days a week [these schedule frequencies were reduced recently for COVID considerations, but will be restored to full operation on March 28th, 2022].
72. For the 86 miles between Chicago and Milwaukee, Metra is the host railroad between Chicago (Tower A2 for accounting purposes) and Rondout (about 30 miles); CP is the host railroad between Rondout and Milwaukee (about 54 miles). For these services, on time performance accounting (including incentive payments to the host railroads) is calculated separately for the CP portion (Milwaukee to Rondout for Hiawatha Service, Minneapolis to Rondout for Empire Builder service), and for the Metra portion (Rondout to Tower A2). This is often problematic since Metra is held accountable for Amtrak performance on its tracks, but has no direct control over how the trains operate in relation

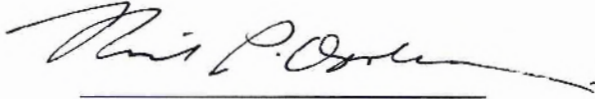
to CP freights; CP Dispatchers have control of both portions. Consequently, it is not uncommon for CP to dispatch a CP freight train out of Milwaukee ahead of an Amtrak train with the freight far enough ahead to clear Rondout without delaying the following Amtrak, but then allow the Amtrak to catch up to and follow the freight once it is on Metra's territory causing delay to the Amtrak train. This scenario results in CP being credited with handling Amtrak on time, but Metra is then charged with causing an Amtrak delay. This not only has a negative financial effect on Metra through the loss of Amtrak incentive pay, but also causes a loss of good will since it makes Metra appear to be mishandling its Amtrak traffic, even though CP Dispatchers are the cause of the problem.

73. The conclusion I draw from CP's past and current conduct in operating and dispatching Metra's lines, and from its assertions as part of the Application and associated documents, is that as a result of the proposed merger, Metra will inevitably see a significant increase in freight traffic on the territory it owns, and without having the ability to dispatch the new and existing traffic on its own property, as well as having the ability to expand commuter train service when appropriate, Metra will experience an unacceptable impact on train schedules and reliability, on passenger safety and convenience, and on operational efficiency.

[SIGNATURE ON FOLLOWING PAGE]

I, Richard P. Oppenheim, declare under penalty of perjury that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this Verified Statement.

Executed on March 15, 2022.

A handwritten signature in black ink, appearing to read "Richard P. Oppenheim", written over a horizontal line.

Richard P. Oppenheim



## **EXHIBIT B-1**

### **Rich Oppenheim Resume**



547 W. Jackson Blvd. Chicago, IL 60661 (312) 322-6900 TTY# 1-312-322-6774

## Memorandum

June 5, 2020

TO: To Whom It May Concern

FROM: R. P. Oppenheim, Assistant Superintendent

**SUBJECT: WORK HISTORY – RICH OPPENHEIM**

### ERIE LACKAWANNA

Beginning in July 1968, I worked for the Erie-Lackawanna Railway – now a part of New Jersey Transit – as Tower Operator on their New York Division during Summers and Christmas vacations while I was attending Northwestern University. Erie Lackawanna ran a complex Commuter Rail operation similar to Metra's serving the New York metropolitan area. At the time, they had 12 Interlocking Towers in service, and I was qualified in 11 out of the 12. Approximate employment dates were:

- July to September 1968.
- December 1968 to January 1969.
- June 1969 to September 1969.
- December 1969 to January 1970.
- June 1970 to September 1970.
- December 1970 to January 1971.
- June 1971 to September 1971.
- December 1971 to January 1972.
- June 1972 to September 1972.

### MILWAUKEE ROAD (later acquired by SOO LINE, then by CP RAIL)

- Hired as a Tower Operator in October 1972. Qualified and worked in 9 different interlocking Towers in the Chicago and Milwaukee area.
- July 1973 – began training as a Train Dispatcher in the Milwaukee Dispatching office.
- August 28, 1973 began working as an Extra Train Dispatcher in Milwaukee while continuing to work in the Towers when no Dispatcher work was available. Also qualified on Chief Dispatchers position and worked as Chief Dispatcher when vacancies occurred. Dispatching Territory included Suburban train operations on what was to become Metra's Milwaukee North Line.
- May 1978 obtained permanent Dispatcher position in the Milwaukee office.
- March 1979 promoted to Manager of Milwaukee Road Power Bureau in Chicago. Monitored train Operations and handled Locomotive distribution throughout the Milwaukee Road system between Chicago and Tacoma, Washington, as well as to Louisville, Kentucky.
- May 1, 1980. Milwaukee Road opened the Chicago Dispatching office on the 2<sup>nd</sup> floor of Union Station. I elected to resume Train Dispatching in the new office. Territory included what later became Metra's Milwaukee West Line (in addition to the North Line). Also handled freight traffic as well as

Amtrak traffic between Chicago and Milwaukee as well as freight traffic between Chicago and Savanna Illinois.

- August 1984. Chicago Dispatching office expanded to include Chicago to Kansas City. Worked a position that relieved the Chief Dispatcher on weekends and a desk 3 days during the week (2 of these handling future Metra territory). Worked Chief Dispatcher position whenever regular Chief needed to be off, sometimes for extended periods of time.
- September 1987 to February 1997, worked day Dispatcher position handling both the North and West Suburban lines including to Milwaukee and Savanna.
- February 1997, now CP rail, Chicago Dispatching office was closed with all Dispatching being moved to Minneapolis. February 1997 to May 1997, “commuted” to Minneapolis assisting in the Chicago to Minneapolis relocation while also continuing to handle the C&M (North Line).
- Resigned from CP in May of 1997.

**METRA**

- Hired in June 1997 (date of Hire 6/16/1997) as “new” employee (i.e. did not carry “Prior Rights” from the Milwaukee). Worked as Extra Tower Clerk protecting Milwaukee District’s Tower A2 (both as Leverman and Train Director) and Tower A5.
- January-February 1999, trained at Metra CCF on various Dispatching desks including Rock Island District, Electric District, and Southwest Service. Also Milwaukee District Tower B12.
- February 1999-December 2002. Worked as Extra Dispatcher CCF continuing to handle all territories.
- During 2001-2002 also trained and qualified as Load Dispatcher at Randolph Control on the Electric District. Worked approximately half of the time at Randolph Control and half of time at CCF.
- December 23, 2002. Promoted to Trainmaster on CUS District.
- April 12, 2012. Promoted to Senior Trainmaster on CUS District.
- February 2013. Promoted to Assistant Superintendent on CUS District.
- July 2020 to present. Promoted to Director Operations CUS District.



## **EXHIBIT B-2**

**Metra Emails 2016-2022**

**To:** Nick Walker[Nick\_Walker@cpr.ca]; Andrew Reardon[andrew\_reardon@cpr.ca]; Chuck Hubbard[chuck\_hubbard@cpr.ca]; 'Michael White'[Michael\_White@cpr.ca]; 'Isaac Neibert'[Isaac\_Neibert@cpr.ca]; John Randell[John\_Randell@cpr.ca]; 'MOC Director East'[MOC\_Director\_East@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Fri 08/26/2016 10:59:24 AM UTC  
**Subject:** Delays to 2200 at Spaulding by G35  
**Received:** Fri 08/26/2016 10:59:25 AM UTC

This week, on Wednesday Aug 24th, Metra 2200 delayed 10 minutes at Spaulding, arrived Chicago 8 minutes late waiting for G35 to clear plant shoving over to #1 main. This morning, Friday August 26th, 2200 again delayed at Spaulding for G35, this time 2200 arrived Chicago 7 minutes late. I understand that this morning, 2200 also stopped to pick up G35s Conductor and give ride back to head end. Late arrival of 2200 at Chicago also causes 2201 to leave late. Please follow up with G35 crew so that they understand to arrange their work at Spaulding so that it does not interfere with scheduled Metra traffic.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

**To:** MOC Director East[MOC\_Director\_East@cpr.ca]; Michael White[michael\_white@cpr.ca]; 'Niki Marthe'[Niki\_Marthe@cpr.ca]; michael\_monsor@cpr.ca[michael\_monsor@cpr.ca]; Andrew Reardon[andrew\_reardon@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Sat 01/16/2016 5:46:27 AM UTC  
**Subject:** Fw: 2250 issued at 1/15/16 8:13 PM  
**Received:** Sat 01/16/2016 5:46:28 AM UTC

I understand that delay occurred at B17 waiting for inbound freight going in yard to clear. Delay to 2250 also affected "flips" 2251 and 2256. Please advise circumstances.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

**From:** Metra GPS Center <6f731ae1-0005-3000-80c0-fceb55463ffe@notify2.mir3.com>  
**Sent:** Friday, January 15, 2016 20:14  
**To:** Rich Oppenheim  
**Reply To:** Intelligent Notification  
**Subject:** 2250 issued at 1/15/16 8:13 PM

Rich Oppenheim,  
Inbound train #2250, scheduled to arrive Chicago Union Station at 8:29 PM, is 15 to 20 minutes behind schedule d freight train interference.  
Thank you, Metra GPS Center



**To:** MOC Director East[MOC\_Director\_East@cpr.ca]; Michael White[Michael\_White@cpr.ca]; Niki Marthe[Niki\_Marthe@cpr.ca]; Andrew Reardon[Andrew\_Reardon@cpr.ca]; Michael Monsour[michael\_monsour@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Sat 01/16/2016 5:55:53 AM UTC  
**Subject:** Re: 2250 issued at 1/15/16 8:13 PM  
**Received:** Sat 01/16/2016 5:55:54 AM UTC

Why was train released into yard when there was no clear route?

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

**From:** MOC Director East  
**Sent:** Friday, January 15, 2016 23:54  
**To:** Rich Oppenheim; Michael White; Niki Marthe; michael\_monsor@cpr.ca; Andrew Reardon  
**Subject:** RE: 2250 issued at 1/15/16 8:13 PM

680-704 was released into Bensenville yard but did not have a route when they arrived which resulted in the train trailing out of the yard onto the main track.

Tony Wick | Director Dispatching East Region | 120 South Sixth St Minneapolis Minnesota 55402

612 851 5740 **CP**

**From:** Rich Oppenheim [mailto:ROppenheim@METRARR.COM]  
**Sent:** Friday, January 15, 2016 11:46 PM  
**To:** MOC Director East; Michael White; Niki Marthe; michael\_monsor@cpr.ca; Andrew Reardon  
**Subject:** Fw: 2250 issued at 1/15/16 8:13 PM  
**Importance:** High

I understand that delay occurred at B17 waiting for inbound freight going in yard to clear. Delay to 2250 also affected "flips" 2251 and 2256. Please advise circumstances.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

**From:** Metra GPS Center <6f731ae1-0005-3000-80c0-fceb55463ffe@notify2.mir3.com>  
**Sent:** Friday, January 15, 2016 20:14  
**To:** Rich Oppenheim  
**Reply To:** Intelligent Notification  
**Subject:** 2250 issued at 1/15/16 8:13 PM

Rich Oppenheim,

Inbound train #2250, scheduled to arrive Chicago Union Station at 8:29 PM, is 15 to 20 minutes behind schedule due to freight train interference.

Thank you, Metra GPS Center

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email and any accompanying attachments contain confidential information intended only for the use of the individual or named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer le présent courriel et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et l'employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence du contenu du message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. -----



**To:** 'MOC Director East'[MOC\_Director\_East@cpr.ca]; Niki Marthe [Niki\_Marthe@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Sat 12/31/2016 7:24:26 PM UTC  
**Subject:** Delay to Metra 2600 at Rondout  
**Received:** Sat 12/31/2016 7:24:26 PM UTC

2600 received significant delay at Rondout due to freight stopped in plant. Please provide any details/specifics you can.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.



To: MOC Director East[MOC\_Director\_East@cpr.ca], Niki Marthe[Niki\_Marthe@cpr.ca]  
From: Rich Oppenheim  
Sent: Sat 12/31/2016 8:17:32 PM UTC  
Subject: Re: Delay to Metra 2600 at Rondout  
Received: Sat 12/31/2016 8:17:32 PM UTC

What time did 280 stop in plant?

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: MOC Director East  
Sent: Saturday, December 31, 2016 13:53  
To: Rich Oppenheim; Niki Marthe  
Subject: RE: Delay to Metra 2600 at Rondout

280-01 experienced undesired emergency brake application at Rondout. Inspection found a separated air hose between their 93<sup>rd</sup> and 94<sup>th</sup> car that was secured.

Tony Wick | Director Dispatching East Region | 120 South Sixth St Minneapolis Minnesota 55402  
612 851 5740 CP

From: Rich Oppenheim [mailto:ROppenheim@METRARR.COM]  
Sent: Saturday, December 31, 2016 1:24 PM  
To: MOC Director East; Niki Marthe  
Subject: Delay to Metra 2600 at Rondout

2600 received significant delay at Rondout due to freight stopped in plant. Please provide any details/specifics you can.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email and any accompanying attachments contain confidential information intended only for the use of the individual or named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by other than the intended recipient is strictly prohibited. If you have received this email in error please immediately notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer le présent courriel et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et l'employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence du contenu du message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. -----  
IMPORTANT NOTICE - AVIS IMPORTANT -----

To: MOC Director East[MOC\_Director\_East@cpr.ca]; Niki Marthe[Niki\_Marthe@cpr.ca]  
From: Rich Oppenheim  
Sent: Sat 12/31/2016 8:57:17 PM UTC  
Subject: Re: Delay to Metra 2600 at Rondout  
Received: Sat 12/31/2016 8:57:17 PM UTC  
[lage001.png](#)

Thanks.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: MOC Director East  
Sent: Saturday, December 31, 2016 14:22  
To: Rich Oppenheim; Niki Marthe  
Subject: RE: Delay to Metra 2600 at Rondout

0543 – 0615

Tony Wick | Director Dispatching East Region | 120 South Sixth St Minneapolis Minnesota 55402  
612 851 5740 CP

---

From: Rich Oppenheim [mailto:ROppenheim@METRARR.COM]  
Sent: Saturday, December 31, 2016 2:18 PM  
To: MOC Director East; Niki Marthe  
Subject: Re: Delay to Metra 2600 at Rondout

What time did 280 stop in plant?

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: MOC Director East  
Sent: Saturday, December 31, 2016 13:53  
To: Rich Oppenheim; Niki Marthe  
Subject: RE: Delay to Metra 2600 at Rondout

280-01 experienced undesired emergency brake application at Rondout. Inspection found a separated air hose between their 93<sup>rd</sup> and 94<sup>th</sup> car that was secured.

Tony Wick | Director Dispatching East Region | 120 South Sixth St Minneapolis Minnesota 55402  
612 851 5740 CP

---

From: Rich Oppenheim [mailto:ROppenheim@METRARR.COM]  
Sent: Saturday, December 31, 2016 1:24 PM  
To: MOC Director East; Niki Marthe  
Subject: Delay to Metra 2600 at Rondout

2600 received significant delay at Rondout due to freight stopped in plant. Please provide any details/specifics you can.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender company accept no liability for any damage caused by any virus transmitted by this email. This email trans

and any accompanying attachments contain confidential information intended only for the use of the individual or named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer le présent courriel et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et l'employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence du contenu du message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. -----

IMPORTANT NOTICE - AVIS IMPORTANT -----

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email and any accompanying attachments contain confidential information intended only for the use of the individual or named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer le présent courriel et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et l'employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence du contenu du message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. -----

IMPORTANT NOTICE - AVIS IMPORTANT -----



**To:** MOC Director East[MOC\_Director\_East@cpr.ca]; Niki Marthe [Niki\_Marthe@cpr.ca]; Michael Monsour[michael\_monsour@cpr.ca]; Michael White[Michael\_White@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Fri 05/13/2016 10:43:10 AM UTC  
**Subject:** Delay to 2254 5-12-16  
**Received:** Fri 05/13/2016 10:43:11 AM UTC

- [TOPS1501\\_BN.PDF](#)
- [TOPS1501\\_HCD.PDF](#)
- [TOPS1501\\_MEDML.PDF](#)
- [TOPS1501\\_MEDSC.PDF](#)
- [TOPS1501\\_MEDBI.PDF](#)
- [TOPS1501\\_MWDN.PDF](#)
- [TOPS1501\\_MWDW.PDF](#)
- [TOPS1501\\_NCS.PDF](#)
- [TOPS1501\\_RID.PDF](#)
- [TOPS1501\\_SWS.PDF](#)
- [TOPS1501\\_UPN.PDF](#)
- [TOPS1501\\_UPNW.PDF](#)
- [TOPS1501\\_UPW.PDF](#)

Metra 2254 shows delay of 12 minutes at T6B17 waiting for freight train to clear. Please advise circumstances.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.  
 Original Message  
 From: Metra Mainframe Information Systems  
 Sent: Friday, May 13, 2016 03:44  
 To: MAINFRAME (HF'K)  
 Subject: TOPS Daily Incident Report

This report is generated from Metra Information Systems

**To:** MOC Director East[MOC\_Director\_East@cpr.ca]; Niki Marthe[Niki\_Marthe@cpr.ca]; Michael White[Michael\_White@cpr.ca]; David Carroll[david\_carroll@cpr.ca]; Michael Monsour[michael\_monsour@cpr.ca]; Andrew Reardon[andrew\_reardon@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Robert A Johnson[robert\_johnson@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Tue 01/12/2016 12:20:01 PM UTC  
**Subject:** Metra Delays - Elgin Sub - Monday, January 11th, 2016  
**Received:** Tue 01/12/2016 12:20:01 PM UTC

On Monday, January 11, 2016, Metra Operations on the Elgin Sub were impacted by the following situations:

1. Metra 2221 was delayed 22 minutes following CP Rail Grinding equipment which was operating on Track and Time. Primary delay occurred at Spaulding. Opportunity to have 2221 run on #2 MT from Roselle West to Spaulding around rail grinder was not taken. Lengthy delay carried over to delays to Peak Period trains 2244 (9 minutes) and 2243 both of which turn from 2221.
2. CP 473 was allowed to depart Bensenville behind 2221 at the same time that CP 472 (8500 feet) on short time was allowed to leave Genoa as the evening Metra rush approached. This created a "hostage railroading" situation whereby it became necessary to run 472 in the midst of the rush in order to get 473 out of the way. 472 wound up stopping on the plant at B17 from 1830 to 1850 delaying Metra 2248 who caught up with 472 at Wooddale. 2248 was 14 minutes late arriving Chicago which turned into similar delays to "flips" 2249, 2254, and 2255.

As we all do our best to operate under the challenges which winter railroading brings, we again ask for consideration in planning operations so that Metra schedules are protected.

Rich Oppenheim, Assistant Superintendent  
Metra CUS District Operation  
Office. 312-322-8939  
Cell. 312-735-8576

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

**To:** Patrick Danz[PDanz@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Niki Marthe[Niki\_Marthe@cpr.ca]; MOC Director East[MOC\_Director\_East@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Wed 03/09/2016 3:55:13 AM UTC  
**Subject:** Re: Metra Alert - MD-W - Train #2251, Scheduled to Arrive Big Timber Rd at 10:01 PM - Stopped  
**Received:** Wed 03/09/2016 3:55:14 AM UTC

I spoke with Delia at B17. She said she had indications on the switches but could not display a signal. Even though she had indications on the switches, she told the crew to "check their route". Crew took that as instructions to hand line. Niki, please remind operators that when they have proper switch indications for the needed route, they should not tell crews to check their route.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

**From:** Patrick Danz  
**Sent:** Tuesday, March 8, 2016 21:48  
**To:** Victor Flores; Rich Oppenheim  
**Subject:** Fw: Metra Alert - MD-W - Train #2251, Scheduled to Arrive Big Timber Rd at 10:01 PM - Stopped

Had to hand line route at B17

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

**From:** Metra Service Alerts <servicealerts@metrarail.com>  
**Sent:** Tuesday, March 8, 2016 21:46  
**To:** Patrick Danz  
**Reply To:** Metra Rail  
**Subject:** Metra Alert - MD-W - Train #2251, Scheduled to Arrive Big Timber Rd at 10:01 PM - Stopped

Train #2251, Scheduled to Arrive Big Timber Rd at 10:01 PM - Stopped

Train #2251, scheduled to arrive Big Timber Rd at 10:01 PM, is stopped near Bensenville due to switch problems. duration of this delay is unknown. Metra will update this site as information becomes available.

To change your alert preferences or to unsubscribe please [visit Metra](#)

#### Update Profile

This email was sent by: Metra  
 547 W. Jackson Boulevard Chicago IL, 60661-5717, USA



**To:** Michael Monsour[michael\_monsour@cpr.ca]; Andrew Reardon[andrew\_reardon@cpr.ca]; Michael White[Michael\_White@cpr.ca]; MOC Director East[MOC\_Director\_East@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Robert A Johnson (robert\_johnson@cpr.ca)[robert\_johnson@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Thur 03/10/2016 4:28:49 AM UTC  
**Subject:** 24 Minute delay to Metra 2244 for CP-G35 at Spaulding  
**Received:** Thur 03/10/2016 4:28:50 AM UTC

This evening, during the 45 minute scheduled gap between Metra #2242 (Spaulding 1535) and #2244 (Spaulding 1620) CP G-35 was allowed to triple up a train from the CN interchange at Spaulding out on to Metra #2 MT while holding the interlocking at Spaulding. #2244 wound up sitting at Spaulding while G35 completed their triple, then followed G35 to Bensenville. Having already delayed 2244 @ 10 minutes, we were assured that G35 would have a "straight shot" into Bensenville yard, but in spite of this, G35 stopped 3 times going into the yard before the rear of the 7700 foot train cleared B17 interlocking. #2244 was delayed over 30 minutes in the process, and arrived CUS at 1801, 24 minutes behind schedule. While delays of this magnitude to our service are never acceptable, this was particularly bad because:

- 2244 with a scheduled arrival at CUS at 1737 was operating in the peak of our evening rush hour, and is considered a "peak period" train.
- 2244's late operation necessitated numerous modifications to our normal rush hour operation including altering crew and equipment turns so that #2243, our 1746 departure from Chicago who normally turns from #2244, and is one of our most heavily patronized trains, could still depart on time. Track utilization changes between Tower B6 and Tower B12 also had to be arranged in order to accommodate the late running 2244.

The practice of having G35 come out at Spaulding and triple up on the main line during the narrow windows between scheduled Metra trains is one that was quite common at one time, and was a chronic cause of Metra delays. It has come to our attention that this practice has occurred several time of late, and while up until tonight, no major delays have occurred because of it, the risks are there every time this plan is implemented. We have discussed this practice in the past and came up with the following possible solutions to avoid delays to our service:

1. Schedule G35 to do Spaulding work so as to come out on #2 MT AFTER #2256, our last inbound train to Chicago, passes Spaulding at 2223 hrs. Virtually unlimited time on the main is then available.
2. If necessary to make these moves while Metra trains are still running, have G35 assemble their train COMPLETELY WEST of the Spaulding interlocking on #2 MT so that EWD Metra trains can run on #1 MT from Tower B35 to Spaulding and cross back over to #2 MT AT SPAULDING. Our schedules will support this operation without causing delays to our service, but EWD Metra trains must cross back at SPAULDING, not Roselle West. I know it's a bit awkward assembling West of Spaulding due to road crossings, but it can and has been done.
3. Do not try and triple up between trains while holding the plant. It is in many ways just as quick -- and much simpler -- to take one or two cuts into Bensenville, then return with light power for the remaining cut(s).

All of these ideas have been discussed in the past, and to my knowledge, had been adhered to until just recently. I would appreciate your cooperation in insuring that the Spaulding operation does not again become a source of delays to our service and customers. As always, thanks for your help and assistance. If there are any questions, or if I can assist in any way, please let me know.

Rich Oppenheim, Assistant Superintendent  
Metra CUS District Operations  
Office 312-322-8939  
Cell 312-735-8576

**To:** Robert A Johnson[Robert\_Johnson@cpr.ca]; Michael White[Michael\_White@cpr.ca]; Andrew Reardon[Andrew\_Reardon@cpr.ca]; Michael Monsour[Michael\_Monsour@cpr.ca]; David Carroll[David\_Carroll@cpr.ca]  
**Cc:** Michael Monsour[Michael\_Monsour@cpr.ca]; Andrew Reardon[Andrew\_Reardon@cpr.ca]; MOC Director East[MOC\_Director\_East@cpr.ca]; Victor Flores[VFlores@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Courtney Dunford[Courtney\_Dunford@cpr.ca]; Niki Marthe[Niki\_Marthe@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Thur 03/10/2016 11:53:26 AM UTC  
**Subject:** Re: 24 Minute delay to Metra 2244 for CP-G35 at Spaulding  
**Received:** Thur 03/10/2016 11:53:26 AM UTC

Thanks again for your quick response and support. It is most appreciated.

Rich

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

Original Message

From: Robert A Johnson

Sent: Thursday, March 10, 2016 05:49

To: Michael White; Andrew Reardon; Michael Monsour; David Carroll

Cc: Rich Oppenheim; Michael Monsour; Andrew Reardon; MOC Director East; Victor Flores; Marty Ryan; Peter J. Zwolfer; David Rodriguez; Courtney Dunford; Niki Marthe

Subject: Re: 24 Minute delay to Metra 2244 for CP-G35 at Spaulding

Mike, David, Andrew,

I also want you to ensure the 3 items below are implemented and executed!

Robert Johnson  
 SVP Southern Region  
 CP Railway

On Mar 10, 2016, at 3:52 AM, Michael White <Michael\_White@cpr.ca<mailto:Michael\_White@cpr.ca>> wrote:

ormal investigation will be scheduled once we determine accountability.

Sent from my iPhone

On Mar 9, 2016, at 10:29 PM, Rich Oppenheim <ROppenheim@METRARR.COM<mailto:ROppenheim@metrarr.com>> wrote:

This evening, during the 45 minute scheduled gap between Metra #2242 (Spaulding 1535) and #2244 (Spaulding 1620) CP G-35 was all triple up a train from the CN interchange at Spaulding out on to Metra #2 MT while holding the interlocking at Spaulding. #2244 wound up Spaulding while G35 completed their triple, then followed G35 to Bensenville. Having already delayed 2244 @ 10 minutes, we were assured G35 would have a "straight shot" into Bensenville yard, but in spite of this, G35 stopped 3 times going into the yard before the rear of the train cleared B17 interlocking. #2244 was delayed over 30 minutes in the process, and arrived CUS at 1801, 24 minutes behind schedule. Delays of this magnitude to our service are never acceptable, this was particularly bad because:

- \* 2244 with a scheduled arrival at CUS at 1737 was operating in the peak of our evening rush hour, and is considered a "peak period" train
  - \* 2244's late operation necessitated numerous modifications to our normal rush hour operation including altering crew and equipment to accommodate #2243, our 1746 departure from Chicago who normally turns from #2244, and is one of our most heavily patronized trains, could still depart on time.
- Track utilization changes between Tower B6 and Tower B12 also had to be arranged in order to accommodate the late running 2244.

The practice of having G35 come out at Spaulding and triple up on the main line during the narrow windows between scheduled Metra trains that was quite common at one time, and was a chronic cause of Metra delays. It has come to our attention that this practice has occurred of late, and while up until tonight, no major delays have occurred because of it, the risks are there every time this plan is implemented. We discussed this practice in the past and came up with the following possible solutions to avoid delays to our service:

1. Schedule G35 to do Spaulding work so as to come out on #2 MT AFTER #2256, our last inbound train to Chicago, passes Spaulding. Virtually unlimited time on the main is then available.
2. If necessary to make these moves while Metra trains are still running, have G35 assemble their train COMPLETELY WEST of the Spaulding interlocking on #2 MT so that EWD Metra trains can run on #1 MT from Tower B35 to Spaulding and cross back over to #2 MT AT SPAULDING. Our schedules will support this operation without causing delays to our service, but EWD Metra trains must cross back at SPAULDING, not West. I know it's a bit awkward assembling West of Spaulding due to road crossings, but it can and has been done.
3. Do not try and triple up between trains while holding the plant. It is in many ways just as quick -- and much simpler -- to take one or two into Bensenville, then return with light power for the remaining cut(s).

All of these ideas have been discussed in the past, and to my knowledge, had been adhered to until just recently. I would appreciate you

in insuring that the Spaulding operation does not again become a source of delays to our service and customers. As always, thanks for your assistance. If there are any questions, or if I can assist in any way, please let me know.

Rich Oppenheim, Assistant Superintendent  
Metra CUS District Operations  
Office 312-322-8939  
Cell 312-735-8576

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email transmission and any accompanying attachments contain confidential information only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the content of this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete it and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer par un antivirus et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et son employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence de ce message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. ----- IMPORTANT NOTICE - AVIS IMPORTANT -----



**To:** 'tom\_albanese@cpr.ca'[tom\_albanese@cpr.ca]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]  
**Cc:** Michael White[Michael\_White@cpr.ca]; Niki Marthe[Niki\_Marthe@cpr.ca]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; 'chuck\_hubbard@cpr.ca'[chuck\_hubbard@cpr.ca]; David Rodriguez[DRodriguez@METRARR.COM]; Jack Bauer[JBauer@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Mon 08/01/2016 5:02:43 PM UTC  
**Subject:** Metra Delays due to Knuckle-Drawbar failure on CP472-29 JULY 29, 2016 (Disaster #2)  
**Received:** Mon 08/01/2016 5:02:44 PM UTC

The scenario encountered on Monday, July 25, 2016 (described below) repeated itself almost identically on Friday, July 29, 2016. 472-29 was operating in the same slot as the train on Monday, following 2244 and ahead of 2246 out of Elgin. This time the train had 99-39-11000, 9396 feet long. In essentially the same location as Monday, this train also got a broken knuckle and drawbar, this time about 84 cars back. We were able to alleviate some of the delays encountered on Monday by operating only the first train by, 2227, at restricted speed and allowing the balance to go by at track speed. Nevertheless, the delays were devastating to our rush hour service, as well as to our customers, many of whom were personally assured following Monday's meltdown that we at Metra had taken appropriate steps with our counterparts at CP Rail to insure that this would not happen again. The situation was further hampered on Friday due to the broken drawbar becoming wedged underneath the car behind (and had we been made aware of this, we would have dispatched appropriate engineering or mechanical personnel from Metra to assist), which ultimately resulted in our single tracking around 472's rear end until almost 2200 hrs, over 5 hours after the initial break.

Friday's delays resulting from this incident were as follows. As you can see, we concentrated on moving our outbounds at the expense of the inbounds:

2227 11 minutes  
 2241 terminated at Franklin Park – crew and equipment returned to Chicago to protect 2247  
 2243 10 minutes  
 2246 35 minutes  
 2248 1 hour 10 minutes  
 2250 13 minutes  
 2251 17 minutes  
 2253 23 minutes  
 2252 22 minutes  
 2254 39 minutes  
 2255 24 minutes

As was the case with Monday's incident, we assume that CP will investigate the circumstances of this occurrence and share the results with us at Metra. Was this, by any chance, the same Engineer as Monday's? Moving forward, we ask the CP refrain from operating this type of lengthy train in the midst of our rush hour operation. We understand that there is a 1 hour gap between 2244 and 2246, but the density of outbound traffic during this time period precludes the possibility of any meaningful recovery should things fall apart. For the PM rush, our operating agreement defines Trains 2225 through 2245, as well as 2246 and 2248 as "peak period trains", and goes on to say that CP will not interfere with their operation. I have never been a proponent of dispatching trains based on what "could happen", however I'm sure you will agree that having the same disastrous scenario repeat itself within four days' time justifies the need for additional precautions.

Again, CP's prompt response to the situation once it occurred is noted and appreciated.

**Rich Oppenheim,**  
 Assistant Superintendent  
 Metra CUS District Operations  
 P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
 547 W. Jackson Blvd., Chicago, IL 60661

**From:** Rich Oppenheim  
**Sent:** Tuesday, July 26, 2016 11:50 AM  
**To:** 'tom\_albanese@cpr.ca' <tom\_albanese@cpr.ca>  
**Cc:** Michael White <Michael\_White@cpr.ca>; 'Niki Marthe' <Niki\_Marthe@cpr.ca>; Peter J. Zwolfer <PZwolfer@METRARR.COM>; Marty Ryan <mryan@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; 'chuck\_hubbard@cpr.ca' <chuck\_hubbard@cpr.ca>; David Rodriguez <DRodriguez@METRARR.COM>  
**Subject:** Metra Delays due to Knuckle-Drawbar failure on CP472-24 JULY 25, 2016

On Monday, July 25, 2016 while travelling EWD on #2 MT following Metra 2244 at approximately 1700 hrs., CP 472-24 with 87-42-12700, 8350 feet experienced an emergency brake application between Itasca and Wooddale. After Conductor walked almost the entire length of the train, it was reported that there was a knuckle and/or drawbar failure about 5 cars from the rear of the train. CP dispatched personnel stationed at Bensenville Yard from both their transportation and mechanical departments to assist the crew, and a Metra Signal Maintainer, who was in the area, also helped in expediting the clearing of #2 Main once the problems were identified. Arrangements were made to have CP-472 take the head portion of the train (up to the break) into Bensenville yard, and a crew that went on duty at Bensenville at 1800 hrs was promptly positioned with light power in order to retrieve the rear 5 cars once the head end cleared Tower B17.

We are grateful for the prompt response to the situation by all involved, and appreciate the effort put forth to clear up our Main Tracks to salvage as much of the evening rush hour as possible. Unfortunately, because this train was operating during Metra's Peak Period, the logistics of single-tracking around the stalled train (8 miles from Tower B17 to Roselle West with 5 intermediate passenger stations and a dense WWD peak period schedule) had a devastating effect on our Operation, both during the peak period itself, and, because of crew and equipment turns, afterward. The following delays and train annulments are attributed to this event:

2231 - 11 minutes  
2233 - 15 minutes  
2235 - 14 minutes  
2237 - 10 minutes  
2239 - 5 minutes  
2241 - terminated at Franklin Park  
2243 - 26 minutes (waited at B17 for 2246)  
2245 - Annulled  
2247 - 16 minutes (waited at B17 for 2248)  
2251 - 11 minutes  
2253 - 26 minutes  
2246 - 46 minutes (waited at Roselle West for 2239)  
2248 - 38 minutes (waited at Roselle West of 2243)  
2252 - 33 minutes

In review, it appears that the delays to 2233 through 2239 (as well as to subsequent trains since 2246 waited at Roselle West for 2239 to clear and 2243 waited at B17 for 2246 to clear) might have been significantly reduced, since, per Rule 6.23, once 2231 passed by the disabled train at restricted speed and determined that #1 Main was, in fact, not obstructed, the following trains should have been allowed to proceed through the area at track speed rather than at restricted speed as the trains in question were instructed.

I understand that CP will be conducting a de-briefing with the crew on CP472-24 in an attempt to determine what may have caused the knuckle and/or drawbar failure. It would be appreciated if you could share the results/findings with us at Metra. We trust that any possible steps, that might avert a similar occurrence in the future, will be taken. Again, please accept our appreciation for the prompt response and efforts taken in response to this unfortunate event.

**Rich Oppenheim,**  
Assistant Superintendent  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661



**To:** 'tom\_albanese@cpr.ca'[tom\_albanese@cpr.ca]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]  
**Cc:** Michael White[Michael\_White@cpr.ca]; Niki Marthe[Niki\_Marthe@cpr.ca]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; 'chuck\_hubbard@cpr.ca'[chuck\_hubbard@cpr.ca]; David Rodriguez[DRodriguez@METRARR.COM]; Jack Bauer[JBauer@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Tue 08/09/2016 5:34:50 PM UTC  
**Subject:** RE: Metra Delays due to Knuckle-Drawbar failure on CP472-29 JULY 29, 2016 (Disaster #2)  
**Received:** Tue 08/09/2016 5:34:50 PM UTC

Please see message below sent Monday, August 1<sup>st</sup>. I have not received a reply as yet. Please advise findings from the 2<sup>nd</sup> 472 knuckle/drawbar incident as to cause and findings, if any,

**From:** Rich Oppenheim  
**Sent:** Monday, August 01, 2016 12:03 PM  
**To:** 'tom\_albanese@cpr.ca' <tom\_albanese@cpr.ca>; 'nick\_walker@cpr.ca' <nick\_walker@cpr.ca>  
**Cc:** 'Michael White' <Michael\_White@cpr.ca>; 'Niki Marthe' <Niki\_Marthe@cpr.ca>; Peter J. Zwolfer <PZwolfer@METRARR.COM>; Marty Ryan <mryan@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; 'chuck\_hubbard@cpr.ca' <chuck\_hubbard@cpr.ca>; David Rodriguez <DRodriguez@METRARR.COM>; Jack Bauer <JBauer@METRARR.COM>  
**Subject:** Metra Delays due to Knuckle-Drawbar failure on CP472-29 JULY 29, 2016 (Disaster #2)

The scenario encountered on Monday, July 25, 2016 (described below) repeated itself almost identically on Friday, July 29, 2016. 472-29 was operating in the same slot as the train on Monday, following 2244 and ahead of 2246 out of Elgin. This time the train had 99-39-11000, 9396 feet long. In essentially the same location as Monday, this train also got a broken knuckle and drawbar, this time about 84 cars back. We were able to alleviate some of the delays encountered on Monday by operating only the first train by, 2227, at restricted speed and allowing the balance to go by at track speed. Nevertheless, the delays were devastating to our rush hour service, as well as to our customers, many of whom were personally assured following Monday's meltdown that we at Metra had taken appropriate steps with our counterparts at CP Rail to insure that this would not happen again. The situation was further hampered on Friday due to the broken drawbar becoming wedged underneath the car behind (and had we been made aware of this, we would have dispatched appropriate engineering or mechanical personnel from Metra to assist), which ultimately resulted in our single tracking around 472's rear end until almost 2200 hrs, over 5 hours after the initial break.

Friday's delays resulting from this incident were as follows. As you can see, we concentrated on moving our outbounds at the expense of the inbounds:

2227 11 minutes  
 2241 terminated at Franklin Park – crew and equipment returned to Chicago to protect 2247  
 2243 10 minutes  
 2246 35 minutes  
 2248 1 hour 10 minutes  
 2250 13 minutes  
 2251 17 minutes  
 2253 23 minutes  
 2252 22 minutes  
 2254 39 minutes  
 2255 24 minutes

As was the case with Monday's incident, we assume that CP will investigate the circumstances of this occurrence and share the results with us at Metra. Was this, by any chance, the same Engineer as Monday's? Moving forward, we ask the CP refrain from operating this type of lengthy train in the midst of our rush hour operation. We understand that there is a 1 hour gap between 2244 and 2246, but the density of outbound traffic during this time period precludes the possibility of any meaningful recovery should things fall apart. For the PM rush, our operating agreement defines Trains 2225 through 2245, as well as 2246 and 2248 as "peak period trains", and goes on to say that CP will not interfere with their operation. I have never been a proponent of dispatching trains based on what "could happen", however I'm sure you will agree that having the same disastrous scenario repeat itself within four days' time justifies the need for additional precautions.

Again, CP's prompt response to the situation once it occurred is noted and appreciated.

**Rich Oppenheim,**  
 Assistant Superintendent



Metra CUS District Operations

P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)

547 W. Jackson Blvd., Chicago, IL 60661

**From:** Rich Oppenheim

**Sent:** Tuesday, July 26, 2016 11:50 AM

**To:** 'tom\_albanese@cpr.ca' <[tom\\_albanese@cpr.ca](mailto:tom_albanese@cpr.ca)>

**Cc:** Michael White <[Michael.White@cpr.ca](mailto:Michael.White@cpr.ca)>; 'Niki Marthe' <[Niki.Marthe@cpr.ca](mailto:Niki.Marthe@cpr.ca)>; Peter J. Zwolfer <[PZwolfer@METRARR.COM](mailto:PZwolfer@METRARR.COM)>; Marty Ryan <[mryan@METRARR.COM](mailto:mryan@METRARR.COM)>; Janet Carbonelli <[JCarbonelli@METRARR.COM](mailto:JCarbonelli@METRARR.COM)>; Victor Flores <[VFlores@METRARR.COM](mailto:VFlores@METRARR.COM)>; 'chuck\_hubbard@cpr.ca' <[chuck\\_hubbard@cpr.ca](mailto:chuck_hubbard@cpr.ca)>; David Rodriguez <[DRodriguez@METRARR.COM](mailto:DRodriguez@METRARR.COM)>

**Subject:** Metra Delays due to Knuckle-Drawbar failure on CP472-24 JULY 25, 2016

On Monday, July 25, 2016 while travelling EWD on #2 MT following Metra 2244 at approximately 1700 hrs., CP 472-24 with 87-42-12700, 8350 feet experienced an emergency brake application between Itasca and Wooddale. After Conductor walked almost the entire length of the train, it was reported that there was a knuckle and/or drawbar failure about 5 cars from the rear of the train. CP dispatched personnel stationed at Bensenville Yard from both their transportation and mechanical departments to assist the crew, and a Metra Signal Maintainer, who was in the area, also helped in expediting the clearing of #2 Main once the problems were identified. Arrangements were made to have CP-472 take the head portion of the train (up to the break) into Bensenville yard, and a crew that went on duty at Bensenville at 1800 hrs was promptly positioned with light power in order to retrieve the rear 5 cars once the head end cleared Tower B17.

We are grateful for the prompt response to the situation by all involved, and appreciate the effort put forth to clear up our Main Tracks to salvage as much of the evening rush hour as possible. Unfortunately, because this train was operating during Metra's Peak Period, the logistics of single-tracking around the stalled train (8 miles from Tower B17 to Roselle West with 5 intermediate passenger stations and a dense WWD peak period schedule) had a devastating effect on our Operation, both during the peak period itself, and, because of crew and equipment turns, afterward. The following delays and train annulments are attributed to this event:

2231 - 11 minutes  
 2233 - 15 minutes  
 2235 - 14 minutes  
 2237 - 10 minutes  
 2239 - 5 minutes  
 2241 - terminated at Franklin Park  
 2243 - 26 minutes (waited at B17 for 2246)  
 2245 - Annulled  
 2247 - 16 minutes (waited at B17 for 2248)  
 2251 - 11 minutes  
 2253 - 26 minutes  
 2246 - 46 minutes (waited at Roselle West for 2239)  
 2248 - 38 minutes (waited at Roselle West of 2243)  
 2252 - 33 minutes

In review, it appears that the delays to 2233 through 2239 (as well as to subsequent trains since 2246 waited at Roselle West for 2239 to clear and 2243 waited at B17 for 2246 to clear) might have been significantly reduced, since, per Rule 6.23, once 2231 passed by the disabled train at restricted speed and determined that #1 Main was, in fact, not obstructed, the following trains should have been allowed to proceed through the area at track speed rather than at restricted speed as the trains in question were instructed.

I understand that CP will be conducting a de-briefing with the crew on CP472-24 in an attempt to determine what may have caused the knuckle and/or drawbar failure. It would be appreciated if you could share the results/findings with us at Metra. We trust that any possible steps, that might avert a similar occurrence in the future, will be taken. Again, please accept our appreciation for the prompt response and efforts taken in response to this unfortunate event.

Rich Oppenheim,  
 Assistant Superintendent  
 Metra CUS District Operations

P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661

**To:** MOC Director East[MOC\_Director\_East@cpr.ca]; Niki Marthe[Niki\_Marthe@cpr.ca]; Andrew Reardon[andrew\_reardon@cpr.ca]; Michael Monsour[michael\_monsour@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Tue 02/16/2016 12:46:38 PM UTC  
**Subject:** Delay to Metra 2256 Monday Feb 15 2016  
**Received:** Tue 02/16/2016 12:46:39 PM UTC

- [TOPS1501\\_BN.PDF](#)
- [TOPS1501\\_HCD.PDF](#)
- [TOPS1501\\_MEDML.PDF](#)
- [TOPS1501\\_MEDSC.PDF](#)
- [TOPS1501\\_MEDBI.PDF](#)
- [TOPS1501\\_MWDN.PDF](#)
- [TOPS1501\\_MWDW.PDF](#)
- [TOPS1501\\_NCS.PDF](#)
- [TOPS1501\\_RID.PDF](#)
- [TOPS1501\\_SWS.PDF](#)
- [TOPS1501\\_UPN.PDF](#)
- [TOPS1501\\_UPNW.PDF](#)
- [TOPS1501\\_UPW.PDF](#)

Metra 2256 delayed 20 MINUTES last night behind CP 472 working at Spaulding. 2256 then followed 472 to Tower B17 arriving Chicago minutes late. I thought we had agreed that trains working at Spaulding would Only occupy the block between Tower B17 and Spaulding allowing Metra traffic to run around on #1 Main between B35 and Spaulding. In this case, 472 could also have been held to follow 2256 from Alton hold the main as 2256 is the last Metra inbound of the night. Please advise why neither of these provisions were chosen.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

Original Message  
 From: Metra Mainframe Information Systems  
 Sent: Tuesday, February 16, 2016 03:44  
 To: MAINFRAME (HFK)  
 Subject: TOPS Daily Incident Report

This report is generated from Metra Information Systems



**To:** MOC Director East[MOC\_Director\_East@cpr.ca]; 'Niki Marthe'[Niki\_Marthe@cpr.ca]; Michael White[Michael\_White@cpr.ca]; michael\_monsour@cpr.ca[michael\_monsour@cpr.ca]; andrew\_reardon@cpr.ca[andrew\_reardon@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; bert\_johnson@cpr.ca[robert\_johnson@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Wed 02/17/2016 5:20:15 PM UTC  
**Subject:** 20 minute Delays to Metra 2256 two days in a row; CP 471 stopped on Metra Main at Schaumburg for Paperwork; Citizens crawling under 484 to get to Metra 2255  
**Received:** Wed 02/17/2016 5:20:16 PM UTC

Let me preface this E-mail by saying that all of us at Metra are pleased with the level of cooperation and commitment shown by CP in keeping Metra's Operations fluid. Having said that, however, there have been several incidents over the last few days that have caused some concerns, and I would ask that those involved at CP with these incidents review the circumstances, and work toward seeing that they do not repeat.

The first incident was outlined in an as yet to be answered E-mail sent out on Tuesday February 16<sup>th</sup>. I will reprint it here:

- *Metra 2256 delayed 20 MINUTES last night behind CP 472 working at Spaulding. 2256 then followed 472 to Tower B17 arriving Chicago 17 minutes late. I thought we had agreed that trains working at Spaulding would only occupy the block between Tower B35 and Spaulding allowing Metra traffic to run around on #1 Main between B35 and Spaulding. In this case, 472 could also have been held to follow 2256 from Almora and hold the main as 2256 is the last Metra inbound of the night. Please advise why neither of these options were chosen.*

Second:

- Yesterday afternoon, CP-473 departed Tower B17 1513 hrs, right ahead of Metra 2221 who is due there at 1503, but was running late due to picking up passengers from our stalled 2219 from an earlier Engine failure. 473 actually had a 10 minute lead on 2221 who went by B17 at 1523. Normally this would have worked out okay, however 473 was told to stop around Schaumburg when it was discovered that there was an additional car in the train without paperwork. When stopped, 473 was actually almost 10 miles out of Bensenville. Having gone that far already, we asked that 473 be allowed to continue West to clear Metra territory at Randall Road and resolve the paperwork issue up there. Train was, nevertheless, held until a radio waybill could be composed and issued, necessitating having 2221 stop at Roselle West while the Operator at B17 timed out the signal, then running on #2 Main to Tower B35. This situation would have resulted in a substantial Metra delay except for the fact that Metra 2242 had been annulled due to the earlier engine failure on 2219.

Third:

- Yesterday evening, there was a lengthy CP-484 that had run East via A5 stopped on #1 MT at Galewood East awaiting release from Bensenville Yard. Metra 2255 was lined up to run #3 MT from Tower B6 to Galewood East around 484. This would have been fine since 2255 has no scheduled passenger stops between B6 and Galewood East. 2255 also has a scheduled meet with inbound 2256 in the Mont Clare-Elmwood Park area, half-way between Galewood East and Tower B12. Had 2255 crossed back over to #1 MT at Galewood East ahead of 484, 2255 would have been on the correct track for his station work, and 2256 would have been able to proceed East on his correct #3 MT from B12 without any delay. Apparently, while 2255 was approaching B6, the Elgin Dispatcher received the release from Bensenville for 484. Rather than wait the additional 5 minutes (10 tops) for 2255 to come around, 484 was lined up to immediately proceed West on #1 MT from Galewood East. Doing this necessitated running 2255 West all the way to B12 on #3 Main which created two problems: 1) 2256 would have to wait at B12 @ 20 minutes for 2255 to clear (This is the same train, and for the most part the same passengers, that had to endure a 20 minute delay the previous evening for the 472 incident above). 2) 484 running West on #1 MT was now operating on the normal loading side for 2255, separating any boarding passengers from crossing to #3 Main where 2255 was running. Nothing was gained for 484 by doing this, since when 484 got to B12, they still had to wait for 2255 (as well as the badly delayed 2256) to clear the interlocking. In addition, with 484 stopped on #1 MT at B12, both River Grove Depot, as well as the heavily trafficked Thatcher Avenue, were blocked by 484. At least one individual wound up crawling underneath 484 in order to get to the opposite platform to board 2255 at River Grove. This may have been before 484 stopped. Here is an excerpt from this morning's Metra Police log concerning this incident:

.1:26 PM (MR)

*River Grove Police reported an intoxicated subject crawled under a moving CP Freight Train at Thatcher Road and the Mainline, Tower B12 was notified. River Grove Police advised the male subject was questioned and released prior to the Metra officer's arrival. MP-16-00005604.*

We appreciate the responsive follow up that has in the past accompanied these types of incidents. We are hopeful that CP and Metra will continue to work together toward achieving an optimum operation that enables CP freight to move as Needed, while still protecting the integrity of Metra's schedules and the needs of our customers. Thanks again for your consideration.

**Rich Oppenheim,**  
Assistant Superintendent  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661

**PUBLIC VERSION**

**EXHIBIT B-2**

**To:** MOC Director East[MOC\_Director\_East@cpr.ca]; Michael White[Michael\_White@cpr.ca]; Niki Marthe[Niki\_Marthe@cpr.ca]; Andrew Reardon[Andrew\_Reardon@cpr.ca]; Michael Monsour[Michael\_Monsour@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Sat 01/16/2016 6:14:23 AM UTC  
**Subject:** Re: 2250 issued at 1/15/16 8:13 PM  
**Received:** Sat 01/16/2016 6:14:24 AM UTC  
[image001.png](#)

Thanks for the follow up.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

---

**From:** MOC Director East  
**Sent:** Saturday, January 16, 2016 00:12  
**To:** Rich Oppenheim; Michael White; Niki Marthe; Andrew Reardon; Michael Monsour  
**Subject:** RE: 2250 issued at 1/15/16 8:13 PM

I can't speak for the yard. However I did discuss the implication with the Yardmaster/Trainmaster after the fact.

Tony Wick | Director Dispatching East Region | 120 South Sixth St Minneapolis Minnesota 55402  
612 851 5740 **CP**

---

**From:** Rich Oppenheim [mailto:ROppenheim@METRARR.COM]  
**Sent:** Friday, January 15, 2016 11:56 PM  
**To:** MOC Director East; Michael White; Niki Marthe; Andrew Reardon; Michael Monsour  
**Subject:** Re: 2250 issued at 1/15/16 8:13 PM

\*Why was train released into yard when there was no clear route?

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

---

**From:** MOC Director East  
**Sent:** Friday, January 15, 2016 23:54  
**To:** Rich Oppenheim; Michael White; Niki Marthe; [michael\\_monsor@cpr.ca](mailto:michael_monsor@cpr.ca); Andrew Reardon  
**Subject:** RE: 2250 issued at 1/15/16 8:13 PM

680-704 was released into Bensenville yard but did not have a route when they arrived which resulted in the train trailing out of the yard onto the main track.

Tony Wick | Director Dispatching East Region | 120 South Sixth St Minneapolis Minnesota 55402  
612 851 5740 **CP**

---

**From:** Rich Oppenheim [mailto:ROppenheim@METRARR.COM]  
**Sent:** Friday, January 15, 2016 11:46 PM  
**To:** MOC Director East; Michael White; Niki Marthe; [michael\\_monsor@cpr.ca](mailto:michael_monsor@cpr.ca); Andrew Reardon  
**Subject:** Fw: 2250 issued at 1/15/16 8:13 PM  
**Importance:** High

I understand that delay occurred at B17 waiting for inbound freight going in yard to clear. Delay to 2250 also affected "flips" 2251 and 2256. Please advise circumstances.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

---

**From:** Metra GPS Center <[6f731ae1-0005-3000-80c0-fceb55463ffe@notify2.mir3.com](mailto:6f731ae1-0005-3000-80c0-fceb55463ffe@notify2.mir3.com)>



Sent: Friday, January 15, 2016 20:14  
To: Rich Oppenheim  
Reply To: Intelligent Notification  
Subject: 2250 issued at 1/15/16 8:13 PM

Rich Oppenheim,

Inbound train #2250, scheduled to arrive Chicago Union Station at 8:29 PM, is 15 to 20 minutes behind schedule due to freight train interference.

Thank you, Metra GPS Center

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email and any accompanying attachments contain confidential information intended only for the use of the individual or named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer le présent courriel et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et l'employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence du contenu du message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. -----

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email and any accompanying attachments contain confidential information intended only for the use of the individual or named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer le présent courriel et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et l'employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence du contenu du message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. -----

----- IMPORTANT NOTICE - AVIS IMPORTANT -----

**To:** Michael White[Michael\_White@cpr.ca]; MOC Director East[MOC\_Director\_East@cpr.ca]; Niki Marthe[Niki\_Marthe@cpr.ca]; Nick Walker[Nick\_Walker@cpr.ca]  
**Cc:** Chuck Hubbard[Chuck\_Hubbard@cpr.ca]; Victor Flores[VFlores@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Fri 11/18/2016 11:53:07 AM UTC  
**Subject:** Re: Delay to 2254  
**Received:** Fri 11/18/2016 11:53:08 AM UTC

Not one of our better performers for other reasons not relating to freight interference. I can find specific numbers later on if you need them.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

**From:** Michael White  
**Sent:** Friday, November 18, 2016 05:50  
**To:** Rich Oppenheim; MOC Director East; Niki Marthe; Nick Walker  
**Cc:** Chuck Hubbard; Victor Flores; Marty Ryan; Peter J. Zwolfer; Janet Carbonelli  
**Subject:** RE: Delay to 2254

Rich,

We are working back through the root cause and will update this morning. How is 2254 tracking for on time performance for the month?


**From:** Rich Oppenheim [mailto:ROppenheim@METRARR.COM]  
**Sent:** Friday, November 18, 2016 3:58 AM  
**To:** MOC Director East; Michael White; Niki Marthe; Nick Walker  
**Cc:** Chuck Hubbard; Victor Flores; Marty Ryan; Peter J. Zwolfer; Janet Carbonelli  
**Subject:** Re: Delay to 2254

With 2254 due B17 at 2150, clearly 472 should not have run ahead of them in the,first place.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

**From:** MOC Director East  
**Sent:** Friday, November 18, 2016 00:16  
**To:** Rich Oppenheim; Michael White; Niki Marthe; Nick Walker  
**Cc:** Chuck Hubbard; Victor Flores; Marty Ryan; Peter J. Zwolfer; Janet Carbonelli  
**Subject:** RE: Delay to 2254

I spoke to B17 and she stated 472 was pulling into Bensenville at 2155 and cleared it at 2202. Train was stopped in the plant with 6 cars hanging out while lining switches in yard. B17 was told that train would have route lined into yard. Metra 2254 then did not go by B17 until 2208, 6 minutes after 472 was clear of the plant for a total delay of 18 minutes.

Mike Etherington | Director Train Dispatching | 120 South 6<sup>th</sup> St, Minneapolis, MN, 55402  
 612 851 5740 

**From:** Rich Oppenheim [mailto:ROppenheim@METRARR.COM]  
**Sent:** Thursday, November 17, 2016 10:30 PM  
**To:** MOC Director East; Michael White; Niki Marthe; Nick Walker  
**Cc:** Chuck Hubbard; Victor Flores; Marty Ryan; Peter J. Zwolfer; Janet Carbonelli  
**Subject:** Delay to 2254

2254 delayed 18 minutes following freight 472 enroute, and additionally at B17 with 472 not yarding promptly and hanging out on plant. Please advise why 472 was released so closely ahead of 2254 and then not yard ed promptly.



Delay to 2254 will carry over to 2255 as well.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender company accept no liability for any damage caused by any virus transmitted by this email. This email trans... and any accompanying attachments contain confidential information intended only for the use of the individual or named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by other than the intended recipient is strictly prohibited. If you have received this email in error please immediately d and notify sender at the above email address. Le courrier electronique peut etre porteur de virus informatiques. Le destinataire doit donc passer le present courriel et les pieces qui y sont jointes au detecteur de virus. L'expediteu employeur declinent toute responsabilite pour les dommages causes par un virus contenu dans le courriel. Le pre message et les pieces qui y sont jointes contiennent des renseignements confidentiels destines uniquement a la p ou a l'organisme nomme ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme reference du du message par une autre personne que le destinataire est formellement interdite. Si vous avez recu ce courriel p veuillez le detruire immediatement et en informer l'expediteur a l'adresse ci-dessus. -----

IMPORTANT NOTICE - AVIS IMPORTANT -----

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Senc sender company accept no liability for any damage caused by any virus transmitted by this email. This email trans and any accompanying attachments contain confidential information intended only for the use of the individual or named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by other than the intended recipient is strictly prohibited. If you have received this email in error please immediately d and notify sender at the above email address. Le courrier electronique peut etre porteur de virus informatiques. Le destinataire doit donc passer le present courriel et les pieces qui y sont jointes au detecteur de virus. L'expediteu employeur declinent toute responsabilite pour les dommages causes par un virus contenu dans le courriel. Le pre message et les pieces qui y sont jointes contiennent des renseignements confidentiels destines uniquement a la p ou a l'organisme nomme ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme reference du du message par une autre personne que le destinataire est formellement interdite. Si vous avez recu ce courrie veuillez le detruire immediatement et en informer l'expediteur a l'adresse ci-dessus. -----

IMPORTANT NOTICE - AVIS IMPORTANT -----



PUBLIC VERSION

EXHIBIT B-2

**To:** 'tom\_albanese@cpr.ca'[tom\_albanese@cpr.ca]  
**Cc:** Michael White[Michael\_White@cpr.ca]; Niki Marthe[Niki\_Marthe@cpr.ca]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; 'chuck\_hubbard@cpr.ca'[chuck\_hubbard@cpr.ca]; David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Tue 07/26/2016 4:49:46 PM UTC  
**Subject:** Metra Delays due to Knuckle-Drawbar failure on CP472-24 JULY 25, 2016  
**Received:** Tue 07/26/2016 4:49:46 PM UTC

On Monday, July 25, 2016 while travelling EWD on #2 MT following Metra 2244 at approximately 1700 hrs., CP 472-24 with 87-42-12700, 8350 feet experienced an emergency brake application between Itasca and Wooddale. After Conductor walked almost the entire length of the train, it was reported that there was a knuckle and/or drawbar failure about 5 cars from the rear of the train. CP dispatched personnel stationed at Bensenville Yard from both their transportation and mechanical departments to assist the crew, and a Metra Signal Maintainer, who was in the area, also helped in expediting the clearing of #2 Main once the problems were identified. Arrangements were made to have CP-472 take the head portion of the train (up to the break) into Bensenville yard, and a crew that went on duty at Bensenville at 1800 hrs was promptly positioned with light power in order to retrieve the rear 5 cars once the head end cleared Tower B17.

We are grateful for the prompt response to the situation by all involved, and appreciate the effort put forth to clear up our Main Tracks to salvage as much of the evening rush hour as possible. Unfortunately, because this train was operating during Metra's Peak Period, the logistics of single-tracking around the stalled train (8 miles from Tower B17 to Roselle West with 5 intermediate passenger stations and a dense WWD peak period schedule) had a devastating effect on our Operation, both during the peak period itself, and, because of crew and equipment turns, afterward. The following delays and train annulments are attributed to this event:

- 2231 - 11 minutes
- 2233 - 15 minutes
- 2235 - 14 minutes
- 2237 - 10 minutes
- 2239 - 5 minutes
- 2241 - terminated at Franklin Park
- 2243 - 26 minutes (waited at B17 for 2246)
- 2245 - Annulled
- 2247 - 16 minutes (waited at B17 for 2248)
- 2251 - 11 minutes
- 2253 - 26 minutes
- 2246 - 46 minutes (waited at Roselle West for 2239)
- 2248 - 38 minutes (waited at Roselle West of 2243)
- 2252 - 33 minutes

In review, it appears that the delays to 2233 through 2239 (as well as to subsequent trains since 2246 waited at Roselle West for 2239 to clear and 2243 waited at B17 for 2246 to clear) might have been significantly reduced, since, per Rule 6.23, once 2231 passed by the disabled train at restricted speed and determined that #1 Main was, in fact, not obstructed, the following trains should have been allowed to proceed through the area at track speed rather than at restricted speed as the trains in question were instructed.

I understand that CP will be conducting a de-briefing with the crew on CP472-24 in an attempt to determine what may have caused the knuckle and/or drawbar failure. It would be appreciated if you could share the results/findings with us at Metra. We trust that any possible steps, that might avert a similar occurrence in the future, will be taken. Again, please accept our appreciation for the prompt response and efforts taken in response to this unfortunate event.

**Rich Oppenheim,**  
 Assistant Superintendent  
 Metra CUS District Operations  
 P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
 547 W. Jackson Blvd., Chicago, IL 60661

**To:** 'MOC Director East'[MOC\_Director\_East@cpr.ca]; 'Michael White'[Michael\_White@cpr.ca]; 'Niki Marthe'[Niki\_Marthe@cpr.ca]; Tom Albanese[Tom\_Albanese@cpr.ca]; Andrew Reardon[andrew\_reardon@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]  
**From:** Rich Oppenheim  
**nt:** Thur 07/28/2016 11:14:49 AM UTC  
**Subject:** Metra delay Wednesday July 27 for G35  
**Received:** Thur 07/28/2016 11:14:50 AM UTC

Metra 2256 last night delayed 7 minutes due to using #1 MT Tower B35 to Roselle West around G35 and waiting on passengers on wrong side to cross over including substantial delay at Bartlett due to split platforms and lengthy walk involved to get to the #1 platform. #2253 delayed 14 minutes at Roselle West waiting for 2256 to clear #1 main.

In discussions sometime ago, it was agreed to call G35 to follow Metra 2253 out of B17 at 2212 and then crossover to #2 MT at Roselle West behind #2256 who is the last Metra inbound of the night so as to preclude the possibility of G35 disrupting Metra schedules. Can we please look into resuming this practice?

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

**To:** 'Niki Marthe'[Niki\_Marthe@cpr.ca]; 'MOC Director East'[MOC\_Director\_East@cpr.ca]; 'Michael White'[Michael\_White@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Thur 07/28/2016 11:43:10 AM UTC  
**Subject:** Delay to 2160 at Fox Lake  
**Received:** Thur 07/28/2016 11:43:10 AM UTC

2160 left Fox Lake 5 minutes late again. Conductor wrote, "late departure of 2160 due to CP Dispatcher not answering call box at Fox Lake". LMM working again last night. This is 3rd time with same problem recently.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.



**To:** Niki Marthe[Niki\_Marthe@cpr.ca]; Mike Hoffmann[Mike\_Hoffmann@cpr.ca]; Craig Gavril[CGavril@METRARR.COM]; Tom Zdanky[TZdanky@METRARR.COM]  
**Cc:** MOC Director East[MOC\_Director\_East@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Mon 04/11/2016 9:21:50 PM UTC  
**Subject:** RE: C&M Dispatcher Line at Fox Lake still out  
**Received:** Mon 04/11/2016 9:21:50 PM UTC

Fox Lake box is still out. Now Grayslake is out again as well. We have had 3 Metra delays today due to this situation. We need to come up with a solution now.

---

**From:** Niki Marthe [mailto:Niki\_Marthe@cpr.ca]  
**Sent:** Thursday, April 07, 2016 10:10 AM  
**To:** Rich Oppenheim; Mike Hoffmann; Craig Gavril; Tom Zdanky  
**Cc:** MOC Director East  
**Subject:** RE: C&M Dispatcher Line at Fox Lake still out

Rich-

I have attached Jim Halls follow up and current status of Fox Lake.

Niki Marthe | Manager Train Dispatching | 120 South 6<sup>th</sup> Street Minneapolis, MN 55402 | O 612-904-5867 | C 612-719-1529|



**From:** Jim Hall  
**Sent:** Thursday, April 07, 2016 9:31 AM  
**To:** Niki Marthe; Brian Osborne  
**Cc:** MOC CM Desk  
**Subject:** RE: C&M Dispatcher Line at Fox Lake still out

AT&T had to rebuild the bridge these (Fox Lake, Grays Lake etc...) circuits ran through. They claim they have completed this work. We tried testing it this morning and it just gives the Fox Lake operator a loud squeal. Robert Butts will go there tomorrow and I will test it with him, he feels there is still a problem with the bridge or the squawk box on the Fox Lake end of things.

AT&T, against my advice, has spent an inordinate amount of time on the wrong end of things, but it appears they may have fixed the issue, that is why it has taken so long. 7 ticket escalations doesn't seem to make headway with them.

Jim Hall  
 EEM- CPP  
 Off. 612-851-5696

---

**From:** Rich Oppenheim [mailto:ROppenheim@METRARR.COM]  
**Sent:** Thursday, April 07, 2016 8:45 AM  
**To:** Mike Hoffmann; Craig Gavril; Tom Zdanky  
**Cc:** Niki Marthe; MOC Director East  
**Subject:** C&M Dispatcher Line at Fox Lake still out

The box with the direct line to the C&M Dispatcher at Fox Lake has been out for a week now. It has been extremely difficult logistically to get movement authorities to our trains so that they can leave Fox Lake. WE have had late trains on occasion because of this. Can we please put our heads together and come up with a solution? If we can't get AT&T interested in fixing the problem, we will need to look for a different carrier. This has got to be fixed.

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email and any accompanying attachments contain confidential information intended only for the use of the individual or

**PUBLIC VERSION**

**EXHIBIT B-2**

named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by other than the intended recipient is strictly prohibited. If you have received this email in error please immediately notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer le présent courriel et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et l'employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à [redacted] ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence du message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. -----

IMPORTANT NOTICE - AVIS IMPORTANT -----

**To:** 'Niki Marthe'[Niki\_Marthe@cpr.ca]; 'MOC Director East'[MOC\_Director\_East@cpr.ca]; 'Michael White'[Michael\_White@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]  
**From:** Rich Oppenheim  
**sent:** Thur 07/28/2016 11:43:10 AM UTC  
**subject:** Delay to 2160 at Fox Lake  
**Received:** Thur 07/28/2016 11:43:10 AM UTC

2160 left Fox Lake 5 minutes late again. Conductor wrote, "late departure of 2160 due to CP Dispatcher not answering call box at Fox Lake". LMM working again last night. This is 3rd time with same problem recently.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.



**To:** 'MOC Director East'[MOC\_Director\_East@cpr.ca]; Michael White[Michael\_White@cpr.ca]; Niki Marthe[Niki\_Marthe@cpr.ca]; Nick Walker[Nick\_Walker@cpr.ca]  
**Cc:** Chuck Hubbard[chuck\_hubbard@cpr.ca]; Victor Flores[VFlores@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Fri 11/18/2016 4:29:54 AM UTC  
**Subject:** Delay to 2254  
**Received:** Fri 11/18/2016 4:29:55 AM UTC

2254 delayed 18 minutes following freight 472 enroute, and additionally at B17 with 472 not yarding promptly and hanging out on plant. Please advise why 472 was released so closely ahead of 2254 and then not yard ed promptly. Delay to 2254 will carry over to 2255 as well.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

**To:** MOC Director East[MOC\_Director\_East@cpr.ca]; Michael White[Michael\_White@cpr.ca]; Niki Marthe[Niki\_Marthe@cpr.ca]; Michael Monsour[Michael\_Monsour@cpr.ca]; Andrew Reardon[Andrew\_Reardon@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Wed 02/10/2016 5:02:53 PM UTC  
**Subject:** Re: Delay to 2256 (25 minutes) at B12 Tues Feb 9  
**Received:** Wed 02/10/2016 5:02:55 PM UTC

We had CCF do a replay. 287 came #2 main from Galewood and crossed to 3-lead so that #2 main, as you point out, was not an option. Please re-emphasize with all of the dispatchers that when trains are released to go into the yard, either at B17 or B12, that there is a commitment from the yard that the route will be lined (or if not, what switches the freight crew will need to line before they can be clear) and a conversation with the crew that they will in fact be able to clear given the information received from the yard.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

Original Message  
**From:** MOC Director East  
**Sent:** Wednesday, February 10, 2016 10:55  
**To:** Rich Oppenheim; Michael White; Niki Marthe; Michael Monsour; Andrew Reardon  
**Cc:** Victor Flores; Marty Ryan; Peter J. Zwolfer  
**Subject:** RE: Delay to 2256 (25 minutes) at B12 Tues Feb 9

Rich,

It looks like 287-09 departed Gale wood at 2231 which should have been sufficient time to get the train in the clear at Bensenville. Appears the train was stopped in the plant at B12 attempting to line frozen switches into the yard. I don't believe running 2256 on Main 2 would have been an option for loading/ unloading due to 287-09 blocking the crosswalks.

-----Original Message-----

**From:** Rich Oppenheim [mailto:ROppenheim@METRARR.COM]  
**Sent:** Wednesday, February 10, 2016 5:54 AM  
**To:** MOC Director East; Michael White; Niki Marthe; Michael Monsour; Andrew Reardon  
**Cc:** Victor Flores; Marty Ryan; Peter J. Zwolfer  
**Subject:** Delay to 2256 (25 minutes) at B12 Tues Feb 9

Please see delay to Metra 2256 (MWDW) last night - 25 minutes freight interference. What were the circumstances? Was running 2256 on #2 Main and loading/unloading at crosswalks an option?

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

Original Message  
**From:** Metra Mainframe Information Systems  
**Sent:** Wednesday, February 10, 2016 03:44  
**To:** MAINFRAME (HFK)  
**Subject:** TOPS Daily Incident Report

This report is generated from Metra Information Systems

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email transmission and any accompanying attachments contain confidential information intended only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete it and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer le présent courriel et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et son employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence du contenu du message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. ----- IMPORTANT NOTICE - AVIS IMPORTANT -----

**To:** MOC Director East[MOC\_Director\_East@cpr.ca]; Michael White[Michael\_White@cpr.ca]; 'Niki Marthe'[Niki\_Marthe@cpr.ca]; Michael Monsour[michael\_monsour@cpr.ca]; Andrew Reardon[andrew\_reardon@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Wed 02/10/2016 11:53:46 AM UTC  
**Subject:** Delay to 2256 (25 minutes) at B12 Tues Feb 9  
**Received:** Wed 02/10/2016 11:53:47 AM UTC

[TOPS1501\\_BN.PDF](#)  
[TOPS1501\\_HCD.PDF](#)  
[TOPS1501\\_MEDML.PDF](#)  
[TOPS1501\\_MEDSC.PDF](#)  
[TOPS1501\\_MEDBI.PDF](#)  
[TOPS1501\\_MWDN.PDF](#)  
[TOPS1501\\_MWDW.PDF](#)  
[TOPS1501\\_NCS.PDF](#)  
[TOPS1501\\_RID.PDF](#)  
[TOPS1501\\_SWS.PDF](#)  
[TOPS1501\\_UPN.PDF](#)  
[TOPS1501\\_UPNW.PDF](#)  
[TOPS1501\\_UPW.PDF](#)

Please see delay to Metra 2256 (MWDW) last night - 25 minutes freight interference. What were the circumstances? Was running 2256 on #2 Main and loading/unloading at crosswalks an option?

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.  
Original Message  
From: Metra Mainframe Information Systems  
Sent: Wednesday, February 10, 2016 03:44  
To: MAINFRAME (HFK)  
Subject: TOPS Daily Incident Report

This report is generated from Metra Information Systems



**To:** Niki Marthe[Niki\_Marthe@cpr.ca]; MOC Director East[MOC\_Director\_East@cpr.ca]; Michael White[michael\_white@cpr.ca]; Nick Walker[Nick\_Walker@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Tue 01/17/2017 4:08:08 PM UTC  
**Subject:** RE: Metra 2249 delayed B17 Jan 16  
**Received:** Tue 01/17/2017 4:08:08 PM UTC

Thanks Niki. I appreciate the follow up. While I understand the constraints – manpower and otherwise – that Bensenville has to deal with, it sure seems that if they could figure out a way to get the yard switches lined in advance of these movements, 99% of these delays would go away. Food for thought, anyway. Thanks again for the prompt response.

**Rich Oppenheim,**  
 Assistant Superintendent  
 Metra CUS District Operations  
 P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
 547 W. Jackson Blvd., Chicago, IL 60661

**From:** Niki Marthe [mailto:Niki\_Marthe@cpr.ca]  
**Sent:** Tuesday, January 17, 2017 9:55 AM  
**To:** Rich Oppenheim <ROppenheim@METRARR.COM>; MOC Director East <MOC\_Director\_East@cpr.ca>; Michael White <Michael\_White@cpr.ca>; Nick Walker <Nick\_Walker@cpr.ca>  
**Cc:** Victor Flores <VFlores@METRARR.COM>; Marty Ryan <mryan@METRARR.COM>; Peter J. Zwolfer <PZwolfer@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>  
**Subject:** RE: Metra 2249 delayed B17 Jan 16

Rich-

The train involved was 484-15. They were 9378' and had 1 switch to get coming into the yard. Unfortunately, 484-15 expired on hours of service at 2245 and Bensenville was waiting on the power to operate a different train and the crew to tie up to be rested to run 199 on time today. In an effort to meet the needs of the operation, the decision was made to run 484 in the 1950-2015 window as the windows are all between 25-30 minutes prior to 2320 and the crew would have been expired Hours of Service if we waited for the larger window after 2320. They did not believe that it would delay 2249 and certainly didn't believe it would delay them to the extent it did.

We will follow up with all involved to ensure that we don't let other concerns such as Hours of Service, Power, and crews push us to operate a train in a window that is too small and impacts Metra.

Niki Marthe | Director Dispatching | 120 South 6<sup>th</sup> Street Minneapolis, MN 55402 | O 612-904-5867 | C 612-719-1529|



**From:** Rich Oppenheim [mailto:ROppenheim@METRARR.COM]  
**Sent:** Tuesday, January 17, 2017 6:14 AM  
**To:** MOC Director East; Michael White; Niki Marthe; Nick Walker  
**Cc:** Victor Flores; Marty Ryan; Peter J. Zwolfer; Janet Carbonelli; David Rodriguez  
**Subject:** Metra 2249 delayed B17 Jan 16

Metra 2249 delayed 13 minutes at B17 last night waiting for freight train to clear in yard. This also resulted in delays to flips 2254 and 2255. Please advise circumstances.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sent

sender company accept no liability for any damage caused by any virus transmitted by this email. This email trans and any accompanying attachments contain confidential information intended only for the use of the individual or named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by other than the intended recipient is strictly prohibited. If you have received this email in error please immediately d and notify sender at the above email address. Le courrier electronique peut etre porteur de virus informatiques. Le destinataire doit donc passer le present courriel et les pieces qui y sont jointes au detecteur de virus. L'expedi. employeur declinent toute responsabilite pour les dommages causes par un virus contenu dans le courriel. Le pre message et les pieces qui y sont jointes contiennent des renseignements confidentiels destines uniquement a la p ou a l'organisme nomme ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme reference du u du message par une autre personne que le destinataire est formellement interdite. Si vous avez recu ce courriel p veuillez le detruire immediatement et en informer l'expediteur a l'adresse ci-dessus. -----  
IMPORTANT NOTICE - AVIS IMPORTANT -----

**To:** 'Niki Marthe'[Niki\_Marthe@cpr.ca]; 'MOC Director East'[MOC\_Director\_East@cpr.ca]; Nick Walker[nick\_walker@cpr.ca]; Arthur Clark[arthur\_clark@cpr.ca]  
**Cc:** David Rodriguez[DRodriguez@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Thur 12/07/2017 12:03:51 PM UTC  
**Subject:** Delay to 2256 at B17  
**Received:** Thur 12/07/2017 12:03:54 PM UTC

[TOPS1501\\_BN.PDF](#)  
[TOPS1501\\_HCD.PDF](#)  
[TOPS1501\\_MEDML.PDF](#)  
[TOPS1501\\_MEDSC.PDF](#)  
[TOPS1501\\_MEDBI.PDF](#)  
[TOPS1501\\_MWDN.PDF](#)  
[TOPS1501\\_MWDW.PDF](#)  
[TOPS1501\\_NCS.PDF](#)  
[TOPS1501\\_RID.PDF](#)  
[TOPS1501\\_SWS.PDF](#)  
[TOPS1501\\_UPN.PDF](#)  
[TOPS1501\\_UPNW.PDF](#)  
[TOPS1501\\_UPW.PDF](#)

Metra 2256 Wednesday December 6, 2017 held at B17 14 minutes for inbound freight train coming off cut-off from Bryn Mawr and pulling Bensenville Yard. Please advise circumstances.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

Original Message  
From: Metra Mainframe Information Systems  
Sent: Thursday, December 7, 2017 04:46  
To: MAINFRAME (HFK)  
Subject: TOPS Daily Incident Report

This report is generated from Metra Information Systems



**To:** Nick Walker[nick\_walker@cpr.ca]; Jared Carman[jared\_carman@cpr.ca]; Arthur Clark[arthur\_clark@cpr.ca]; MOC Director East'[MOC\_Director\_East@cpr.ca]  
**Cc:** Marty Ryan[mryan@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Wed 09/13/2017 11:53:09 AM UTC  
**Subject:** Fw: MW2204 delay  
**Received:** Wed 09/13/2017 11:53:11 AM UTC

Bensenville Team -

NS crews on 17v are notoriously slow. Today they stopped at B12 even though properly lined for 3-lead resulting in a substantial delay to Metra 2204 who had to meet 2201 at B17 in order to run around 17v. Is there any way to work with NS crews so they don't tie up the railroad so long? Otherwise we should not chance running them during rush hours.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

**From:** Shamonda Jones <SJones@METRARR.COM>  
**Sent:** Wednesday, September 13, 2017 06:44  
**To:** David Rodriguez; Victoria Jackson; Rich Oppenheim; Marty Ryan; Hersey Steptoe; Jeffrey Brantz  
**Subject:** MW2204 delay

Morning all

NS 17v received the lineup at B12 at 5:35 lined 2main- 3main- 3 lead. It accepted the signal at 5:39:57. If you listen to the attached recordings, the crew appears not to know their territory. When the B12 Dispatcher asks why they stopped, they stated they weren't lined the correct way. I reviewed the replay and they were indeed properly lined. NS2204 had to be rerouted to track 1 @b17 causing a delay. NS17V finally cleared B12 @628a.



**Shamonda A Jones**  
 Metra  
 Sr Manager, Train Operations  
 Transportation  
 (312) 322-2621 Work  
 (312) 907-4316 Mobile  
 SJones@METRARR.COM  
 1501 S Canal  
 60607 Chicago IL

Metra is one of the largest and most complex commuter rail systems in North America, serving Cook, DuPage, Will, Lake, Kane and McHenry counties in Northeastern Illinois. The agency provides service to and from downtown Chicago with 241 stations over 11 routes totaling nearly 500 route miles and approximately 1,200 miles of track. Metra operates more than 700 weekday trains, providing about 300,000 passenger trips each weekday.

Like us on Facebook: [Metra](#)  
Follow us on Twitter: [@Metra](#)  
Visit us at [www.metrail.com](http://www.metrail.com)

To: 'Niki Marthe'[Niki\_Marthe@cpr.ca]; Chuck Hubbard[chuck\_hubbard@cpr.ca]  
From: Rich Oppenheim  
Sent: Wed 09/13/2017 11:54:31 AM UTC  
Subject: Fw: MW2204 delay  
Received: Wed 09/13/2017 11:54:33 AM UTC

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Rich Oppenheim <ROppenheim@METRARR.COM>  
Sent: Wednesday, September 13, 2017 06:53  
To: Nick Walker; Jared Carman; Arthur Clark; 'MOC Director East'  
Cc: Marty Ryan; Victor Flores; Peter J. Zwolfer; Janet Carbonelli; David Rodriguez  
Subject: Fw: MW2204 delay

Bensenville Team -

NS crews on 17v are notoriously slow. Today they stopped at B12 even though properly lined for 3-lead resulting in a substantial delay to Metra 2204 who had to meet 2201 at B17 in order to run around 17v. Is there any way to work with NS crews so they don't tie up the railroad so long? Otherwise we should not chance running them during rush hours.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Shamonda Jones <SJones@METRARR.COM>  
Sent: Wednesday, September 13, 2017 06:44  
To: David Rodriguez; Victoria Jackson; Rich Oppenheim; Marty Ryan; Hersey Steptoe; Jeffrey Brantz  
Subject: MW2204 delay

Morning all

NS 17v received the lineup at B12 at 5:35:51. It was lined 2main- 3main- 3 lead. It accepted the signal at 5:39:57. If you listen to the attached recordings, the crew appears not to know their territory. When the B12 Dispatcher asks why they stopped, they stated they weren't lined the correct way. I reviewed the replay and they were indeed properly lined. NS 2204 had to be rerouted to track 1 @b17 causing a delay. NS 17V finally cleared B12 @628a.



**Shamonda A Jones**  
Metra  
Sr Manager, Train Operations  
Transportation  
(312) 322-2821  
(312) 907-4316  
SJones@METRARR.COM  
1501 S Canal  
60607 Chicago IL

Metra is one of the largest and most complex commuter rail systems in North America, serving Cook, DuPage, Will, Lake, Kane and McHenry counties in Northeastern Illinois. The agency provides service to and from downtown Chicago with 241 stations over 11 routes totaling nearly 500 route miles and approximately 1,200 miles of track. Metra operates more than 700 weekday trains, providing about 300,000 passenger trips each weekday.

Like us on Facebook: [Metra](#)  
Follow us on Twitter: [@Metra](#)  
Visit us at [www.metrarail.com](http://www.metrarail.com)



To: nick\_walker@cpr.ca[nick\_walker@cpr.ca]; arthur\_clark@cpr.ca[arthur\_clark@cpr.ca]; 'Niki Marthe'[Niki\_Marthe@cpr.ca]; John Abrahamson[John\_Abrahamson@cpr.ca]; 'MOC Director East'[MOC\_Director\_East@cpr.ca]  
 Cc: Peter J. Zwolfer[PZwolfer@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Jack Bauer[JBauer@METRARR.COM]; Rocio Bear[rbear@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
 From: Rich Oppenheim  
 Sent: Fri 12/29/2017 4:17:31 PM UTC  
 Subject: Metra Delays due to freight interference - TUE DEC 26 - WED DEC 27 - THU DEC 28, 2017  
 Received: Fri 12/29/2017 4:17:32 PM UTC

This week, while facing the cold weather challenges that affect our operations as well as CPs, we have had an unusually high number of delays attributed to CP freight train interference. Some of these were completely preventable by judicious train dispatching, some less so. Here is a brief summary of the issues:

#### TUESDAY, DECEMBER 26<sup>th</sup>:

- Compounded by ongoing signal problems at Tower B35 caused by a relay house fire over the past weekend, a CP-473 was allowed to leave Bensenville at 0330 heading West on the Elgin Sub. The train was being operated by a Chicago Terminal crew who was not qualified to run past Randall Road (MP 40.26), the intention being that a crew cabbing from Nahant or Savanna would meet the train at Randall Road and take over. Bear in mind that Metra's first EWD train of the morning rush hour departs Elgin at 0417 which means that an 0330 departure from Bensenville is doable, but iffy, under the best of circumstances. It was a known fact that due to the relay house fire, CP 473 would need to stop at both Spaulding and Tower B35 to get verbal authority past stop signals and would then be proceeding at restricted speed. The temperatures on this date and time were below zero which means that freight operations can typically be problematic and/or slower, and that Metra customers waiting for their trains are standing out in the cold at several locations. The fact that 473 was going to be re-crewed was not communicated, and when 473 stopped with the head end at Randall Road for the re-crew, the rear end of the train was blocking our Big Timber Road depot, as well as the crossovers at the Almora Control Point. The equipment for Metra 2204 (due out of Big Timber 0527) was allowed to follow 473 out of Elgin, but could not get to the depot to pick up passengers. 2206's eqpt went up #2 MT from Elgin depot to Big Timber but passengers at that depot were blocked by 473 could not get to the train. We wound up running 2206's equipment as 2204 25 minutes late, and 2204's equipment as 2206 (34 minutes late). Both trains originated at Elgin Depot. The first train capable of picking up passengers at Big Timber Road was 2210 due out of Big Timber 0612. The late departures wound up creating a domino effect on our operations causing 18 delays and 2 annulments. All of these trains are considered to be "Peak Period trains" which, according to the Metra-CP operating agreement, are not be interfered with.
- Later that morning, CP-472 was dispatched in a narrow window between scheduled Metra trains and wound up getting a broken drawbar just short of Tower B35. Metra 2230 was directly behind 472 when this occurred, had to back up to Almora to use the other main around 472 resulting in a 40 minute delay to 2230 as well as a 17 minute delay to following 2232.
- In the evening, a CP 650 which came off the C&M Sub at Tower B17, and was destined to the BRC at Cicero West, was allowed to depart directly ahead of Metra 2250 causing a 12 minute delay to 2250 as well as to 2250's "flips" 2251, 2256 and 2257.

#### WEDNESDAY, DECEMBER 27<sup>th</sup>:

- Metra 2248 delayed 15 minutes at Tower B12 waiting for a CP-241 heading into Bensenville yard at Tower B12 to clear the main so that 2248 could proceed. This resulted in delays to 2248's "flips" 2249, 2254, and 2255.

#### THURSDAY, DECEMBER 28<sup>th</sup>:

- During the heart of the evening rush hour, a 67X was released at Cicero West to run to Tower B12 on #3 MT and into the yard via 6-lead, directly behind 2242 who cleared Cicero West at 1639. This left less than 20 minutes for 67X to clear B12 before Metra 2244 was due at 1657. 67X did not clear B12 until 1720 necessitating running 2244 down #2 MT where there are no station platforms at 4 stops (Elmwood Park, Mont Clare, Mars, and Galewood). Passenger loading and unloading then needed to take place using a single coach vestibule spotted at crosswalks or road crossings, a time consuming process. 2244 arrived Chicago 12 minutes late resulting in Peak Period train 2243 departing Chicago 7 minutes late. Minor delays were also experienced by Peak Period trains 2231, 2233, NCS 111 and NCS 113 which all had to operate on #1 MT due to 2244 occupying #2 MT, instead of the established operation which has some WWD rush hour trains running on #1 MT and some on #2 MT.

While in most cases, CP Dispatchers have been cooperative and work with us to insure that our scheduled operation is protected, the succession of delays experienced this week has not only been a cause for increased customer complaints, but a cause for concern among those of us involved in Metra's Operations. Moving forward, we ask that Dispatchers use extra discretion in



moving freight traffic close to scheduled Metra operations, and avoid close moves when possible. It is strongly suggested that prior to releasing trains for Bensenville yard, Dispatchers ascertain from Bensenville Yardmasters the total number of hand throw switches the crew will need to line prior to clearing at B12 or B17, and then pass along this information to the crew onboard the freight train, asking if they will be able to clear in sufficient time to avoid a delay to the next scheduled Metra train. We know that winter weather presents challenges to all of us, and hope that we will be able to work together to protect our respective operations. As always, your assistance is greatly appreciated. If I can be of any help, please let me know.

**Rich Oppenheim,**  
Assistant Superintendent  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661

**To:** 'MOC Director East'[MOC\_Director\_East@cpr.ca]; 'Michael White'[Michael\_White@cpr.ca]; 'Niki Marthe'[Niki\_Marthe@cpr.ca]; Nick Walker[Nick\_Walker@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Tue 01/17/2017 12:14:22 PM UTC  
**Subject:** Metra 2249 delayed B17 Jan 16  
**Received:** Tue 01/17/2017 12:14:23 PM UTC

Metra 2249 delayed 13 minutes at B17 last night waiting for freight train to clear in yard. This also resulted in delays to flips 2254 and 2255. Please advise circumstances.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

**To:** 'MOC Director East'[MOC\_Director\_East@cpr.ca]; 'Michael White'[Michael\_White@cpr.ca]; 'Niki Marthe'[Niki\_Marthe@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Tue 06/27/2017 11:49:22 AM UTC  
**Subject:** Delay to 2158 MON JUNE 26 2017  
**Received:** Tue 06/27/2017 11:49:24 AM UTC

Metra 2158 last night delayed @ 12 minutes. They were held at Rondout @ 4 minutes to follow CP-384-251, then lost @ another 7 minutes following 384-251 to Tower A20. This also caused delays to 2151 who meets 2158 at Rondout, and 2155 who turns at Chicago from 2158.

Please advise reason for holding 2158 to follow 384.

R.P. Oppenheim, Assistant Superintendent  
Metra CUS District Operations

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.



**To:** Niki Marthe[Niki\_Marthe@cpr.ca]; MOC Director East[MOC\_Director\_East@cpr.ca]; Michael White[Michael\_White@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Tue 06/27/2017 8:09:09 PM UTC  
**Subject:** RE: Delay to 2158 MON JUNE 26 2017  
**Received:** Tue 06/27/2017 8:09:11 PM UTC

As part of the education process, student should be advised that in this case, if the mistake was noticed right away, it would have been considerably faster to contact 384 for permission to take the signal down, run time, and then line up 2158. Thanks for the follow up.

**From:** Niki Marthe [mailto:Niki\_Marthe@cpr.ca]  
**Sent:** Tuesday, June 27, 2017 3:02 PM  
**To:** Rich Oppenheim <ROppenheim@METRARR.COM>; MOC Director East <MOC\_Director\_East@cpr.ca>; Michael White <Michael\_White@cpr.ca>  
**Cc:** Victor Flores <VFlores@METRARR.COM>; Marty Ryan <mryan@METRARR.COM>; Peter J. Zwolfer <PZwolfer@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>  
**Subject:** RE: Delay to 2158 MON JUNE 26 2017

I interviewed the student that was in the office and was advised that they were intending to stack the route for Metra 2158 and inadvertently stacked the route for 384. They noticed just as the signal came in for 384. They thought that knocking the signal down and waiting for it to run time would take longer and result in a larger delay to Metra 2158 than just running the train. I will address with the dispatcher as well and have already addressed with the student.



Niki Marthe  
 Director Dispatching  
 O 612-904-5867  
 C 612-719-1529  
 120 South 6<sup>th</sup> Street  
 Minneapolis, MN 55402

**From:** Rich Oppenheim [mailto:ROppenheim@METRARR.COM]  
**Sent:** Tuesday, June 27, 2017 6:49 AM  
**To:** MOC Director East; Michael White; Niki Marthe  
**Cc:** Victor Flores; Marty Ryan; Peter J. Zwolfer; Janet Carbonelli; David Rodriguez  
**Subject:** Delay to 2158 MON JUNE 26 2017

This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

Metra 2158 last night delayed @ 12 minutes. They were held at Rondout @ 4 minutes to follow CP-384-251, then lost @ another 7 minutes following 384-251 to Tower A20. This also caused delays to 2151 who meets 2158 at Rondout, and 2155 who turns at Chicago from 2158.

Please advise reason for holding 2158 to follow 384.

R.P. Oppenheim, Assistant Superintendent  
 Metra CUS District Operations

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to

receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast Ltd, an Innovator in Software as a Service (SaaS) for business. Providing a safer and more useful place for your human generated data. Specializing In: Security, archiving and compliance. To find out more [Click Here](#).

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender company accept no liability for any damage caused by any virus transmitted by this email. This email and any accompanying attachments contain confidential information intended only for the use of the individual or named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer le présent courriel et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et l'employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence du contenu du message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. -----  
IMPORTANT NOTICE - AVIS IMPORTANT -----

**To:** MOC Director East[MOC\_Director\_East@cpr.ca]; Michael White[Michael\_White@cpr.ca];  
 nick\_walker@cpr.ca[nick\_walker@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Peter J.  
 Zwolfer[PZwolfer@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Mon 04/17/2017 12:06:28 PM UTC  
**Subject:** Delays to 2252 and 2253 Friday April 14 2017  
**Received:** Mon 04/17/2017 12:06:29 PM UTC

- [TOPS1501\\_BN.PDF](#)
- [TOPS1501\\_HCD.PDF](#)
- [TOPS1501\\_MEDML.PDF](#)
- [TOPS1501\\_MEDSC.PDF](#)
- [TOPS1501\\_MEDBI.PDF](#)
- [TOPS1501\\_MWDN.PDF](#)
- [TOPS1501\\_MWDW.PDF](#)
- [TOPS1501\\_NCS.PDF](#)
- [TOPS1501\\_RID.PDF](#)
- [TOPS1501\\_SWS.PDF](#)
- [TOPS1501\\_UPN.PDF](#)
- [TOPS1501\\_UPNW.PDF](#)
- [TOPS1501\\_UPW.PDF](#)

Reference MWDW delays on attached report. Metra 2252 Friday April 14 2017 delayed 18 minutes at Tower B17 behind CP-658 hanging plant. Delay carried over to 2253 who was 12 minutes late turning off 2252. Was yard committed to handling 658 when they were released. Advise any other details available in regards to this delay and causes.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.  
 Original Message  
 From: Metra Mainframe Information Systems  
 Sent: Saturday, April 15, 2017 04:47  
 To: MAINFRAME (HFK)  
 Subject: TOPS Daily Incident Report

This report is generated from Metra Information Systems



**PUBLIC VERSION**

**EXHIBIT B-2**

**To:** art\_clark@cpr.ca[art\_clark@cpr.ca]; Nick Walker[nick\_walker@cpr.ca]; dan\_mueller@cpr.ca[dan\_mueller@cpr.ca]; Jared Carman[jared\_carman@cpr.ca]; 'MOC Director East'[MOC\_Director\_East@cpr.ca]; 'Michael White'[Michael\_White@cpr.ca]  
**Cc:** Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Jack Bauer[JBauer@METRARR.COM]; Rocio Bear[rbear@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Fri 04/28/2017 10:43:18 AM UTC  
**Subject:** Fw: MIL 2200 delayed  
**Received:** Fri 04/28/2017 10:43:18 AM UTC

Metra 2200 delayed about 15 minutes this morning behind CP-472 who apparently stopped several times while pulling into the yard with rear end blocking Metra Main Line at Tower B17. After that, 2200 delayed additionally using #1 MT Tower B12 to Galewood waiting for passengers to walk across from the normal #3 Main platform. This was due to CP-143 on #3 MT with rear end blocking B12. Please advise why these trains were released without a clear route into the yard so as to clear Main Tracks in sufficient time to avoid delay to Metra scheduled operations. Delay to 2200 will carry over to flips 2201 and 2222.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

---

**From:** Metra Notification <noreply@everbridge.net>  
**Sent:** Friday, April 28, 2017 05:24  
**To:** Rich Oppenheim  
**Reply To:** Metra Notification  
**Subject:** MIL 2200 delayed

This is an *Alert* from the MetraNotification System.

---

[Please click here to acknowledge receipt of this message](#)

Train #2200, scheduled to arrive Chicago Union Station at 5:30 AM, is operating 10 to 15 minutes behind schedule due to freight train interference.

---

<https://MetraRail.com>

**To:** nick\_walker@cpr.ca[nick\_walker@cpr.ca]; art\_clark@cpr.ca[art\_clark@cpr.ca]; 'Michael White'[Michael\_White@cpr.ca]; 'Niki Marthe'[Niki\_Marthe@cpr.ca]; 'MOC Director East'[MOC\_Director\_East@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Fri 04/28/2017 4:25:12 PM UTC  
**Subject:** FW: Issue #11806, closed: 2017-04-28, md-w, On-Time Performance (Transportation) As Next Action Group Member  
**Received:** Fri 04/28/2017 4:25:12 PM UTC

Fyi. What we deal with.....

**From:** Metra Service Desk [mailto:servicedesk@metrarr.com]  
**Sent:** Friday, April 28, 2017 11:03 AM  
**To:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Subject:** Issue #11806, closed: 2017-04-28, md-w, On-Time Performance (Transportation) As Next Action Group Member

\*==\*

The following Issue was closed in IssueTrak:

To view this Issue in detail, click [HERE](#).

Issue #: 11806  
Subject: 2017-04-28, md-w, On-Time Performance  
Status: Closed  
Class: Customer Service  
Issue Type: Transportation MD-W  
Subtype 1: Complaint  
Subtype 2: On-Time Performance  
Priority: Medium  
Project:  
Location: 547 - 12th Floor 547 - 12th Floor  
Organization: Transportation  
Submitted By: Metra Rail on 28-Apr-2017  
Assigned To: CUS Transportation Monitor on 28-Apr-2017  
Next Action: CUS Transportation Response Group on 28-Apr-2017  
Closed By: Tom Miller on 28-Apr-2017 312-322-6755

## Solution:

---

We apologize for the delay you experienced on Milwaukee District West Line Train 2200 this morning. It was delayed 12 minutes at Bensenville due to a Canadian Pacific freight train that failed to clear our main line as intended as it pulled into the freight yard at Bensenville. It was delayed further due to running on the opposite main track between Franklin Park and Galewood because of a second Canadian Pacific freight train still occupying the track that 2200 should have run on. The Milwaukee West line, by contract, is dispatched by Canadian Pacific Train dispatchers. Metra Transportation managers maintain a constant dialogue with our counterparts at Canadian Pacific to insure that our scheduled trains receive the proper handling that they should. This morning's shortcomings have been addressed with Canadian Pacific, and we are expecting an explanation and corrective action for their failings this morning.

Again, we apologize and hope you will continue to bear with us.

Regards,

Metra

## Issue Description:

---

Rail Line:md-w Message:Once again, someone at Metra needs to look into why this train is always late. I think this week it might have been what you consider on time, just under 6 minutes, it really is abysmal service and the people being screwed our the passengers. You guys should be better then this. Date:2017-04-28 Time:5 : 24 AM

## Notes:

---

**\*\*Note by Rich Oppenheim, 28-Apr-2017:**

Metra 2200 this morning was delayed 12 minutes at Bensenville due to a Canadian Pacific freight train that failed to clear our main line as intended as it pulled into the freight yard at Bensenville. It was delayed further due to running on the opposite main track between Franklin Park and Galewood because of a second Canadian Pacific freight train still occupying the track that 2200 should have run on. The Milwaukee West line, by contract, is dispatched by Canadian Pacific Train dispatchers. Metra Transportation managers maintain a constant dialogue with our counterparts at Canadian Pacific to insure that our scheduled trains receive the proper handling that they should. This morning's shortcomings have been addressed with Canadian Pacific, and we are expecting an explanation and corrective action for their failings this morning.



To: John Abrahamson[John\_Abrahamson@cpr.ca]; Nicole Kurtenbach CP AGM Minneapolis[nicole\_kurtenbach@cpr.ca]; 'Niki Marthe'[Niki\_Marthe@cpr.ca]; MOC Director East[MOC\_Director\_East@cpr.ca]; Arthur Clark[arthur\_clark@cpr.ca]; Jared Carman[jared\_carman@cpr.ca]  
 From: Rich Oppenheim  
 Sent: Fri 11/03/2017 10:41:47 AM UTC  
 Subject: Delay to Metra 2256 Spaulding THURS Nov 2, 2017  
 Received: Fri 11/03/2017 10:41:50 AM UTC

- [TOPS1501\\_BN.PDF](#)
- [TOPS1501\\_HCD.PDF](#)
- [TOPS1501\\_MEDML.PDF](#)
- [TOPS1501\\_MEDSC.PDF](#)
- [TOPS1501\\_MEDBI.PDF](#)
- [TOPS1501\\_MWDN.PDF](#)
- [TOPS1501\\_MWDW.PDF](#)
- [TOPS1501\\_NCS.PDF](#)
- [TOPS1501\\_RID.PDF](#)
- [TOPS1501\\_SWS.PDF](#)
- [TOPS1501\\_UPN.PDF](#)
- [TOPS1501\\_UPNW.PDF](#)
- [TOPS1501\\_UPW.PDF](#)

Metra 2256 delayed at Spaulding 15 minutes for G-65 to clear plant. Please advise circumstances for this lengthy delay.

Rich Oppenheim, Assistant Superintendent  
 Metra CUS District Operations  
 Office: 312-322-8939  
 Cell: 312-735-8576  
 Roppenheim@metrarr.com

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.  
 Original Message  
 From: Metra Mainframe Information Systems  
 Sent: Friday, November 3, 2017 04:46  
 To: MAINFRAME (HFK)  
 Subject: TOPS Daily Incident Report

This report is generated from Metra Information Systems

**PUBLIC VERSION**

**EXHIBIT B-2**

**To:** 'Michael White'[Michael\_White@cpr.ca]; 'Niki Marthe'[Niki\_Marthe@cpr.ca]; 'MOC Director East'[MOC\_Director\_East@cpr.ca]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]; dan\_mueller@cpr.ca[dan\_mueller@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**sent:** Wed 03/01/2017 8:26:48 PM UTC  
**subject:** Extensive Metra Delays Tower B17 - WED MAR 1, 2017  
**Received:** Wed 03/01/2017 8:26:49 PM UTC

Metra 2217 arrived Tower B17 1310 departed 1338 **28** minutes delay; Metra 2236 arrived B17 1302 departed 1340**38** minutes delay. CP 586 was apparently released to come in the yard with CP 143 blocking the lead that 586 needed to use in order to clear the plant. CP 586 stopped with rear end blocking B17 plant. Please advise any additional circumstances surrounding these extensive delays, and any measures taken to prevent a recurrence.

**Rich Oppenheim,**  
Assistant Superintendent  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661

**To:** 'MOC Director East'[MOC\_Director\_East@cpr.ca]; Michael White [Michael\_White@cpr.ca]; Nick Walker[Nick\_Walker@cpr.ca]; 'Niki Marthe'[Niki\_Marthe@cpr.ca]  
**Cc:** Chuck Hubbard[chuck\_hubbard@cpr.ca]; Victor Flores[VFlores@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Wed 02/01/2017 11:49:22 AM UTC  
**Subject:** Metra 2200 delay at B17 behind G35  
**Received:** Wed 02/01/2017 11:49:23 AM UTC

Metra 2200 delayed approximately 12 minutes at B17 this morning behind G35 who stopped going in Bensenville Yard with rear end still in plant. 2200 arrived Chicago 8 minutes late resulting in late departure on 2201. Please advise reason for G35 blocking plant. Was Bensenville committed to moving G35 before they were released from Spaulding?

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.



**To:** MOC Director East[MOC\_Director\_East@cpr.ca]; 'Michael White'[Michael\_White@cpr.ca]; Niki Marthe[Niki\_Marthe@cpr.ca]; Nick Walker[Nick\_Walker@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]  
**From:** Rich Oppenheim  
**ent:** Tue 01/03/2017 11:51:16 AM UTC  
**Subject:** Delay to Metra 2200 Tuesday Jan 3 2017  
**Received:** Tue 01/03/2017 11:51:17 AM UTC

Metra 2200 arrived Chicago 9 minutes late at 0539. Was delayed at Tower B17 waiting for 198 to clear plant pulling into yard, then lost additional time running on #1 Main Track Tower B12 to Galewood East due to NS 17V using #3 Main and waiting for passengers crossing from #3 Main platforms to #1 Main. Delay to 2200 will also affect 2201 and possibly 2222.

Was route for 198 into yard lined in advance before train was released, or did train have to stop on plant while Conductor lined switches? Was crew asked in advance if they would be able to clear for 2200? Could 17 V have run #2 main to B12, then coming into yard after 2200 cleared B12?

Please advise.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

**To:** 'MOC Director East'[MOC\_Director\_East@cpr.ca]; Niki Marthe[Niki\_Marthe@cpr.ca]; Courtney Dunford[Courtney\_Dunford@cpr.ca]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]; arthur\_clark@cpr.ca[arthur\_clark@cpr.ca]; jared\_carman@cpr.ca[jared\_carman@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; huck\_hubbard@cpr.ca[chuck\_hubbard@cpr.ca]; Jack Bauer[JBauer@METRARR.COM]; Rocio Bear[rbear@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Mon 07/10/2017 5:59:27 PM UTC  
**Subject:** Delay to Metra 2208 by NS-17V MON JULY 10, 2017  
**Received:** Mon 07/10/2017 5:59:29 PM UTC

During this morning's AM peak period operation, NS 17V was dispatched from Cicero West to Tower B12 Westward on #3 MT behind #2202 and ahead of #2208. #2208 is supposed to operate on #3 MT because it has scheduled stops at Elmwood Park, Mont Clare, Mars and Galewood where there are no passenger loading platforms on #2 MT, and there is opposing traffic scheduled on #1 MT. 17V was unable to clear Tower B12 prior to Metra 2208's arrival, so it became necessary to run #2208 on #2 MT from Tower B12 to Galewood East. This entailed loading and unloading passengers at crosswalks and/or road crossings at the four stations listed. While this is never a good operating practice, loading and unloading passengers in this manner was that much more problematic this morning because all of this was taking place during a heavy rainstorm, and passengers were unable to remain under platform shelters and still board the train. #2208 arrived Chicago at 7:26 AM, 6 minutes late. Moving NS-17V in this manner interfered with Metra's operation of peak period train 2208 in contradiction to terms set forth in the Metra-CP Operating agreement.

Rich Oppenheim,  
Assistant Superintendent  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661

**To:** 'MOC Director East'[MOC\_Director\_East@cpr.ca]; Niki Marthe[Niki\_Marthe@cpr.ca]; Courtney Dunford[Courtney\_Dunford@cpr.ca]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]; arthur\_clark@cpr.ca[arthur\_clark@cpr.ca]; jared\_carman@cpr.ca[jared\_carman@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; 'chuck\_hubbard@cpr.ca'[chuck\_hubbard@cpr.ca]; Jack Bauer[JBauer@METRARR.COM]; Rocio Bear[rbear@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Mon 07/17/2017 2:00:29 PM UTC  
**Subject:** Metra Peak period local trains routed #2 MT B12-Galewood 7-17-17  
**Received:** Mon 07/17/2017 2:00:31 PM UTC

Reference e-mail sent last Monday, July 10, 2017 (below) relative to Metra peak-period train #2208 scheduled to make local stops at Elmwood Park, Mont Clare, Mars, and Galewood being routed down #2 MT where there are no passenger platforms instead of running on #3 MT as they are supposed to due to NS 17-V operating WWD on #3 MT. This same scenario was repeated this morning, MONDAY JULY 17, 2017 except this morning BOTH #2208 and #2212 who both make those same 4 local stops were run on #2 MT so that NS 17-V could run West on #3 MT. In this case, not only did passengers have to load and unload on crosswalks and road crossings instead of using boarding platforms, but also had to dodge 17-V who on #3 MT would have been between the loading platforms and the Metra train(s).

As both Metra 2208 and 2210 are considered "Peak Period" trains as set forth in the Metra-CP Operating agreement, please be reminded that operation of NS 17-V in this manner is represents interference in the operation of these trains, and as such is in violation to the terms of the Operating agreement.

**From:** Rich Oppenheim  
**Sent:** Monday, July 10, 2017 12:59 PM  
**To:** 'MOC Director East' <MOC\_Director\_East@cpr.ca>; 'Niki Marthe' <Niki\_Marthe@cpr.ca>; Courtney Dunford <Courtney\_Dunford@cpr.ca>; 'nick\_walker@cpr.ca' <nick\_walker@cpr.ca>; 'arthur\_clark@cpr.ca' <arthur\_clark@cpr.ca>; 'jared\_carman@cpr.ca' <jared\_carman@cpr.ca>  
**Cc:** Victor Flores <VFlores@METRARR.COM>; Peter J. Zwolfer <PZwolfer@METRARR.COM>; Marty Ryan <mryan@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; 'chuck\_hubbard@cpr.ca' <chuck\_hubbard@cpr.ca>; Jack Bauer <JBauer@METRARR.COM>; Rocio Bear <rbear@METRARR.COM>  
**Subject:** Delay to Metra 2208 by NS-17V MON JULY 10, 2017

During this morning's AM peak period operation, NS 17V was dispatched from Cicero West to Tower B12 Westward on #3 MT behind #2202 and ahead of #2208. #2208 is supposed to operate on #3 MT because it has scheduled stops at Elmwood Park, Mont Clare, Mars and Galewood where there are no passenger loading platforms on #2 MT, and there is opposing traffic scheduled on #1 MT. 17V was unable to clear Tower B12 prior to Metra 2208's arrival, so it became necessary to run #2208 on #2 MT from Tower B12 to Galewood East. This entailed loading and unloading passengers at crosswalks and/or road crossings at the four stations listed. While this is never a good operating practice, loading and unloading passengers in this manner was that much more problematic this morning because all of this was taking place during a heavy rainstorm, and passengers were unable to remain under platform shelters and still board the train. #2208 arrived Chicago at 7:26 AM, 6 minutes late. Moving NS-17V in this manner interfered with Metra's operation of peak period train 2208 in contradiction to terms set forth in the Metra-CP Operating agreement.

**Rich Oppenheim,**  
Assistant Superintendent  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661



**To:** Courtney Dunford[Courtney\_Dunford@cpr.ca]  
**Cc:** John Abrahamson[John\_Abrahamson@cpr.ca]; Niki Marthe[Niki\_Marthe@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Mon 07/17/2017 2:33:27 PM UTC  
**Subject:** RE: Metra Peak period local trains routed #2 MT B12-Galewood 7-17-17  
**Received:** Mon 07/17/2017 2:33:29 PM UTC

Courtney –

Thanks again for the follow up. Please keep us posted on whatever remedial action is taken. I also could use John Abrahamson's cell number if you can provide it.

**From:** Courtney Dunford [mailto:Courtney\_Dunford@cpr.ca]  
**Sent:** Monday, July 17, 2017 9:27 AM  
**To:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Cc:** John Abrahamson <John\_Abrahamson@cpr.ca>; Niki Marthe <Niki\_Marthe@cpr.ca>  
**Subject:** RE: Metra Peak period local trains routed #2 MT B12-Galewood 7-17-17

Rich as discussed we will review this morning events and if warranted we will make this a formal matter. I've also included John Abrahamson contact info below he has assumed the role as GM Transportation in the MOC replacing Mr. White.

John Abrahamson  
 Off: 612-904-5837  
 Email: [John\\_Abrahamson@cpr.ca](mailto:John_Abrahamson@cpr.ca)

**From:** Rich Oppenheim [mailto:ROppenheim@METRARR.COM]  
**Sent:** Monday, July 17, 2017 9:00 AM  
**To:** MOC Director East; Niki Marthe; Courtney Dunford; Nick Walker; Arthur Clark; Jared Carman  
**Cc:** Victor Flores; Peter J. Zwolfer; Marty Ryan; Janet Carbonelli; David Rodriguez; Chuck Hubbard; Jack Bauer; Rocio Bear  
**Subject:** Metra Peak period local trains routed #2 MT B12-Galewood 7-17-17

This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

Reference e-mail sent last Monday, July 10, 2017 (below) relative to Metra peak-period train #2208 scheduled to make local stops at Elmwood Park, Mont Clare, Mars, and Galewood being routed down #2 MT where there are no passenger platforms instead of running on #3 MT as they are supposed to due to NS 17-V operating WWD on #3 MT. This same scenario was repeated this morning, MONDAY JULY 17, 2017 except this morning BOTH #2208 and #2212 who both make those same 4 local stops were run on #2 MT so that NS 17-V could run West on #3 MT. In this case, not only did passengers have to load and unload on crosswalks and road crossings instead of using boarding platforms, but also had to dodge 17-V who on #3 MT would have been between the loading platforms and the Metra train(s).

As both Metra 2208 and 2210 are considered "Peak Period" trains as set forth in the Metra-CP Operating agreement, please be reminded that operation of NS 17-V in this manner represents interference in the operation of these trains, and as such is in violation to the terms of the Operating agreement.

**From:** Rich Oppenheim  
**Sent:** Monday, July 10, 2017 12:59 PM  
**To:** 'MOC Director East' <MOC\_Director\_East@cpr.ca>; 'Niki Marthe' <Niki\_Marthe@cpr.ca>; Courtney Dunford <Courtney\_Dunford@cpr.ca>; 'nick\_walker@cpr.ca' <nick\_walker@cpr.ca>; 'arthur\_clark@cpr.ca' <arthur\_clark@cpr.ca>; 'jared\_carman@cpr.ca' <jared\_carman@cpr.ca>  
**Cc:** Victor Flores <VFlores@METRARR.COM>; Peter J. Zwolfer <PZwolfer@METRARR.COM>; Marty Ryan <mrryan@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; 'chuck\_hubbard@cpr.ca' <chuck\_hubbard@cpr.ca>; Jack Bauer <JBauer@METRARR.COM>; Rocio Bear <rbear@METRARR.COM>  
**Subject:** Delay to Metra 2208 by NS-17V MON JULY 10, 2017

During this morning's AM peak period operation, NS 17V was dispatched from Cicero West to Tower B12 Westward on #3 MT behind #2202 and ahead of #2208. #2208 is supposed to operate on #3 MT because it has scheduled stops at Elmwood Park, Mont Clare, Mars and Galewood where there are no passenger loading platforms on #2 MT, and there is opposing traffic scheduled on #1 MT. 17V was unable to clear Tower B12 prior to Metra 2208's arrival, so it became necessary to run #2208 on #2 MT from

Tower B12 to Galewood East. This entailed loading and unloading passengers at crosswalks and/or road crossings at the four stations listed. While this is never a good operating practice, loading and unloading passengers in this manner was that much more problematic this morning because all of this was taking place during a heavy rainstorm, and passengers were unable to remain under platform shelters and still board the train. #2208 arrived Chicago at 7:26 AM, 6 minutes late. Moving NS-17V in this manner interfered with Metra’s operation of peak period train 2208 in contradiction to terms set forth in the Metra-CP Operating agreement.

Rich Oppenheim,  
Assistant Superintendent  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast Ltd, an Innovator in Software as a Service (SaaS) for business. Providing a safer and more useful place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender company accept no liability for any damage caused by any virus transmitted by this email. This email and any accompanying attachments contain confidential information intended only for the use of the individual or named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by other than the intended recipient is strictly prohibited. If you have received this email in error please immediately notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer le présent courriel et les pièces qui y sont jointes au détecteur de virus. L'expéditeur employeur décline toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence du contenu du message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. -----  
IMPORTANT NOTICE - AVIS IMPORTANT -----

**To:** Keith Georgeff[KGeorgeff@METRARR.COM]; Patrick Danz[PDanz@METRARR.COM]; Paul Zwolfer[pazwolfer@METRARR.COM]; Tim Tabisz[TTabisz@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Alonzo D. Smith[adsmith@METRARR.COM]; Alysia Preininger[APreininger@METRARR.COM]; Carlo Santori[CSantori@METRARR.COM]; Cedric Smith[CSmith@METRARR.COM]; Chris Evers[CEvers@METRARR.COM]; Christopher Dorsey[CDorsey@METRARR.COM]; Corinna Gallardo[cgallardo@metrarr.com]; Courtney Aubrecht[CAubrecht@METRARR.COM]; Daniel Marinellie[DMarinellie@METRARR.COM]; Danny Santiago[DSantiago@METRARR.COM]; Darrin Austin[DAustin@METRARR.COM]; David Cook[DCook@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Edward Schafroth[ESchafroth@METRARR.COM]; Ernesto Hernandez[E Hernandez@METRARR.COM]; GPSAlerting[GPSAlerting@METRARR.COM]; Hersey Steptoe[HSteptoe@METRARR.COM]; Hilary Konczal[HKonczal@METRARR.COM]; Jacqueline Watkins[JWatkins@METRARR.COM]; James Grogans[JGrogans@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Joel Winchester[JWinchester@METRARR.COM]; Katie Dahlstrom[KDahlstrom@METRARR.COM]; Kenneth Castile[KCastile@METRARR.COM]; Kurt Kroner[kkroner@METRARR.COM]; Martin H. Yock[MYock@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Matt Bevers[mbevers@METRARR.COM]; Matthew Koszulinski[MKoszulinski@METRARR.COM]; Meg Thomas-Reile[mtreille@metrarr.com]; Metra CCF Dispatching[MetraCCFdispatch@METRARR.COM]; Michael Gillis[mgillis@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Robert Johnson[RJohnson@METRARR.COM]; Steven Cork[SCork@METRARR.COM]; Terron Haynes[THaynes@METRARR.COM]; Tom Miller[TMILLER@METRARR.COM]; Victor A. Ortiz[VOrtiz@METRARR.COM]

**Cc:** Alphonso Jackson[AJackson@METRARR.COM]; Charles Allen[CAllen@METRARR.COM]; Christian Pisut[CPisut@METRARR.COM]; Christie Siebert[CSiebert@METRARR.COM]; Felicia McGlaston[FMcGlaston@METRARR.COM]; Joe Bratta[JBratta@METRARR.COM]; Judy Tovar[JTovar@METRARR.COM]; Lisa Lovett[LLovett@METRARR.COM]; Marshall Beecher[MBeecher@METRARR.COM]; Nancy LoPresti[NLoPresti@METRARR.COM]; Sal Cuevas[SCuevas@METRARR.COM]; Scott Zriny[szriny@metrarr.com]; Shamonda Jones[SJones@METRARR.COM]; 'Michael White'[Michael\_White@cpr.ca]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]; MOC Director East[MOC\_Director\_East@cpr.ca]; Jack Bauer[JBauer@METRARR.COM]

**From:** Rich Oppenheim

**Sent:** Wed 04/12/2017 10:07:13 PM UTC

**Subject:** Re: Freight Train in Emergency Milwaukee West

**Received:** Wed 04/12/2017 10:07:13 PM UTC

2244 will need to run on #2 MT B12 to Gatewood East and will have to load and unload passengers on crosswalks. 241 has Elmwood Park depot blocked so passengers will not be able to get to train. This is interfering with Metra's peak period trains in violation of the operating agreement.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

**From:** Keith Georgeff

**Sent:** Wednesday, April 12, 2017 17:00

**To:** Patrick Danz; Paul Zwolfer; Rich Oppenheim; Tim Tabisz; Victor Flores; Alonzo D. Smith; Alysia Preininger; Carlo Santori; Cedric Smith; Chris Evers; Christopher Dorsey; Corinna Gallardo; Courtney Aubrecht; Daniel Marinellie; Danny Santiago; Darrin Austin; David Cook; David Rodriguez; Edward Schafroth; Ernesto Hernandez; GPSAlerting; Hersey Steptoe; Hilary Konczal; Jacqueline Watkins; James Grogans; Janet Carbonelli; Joel Winchester; Katie Dahlstrom; Kenneth Castile; Kurt Kroner; Martin H. Yock; Marty Ryan; Matt Bevers; Matthew Koszulinski; Meg Thomas-Reile; Metra CCF Dispatching; Michael Gillis; Peter J. Zwolfer; Robert Johnson; Steven Cork; Terron Haynes; Tom Miller; Victor A. Ortiz

**Cc:** Alphonso Jackson; Charles Allen; Christian Pisut; Christie Siebert; Felicia McGlaston; Joe Bratta; Judy Tovar; Lisa Lovett; Marshall Beecher; Nancy LoPresti; Sal Cuevas; Scott Zriny; Shamonda Jones

**Subject:** Freight Train in Emergency Milwaukee West

Freight train CP-241 in Emergency between B12 and Galewood East on Track 3. Will update when on the Move.

Keith Georgeff  
 Chief Dispatcher  
 Metra/CCF  
 1501 S Canal Street  
 Chicago, IL 60707  
 W – 312-322-2864  
 C – 312-448-0934  
 F – 312-322-2850



**To:** Niki Marthe[Niki\_Marthe@cpr.ca]  
**Cc:** 'Michael White'[Michael\_White@cpr.ca]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]; 'MOC Director East'[MOC\_Director\_East@cpr.ca]; dl\_moc\_senior\_director@cpr.ca[dl\_moc\_senior\_director@cpr.ca]; Victor Flores[VFlores@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]

**From:** Rich Oppenheim  
**Sent:** Tue 01/03/2017 8:51:13 PM UTC  
**Subject:** RE: Delay to Metra 2200 Tuesday Jan 3 2017  
**Received:** Tue 01/03/2017 8:51:13 PM UTC  
Condr TTR1 - 2200 JAN 3 2017.pdf

image001.png

image002.png

image003.png

Niki-

Thanks for the research on this and the effort you put into it. Your assessment of the B17 situation seems to be on the money, and the fact that CP has been able to significantly reduce the blockage of our trains at B17 with freight traffic entering the yard shows that an honest effort to control this situation is being made. With lengthy trains, the key is, and always will be, the ability to get the route into the yard lined in advance of the movement.

I do have some concerns regarding the 17V situation. We are all aware that most, if not all, of the NS crews that handle 17V typically move at a snail's pace, and you are correct that sending 17V up #2 MT to start in the yard once 2200 cleared would most likely have resulted in 2202 needing to use the "wrong" main, which would probably have been worse since 2200's regular riders are more conditioned to changing from platform to platform than 2202's are. That said, see attached Conductor's report from 2200 this morning. Beyond the delay issue, if you read his assessment of the effect on our passengers of running #1 MT from B12 to Galewood with a freight coming the other way on #3 MT, you can see the potential for an accident which this scenario creates. Given the reality of the way 17V moves, there really isn't a good solution to this situation short of rescheduling 17V to operate completely before or after the morning rush hour (where the windows at B12 increase to 1 hour), or perhaps working with the NS to see if their crews might be encouraged to move a little better. Again, anything that can be done to insure that 17V's route into the yard is lined in advance would obviously go a long way toward fixing the problem. I know there is no easy solution to the problem, but hope that we can work toward achieving something before an accident occurs. Any thoughts that you or Nick might have on this situation would be appreciated.

**Rich Oppenheim,**

Assistant Superintendent

Metra CUS District Operations

P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)

547 W. Jackson Blvd., Chicago, IL 60661

**From:** Niki Marthe [mailto:Niki\_Marthe@cpr.ca]

**Sent:** Tuesday, January 03, 2017 2:12 PM

**To:** Rich Oppenheim <ROppenheim@METRARR.COM>

**Subject:** FW: Delay to Metra 2200 Tuesday Jan 3 2017

This is what I found in my review. Do you want me to send this to Rich or just handle with Brian and Connie?

198 was released into the New Arrival and was on the move at B17 at 0425. This gave 198 29 minutes to clear B17 prior to 2200. I was not able to locate any conversation between the Tower Operator/Dispatcher and the crew on 198 regarding how long it would take them to clear the interlocking. The train was slow clearing at and 0447 the dispatcher checked in with the Tower Operator. The Tower Operator advised that the train had only stopped once for about a minute and was still pulling into the yard. CTC Replay shows 198 clearing B17 at 0500. I will review with both the train dispatcher and the tower operator that it is imperative that we discuss with the train crew when weather conditions such as fog may impact the time it takes to clear.

NS17V was released into the yard for 3 lead at 0436. They took the light at B17 at 0502 and cleared the interlocking at 0544. 2 MT was clear. The dispatcher could have run NS17V on 2 MT, however, with the length of time it took them to clear B12 2202 would have still had to run on 1MT between B12 and Galewood. I will also discuss this with the train dispatcher and remind him to review all options/tracks prior to releasing a train to ensure Metra is not impacted.

The Dispatcher did have a discussion with the Tower Operator where it was stated that the fog was likely a factor as to why NS 17V

and 198 took so long to clear B17 & B12.

Niki Marthe | Director Dispatching | 120 South 6<sup>th</sup> Street Minneapolis, MN 55402 | O 612-904-5867 | C 612-719-1529 |

CP

---

**From:** Rich Oppenheim [mailto:ROppenheim@METRARR.COM]  
**Sent:** Tuesday, January 03, 2017 7:07 AM  
**To:** Michael White; MOC Director East; Niki Marthe; Nick Walker; [DL\\_MOC\\_Senior\\_Director@cpr.ca](mailto:DL_MOC_Senior_Director@cpr.ca)  
**Cc:** Victor Flores; Marty Ryan; Peter J. Zwolfer; Janet Carbonelli  
**Subject:** Re: Delay to Metra 2200 Tuesday Jan 3 2017

Thanks for the prompt response and follow up.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

**From:** Michael White  
**Sent:** Tuesday, January 3, 2017 06:59  
**To:** Rich Oppenheim; MOC Director East; Niki Marthe; Nick Walker; [DL\\_MOC\\_Senior\\_Director@cpr.ca](mailto:DL_MOC_Senior_Director@cpr.ca)  
**Cc:** Victor Flores; Marty Ryan; Peter J. Zwolfer; Janet Carbonelli  
**Subject:** RE: Delay to Metra 2200 Tuesday Jan 3 2017

Rich,

I would speculate the delay for 198 yarding at Bensenville is related to the current weather conditions. It is my understanding fog is extremely thick and impacting visibility. I will ask Niki to review the timeline and provide input.







CSA-Bensenville Sofa Flag  
Bensenville

**From:** Rich Oppenheim [mailto:ROppenheim@METRARR.COM]  
**Sent:** Tuesday, January 03, 2017 5:51 AM  
**To:** MOC Director East; Michael White; Niki Marthe; Nick Walker  
**Cc:** Victor Flores; Marty Ryan; Peter J. Zwolfer; Janet Carbonelli  
**Subject:** Delay to Metra 2200 Tuesday Jan 3 2017

Metra 2200 arrived Chicago 9 minutes late at 0539. Was delayed at Tower B17 waiting for 198 to clear plant pulling into yard, then lost additional time running on #1 Main Track Tower B12 to Galewood East due to NS 17V using #3 Main and waiting for passengers crossing from #3 Main platforms to #1 Main. Delay to 2200 will also affect 2201 and possibly 2222.

Was route for 198 into yard lined in advance before train was released, or did train have to stop on plant while Conductor lined switches? Was crew asked in advance if they would be able to clear for 2200? Could 17 V have run #2 main to B12, then coming into yard after 2200 cleared B12?

Please advise.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email transmission and any accompanying attachments contain confidential information intended only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete it and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer le présent courriel et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et son employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence du contenu du message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. -----

IMPORTANT NOTICE - AVIS IMPORTANT -----  
 ----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and



**PUBLIC VERSION**

**EXHIBIT B-2**

sender company accept no liability for any damage caused by any virus transmitted by this email. This email transmission and any accompanying attachments contain confidential information intended only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete it and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer le présent courriel et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et son employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence du contenu du message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. -----  
IMPORTANT NOTICE - AVIS IMPORTANT -----

**PUBLIC VERSION**

**EXHIBIT B-2**

**To:** Michael White[Michael\_White@cpr.ca]; MOC Director East[MOC\_Director\_East@cpr.ca]; Niki Marthe[Niki\_Marthe@cpr.ca]; Nick Walker[Nick\_Walker@cpr.ca]; DL\_MOC\_Senior\_Director@cpr.ca[MOC\_Senior\_Director@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]  
**From:** Rich Oppenheim  
**Content:** Tue 01/03/2017 1:06:50 PM UTC  
**Subject:** Re: Delay to Metra 2200 Tuesday Jan 3 2017  
**Received:** Tue 01/03/2017 1:06:50 PM UTC  
[image001.png](#)  
[image002.png](#)

Thanks for the prompt response and follow up.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

**From:** Michael White  
**Sent:** Tuesday, January 3, 2017 06:59  
**To:** Rich Oppenheim; MOC Director East; Niki Marthe; Nick Walker; DL\_MOC\_Senior\_Director@cpr.ca  
**Cc:** Victor Flores; Marty Ryan; Peter J. Zwolfer; Janet Carbonelli  
**Subject:** RE: Delay to Metra 2200 Tuesday Jan 3 2017

Rich,

I would speculate the delay for 198 yarding at Bensenville is related to the current weather conditions. It is my understanding fog is extremely thick and impacting visibility. I will ask Niki to review the timeline and provide input.





CSA-Bensenville Sofa Flag  
Bensenville

**From:** Rich Oppenheim [mailto:ROppenheim@METRARR.COM]  
**Sent:** Tuesday, January 03, 2017 5:51 AM  
**To:** MOC Director East; Michael White; Niki Marthe; Nick Walker  
**Cc:** Victor Flores; Marty Ryan; Peter J. Zwolfer; Janet Carbonelli  
**Subject:** Delay to Metra 2200 Tuesday Jan 3 2017

Metra 2200 arrived Chicago 9 minutes late at 0539. Was delayed at Tower B17 waiting for 198 to clear plant pulling into yard, then lost additional time running on #1 Main Track Tower B12 to Galewood East due to NS 17V using #3 Main and waiting for passengers crossing from #3 Main platforms to #1 Main. Delay to 2200 will also affect 2201 and possibly 2222.

Was route for 198 into yard lined in advance before train was released, or did train have to stop on plant while Conductor lined switches? Was crew asked in advance if they would be able to clear for 2200? Could 17 V have run #2 main to B12, then coming into yard after 2200 cleared B12?

Please advise.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email transmission and any accompanying attachments contain confidential information intended only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete it and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer le présent courriel et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et son employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence du contenu du message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. -----  
 IMPORTANT NOTICE - AVIS IMPORTANT -----



To: Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca], Moc\_Director\_East@cpr.ca[Moc\_Director\_East@cpr.ca]  
From: Rich Oppenheim  
Sent: Wed 11/21/2018 11:57:49 AM UTC  
Subject: Fwd: Excessive Delay to Metra 2255 TUE NOV 21 2018  
Received: Wed 11/21/2018 11:57:52 AM UTC

Sent from my iPhone

Begin forwarded message:

**From:** <ROppenheim@METRARR.COM>  
**Date:** November 21, 2018 at 5:56:06 AM CST  
**To:** <nick\_walker@cpr.ca, Donnie McKelvey <donnie\_mckelvey@cpr.ca> "Matt Bailey" <matt\_bailey@cpr.ca, Brandon Billingsley <brandon\_billingsley@cpr.ca>  
**Cc:** Dave Rodriguez <droduiguez@metrarr.com>, Marty Ryan <mryan@metrarr.com>, Janet Carbonelli <jcarbonelli@metrarr.com>, Vic Flores <vflores@metrarr.com>, Pete J Zwolfer <pzwolfer@metrarr.com>  
**Subject:** Excessive Delay to Metra 2255 TUE NOV 21 2018

Metra 2255 last night arrived Big Timber Road 17 minutes late last night. They were held 13 minutes at Tower B17 waiting for a lengthy 198 to clear the plant. 198 was moved between 2256 and 2255, a window that is clearly not big enough for a train of that size. To make matters worse, B17 then ran a CN freight across Spaulding ahead of them delaying 2255 for an additional 8 minutes.

Sent from my iPhone

**To:** Steven Nettleton[steven\_nettleton@cpr.ca]; Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca];  
nick\_walker@cpr.ca[nick\_walker@cpr.ca]; Donnie McKelvey[donnie\_mckelvey@cpr.ca]; Matt Bailey[matt\_bailey@cpr.ca]; Brandon  
Billingsley[brandon\_billingsley@cpr.ca]; MOC\_Director\_East@cpr.ca[MOC\_Director\_East@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Janet  
Carbonelli[JCarbonelli@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Bruce  
Marcheschi[BMarcheschi@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Thur 12/06/2018 12:18:53 PM UTC  
**Subject:** Excessive Delay to Metra 2256 at Tower B17 WED DEC 5, 2018  
**Received:** Thur 12/06/2018 12:18:54 PM UTC

Metra 2256 Wednesday Dec 5 2018 waited 25 minutes at Tower B17 while a lengthy (14,000 plus feet) CP-198 was brought into Bensen from the Cut Off. While we can certainly appreciate the challenges of running trains of extreme lengths, we ask that if this must be done, it be done at the expense of Metra's scheduled operations and our customers. We are hearing that part of the issue in tarring 198 last night was that another yard movement was blocking their route in the yard? Moving forward, when trains of this length are run, we ask that trains be scheduled to arrive B17 when there are windows large enough to move them, and that entire route in yard be pre-lined before train is released at Tower

Rich Oppenheim, Asst Superintendent  
Metra CUS District Operations  
Office 312-322-8939  
Cell 312-735-8576

Sent from my iPhone

**To:** nick\_walker@cpr.ca[nick\_walker@cpr.ca]; Donnie McKelvey[Donnie\_McKelvey@cpr.ca]; Brandon Billingsley[brandon\_billingsley@cpr.ca]; Matt Bailey[Matt\_Bailey@cpr.ca]; John Abrahamson[John\_Abrahamson@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; 'MOC Director East'[MOC\_Director\_East@cpr.ca]  
**Cc:** Peter J. Zwolfer[PZwolfer@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Jack Bauer[JBauer@METRARR.COM]; Rocio Bear[rbear@METRARR.COM]; Bruce Marcheschi[BMarcheschi@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Thur 10/18/2018 2:54:51 PM UTC  
**Subject:** Metra Delays at B12 - THU OCT 18, 2018 - Q165  
**Received:** Thur 10/18/2018 2:54:53 PM UTC

This morning, Thursday, October 18, 2018, Metra Peak period trains 2207 and 2226 were delayed at Tower B12 as follows:

- 2226 17 minutes
- 2207 22 minutes
- Delays to 2207 will also affect Train 2230 which turns from 2207 at Big Timber Road

Delays were due to a CP-Q165 which had apparently been called out to move from IHB Norpaul Yard to Schiller Park yard crossing the Elgin Sub at Tower B12 in the process. CP Elgin Dispatcher instructed Metra Operator Tower B12 to line Q165 across, however Q165 was apparently not actually ready to move when the line-up was put in. Then, when it became apparent that Q-165 was not moving, many attempts were made to contact the crew on Q165 on several radio channels in order to get their authority to drop the signal. Q-165 could not be contacted for an extended period of time.

Since this is not the first time by any means that movements between Norpaul Yard and Schiller Park yard have caused significant delays, I would request the following moving forward:

- Before instructing B12 to line signals for these moves, Elgin Dispatcher should contact crew making the move and determine from them that 1) they are in fact ready to move and 2) discuss with the crew a specific time that they would have to be clear of the plant at B12 and determine from them that they are confident that they can, in fact, clear by that time.

Delays of this magnitude disrupt our Operations as well as CP's, and are extremely frustrating for our customers who count on us to get them to their destinations on time. It is especially frustrating when the delays are completely avoidable, as was the case here. Your cooperation in preventing a recurrence of a similar incident would be most appreciated.

**Rich Oppenheim,**  
Assistant Superintendent  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661



**To:** moc\_director\_east@cpr.ca[moc\_director\_east@cpr.ca]; John Abrahamson[john\_abrahamson@cpr.ca]; Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]; Donnie McKelvey[donnie\_mckelvey@cpr.ca]; Matt Bailey[matt\_bailey@cpr.ca]  
**Cc:** Marty Ryan[mryan@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Fri 08/17/2018 4:08:19 AM UTC  
**Subject:** Metra Delays Thursday August 16  
**Received:** Fri 08/17/2018 4:08:21 AM UTC

Metra 2250 delayed 17 minutes at Tower B17 waiting for inbound freight from C&M Sub to clear plant going in yard. Delays to 2250 carries 2251 and 2256. Please advise why freight was released to come into yard with insufficient time to clear.

Sent from my iPhone

**To:** Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Mon 08/20/2018 12:58:31 PM UTC  
**Subject:** RE: Metra Delays Thursday August 16  
**Received:** Mon 08/20/2018 12:58:33 PM UTC

ne bigger issue is that 2250 is due at B17 at 1950 and 380 cleared at 1948 which means that 380 was run directly and immediately in fir essentially on his schedule. We had a similar occurrence last weekend when Heidi was working C&M in which she brought an EWD freig Rondout essentially on 2620's scheduled time (or 1 or 2 minutes ahead). In the case of 2250, there is a 25 minute window at B17 behind ahead of 2249 where 380 could have run comfortably and the issues that ultimately led to 2250's delay would not have been a factor. Mo dispatchers who work C&M and Elgin learn that there is no percentage in trying to squeeze freight moves closely ahead of scheduled pas trains -- that ultimately this will lead to problems. I am hopeful this concept will eventually sink in. Thank you for the thorough follow up. appreciated.

Rich

-----Original Message-----

**From:** Lucas Lingenfelter [mailto:Lucas\_Lingenfelter@cpr.ca]  
**Sent:** Monday, August 20, 2018 7:40 AM  
**To:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Subject:** FW: Metra Delays Thursday August 16

Rich,

See below for a rundown of events that led to that delay. The dispatcher had quite a bit going on. She was trying to make smart decisions between the malfunctioning crossing and crews not operating trains as efficiently as expected, things did not move as planned. She unde it could have went better and learned from it.

Luke

-----Original Message-----

**From:** Heidi Phillips  
**Sent:** Friday, August 17, 2018 4:21 PM  
**To:** Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; Ryan Melville <Ryan\_Melville@cpr.ca>  
**Subject:** RE: Metra Delays Thursday August 16

The delay was not at B17 due to a freight going into the yard, it was with the 380-404 going to the BRC.  
-380 cleared B17 at 1948, unknown why 2250 did not take B17 earlier than 1954.  
-380 cleared B12 at 2006, I should've kept him on 2 main but missed this opportunity to time out signal due to crossing malfunction at The  
-2250 took B12 at 2011 which is close to the 6 min run time for them from B17 to B12  
-380 cleared Galewood at 2019, unknown why they took so long clearing this as they were only 6200' and the crossing was given back b  
got there. Should be only 10-12 min even w/ a heavy train putting them past Galewood before 2250 should be taking it (9-10 min run time  
-380 took Cicero at 2027 again much longer than typical but had crossed 2250 up to 2 main at this point.

I should've kept 2250 on 2 main at B12 to avoid further delays due to 380 but didn't due to the time I had calculated above. 380 had a Be crew on him and that usually means their run times are spot on.

Heidi

-----Original Message-----

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, August 16, 2018 11:08 PM  
**To:** MOC Director East <MOC\_Director\_East@cpr.ca>; John Abrahamson <John\_Abrahamson@cpr.ca>; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; Nick Walker <Nicholas\_C\_Walker@cpr.ca>; Donnie McKelvey <Donnie\_McKelvey@cpr.ca>; Matt Bailey <Matt\_Bailey@cpr.ca>  
**Cc:** Marty Ryan <mryan@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.CO  
David Rodriguez <DRodriguez@METRARR.COM>  
**Subject:** Metra Delays Thursday August 16

This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

Metra 2250 delayed 17 minutes at Tower B17 waiting for inbound freight from C&M Sub to clear plant going in yard. Delays to 2250 carrie ips 2251 and 2256. Please advise why freight was released to come into yard with insufficient time to clear.

Sent from my iPhone

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation to the information of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast Ltd, an innovator in SaaS Service (SaaS) for business. Providing a safer and more useful place for your human generated data. Specializing in Security, archiving and compliance. To find out more visit the Mimecast website.

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email transmission and any accompanying attachments contain confidential information only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the content of this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete it and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer au crible le courrier et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et son employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courrier. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence de ce message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courrier par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. ----- IMPORTANT NOTICE - AVIS IMPORTANT -----



**To:** 'MOC Director East'[MOC\_Director\_East@cpr.ca]; Niki Marthe[Niki\_Marthe@cpr.ca]; John Abrahamson[John\_Abrahamson@cpr.ca]; Tom Jared[tom\_jared@cpr.ca]; Arthur Clark[arthur\_clark@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Sat 03/10/2018 3:24:49 PM UTC  
**Subject:** Delay to Metra 2250 Friday March 9, 2018  
**Received:** Sat 03/10/2018 3:24:51 PM UTC

- [TOPS1501\\_BN.PDF](#)
- [TOPS1501\\_HCD.PDF](#)
- [TOPS1501\\_MEDML.PDF](#)
- [TOPS1501\\_MEDSC.PDF](#)
- [TOPS1501\\_MEDBI.PDF](#)
- [TOPS1501\\_MWDN.PDF](#)
- [TOPS1501\\_MWDW.PDF](#)
- [TOPS1501\\_NCS.PDF](#)
- [TOPS1501\\_RID.PDF](#)
- [TOPS1501\\_SWS.PDF](#)
- [TOPS1501\\_UPN.PDF](#)
- [TOPS1501\\_UPNW.PDF](#)
- [TOPS1501\\_UPW.PDF](#)

Metra 2250 delayed 20 minutes following CP Freight from Spaulding to Tower B17. This also caused delays to 2251 and 2256. Please ad circumstances as to why this excessive delay took place.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.  
 Original Message  
 From: Metra Mainframe Information Systems  
 Sent: Saturday, March 10, 2018 04:47  
 To: MAINFRAME (HFK)  
 Subject: TOPS Daily Incident Report

This report is generated from Metra Information Systems

**To:** tom\_jared@cpr.ca[tom\_jared@cpr.ca]; arthur\_clark@cpr.ca[arthur\_clark@cpr.ca]; John Abrahamson[John\_Abrahamson@cpr.ca]; 'Niki Marthe'[Niki\_Marthe@cpr.ca]  
**Cc:** Peter J. Zwolfer[PZwolfer@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]  
**From:** Rich Oppenheim  
**Date:** Wed 03/14/2018 6:17:43 PM UTC  
**Subject:** Metra - CP Freight issues  
**Received:** Wed 03/14/2018 6:17:44 PM UTC

While all of us at Metra appreciate CP's commitment in recent years to structuring their operations so as to not interfere with Metra's scheduled trains, some recent issues have caused some concern:

- This morning, (Wed. Mar 14) a CP-G52 was dispatched from Bensenville Yard on #3 MT ahead of Metra 2202. G52 with 7400 feet had to line switches at both ends of the Galewood receiving yard before being able to clear #3 Main. Metra 2202 wound up sitting behind 2202 for close to 20 minutes waiting for G52 to pull in the clear.
- Last night (Tue Mar 13-Wed Mar 14) a CP 280 train departed Tower B17 @ 2100 and was left on Metra #2 MT, presumably for a re-crew. Train did not clear B12 until 0228 this morning, thus occupying #2 MT for over 5 hours. Also, it appears that 280's inbound crew may have pulled down too close to Scott Street, since we wound up with Automatic Warning Device activations at Scott St., Rose St. Calwagner and Ruby Streets. Metra 2254 was delayed copying mandatory directives for the crossings and lost time running around 280 on #1 MT and complying with the crossing restrictions; 2255 was delayed further when Police left lighted fusees at the crossings.
- Friday, March 9<sup>th</sup> Metra 2250 was held 20 minutes to follow a CN-CP transfer job from Spaulding to Bensenville. This also caused delays to 2251 and 2256.
- Saturday, March 3<sup>rd</sup>, Metra 2604 was intentionally held 9 minutes at Rondout to follow a CP-470 whose crew was on short time. 2604 then followed 470 to Tower A20 resulting in a total delay of 15 minutes.
- There have lately been numerous instances where CP freight trains have been left occupying Metra's Main Tracks for extended periods of time. Twice this week, a CP-198 was brought around A5 and held on a Metra Main at Galewood, once for 199 to depart, and once to follow another train off the IHB into Bensenville. As a reminder, in previous discussions with CP, it was agreed that the Metra Main Tracks were to be used for MOVING trains. While a properly staged crew relief is usually not a problem, leaving trains on the Metra Main Tracks for extended periods of time for freight operation-related activities was not supposed to be happening.

I cannot emphasize enough how much we do appreciate CP's efforts to protect Metra's Operations on the tracks that Metra owns but CP dispatches. We are committed to our customers to provide a service that operates on time, and count on CP's cooperation to make this happen. I sincerely hope that the mutual cooperation that we have enjoyed for the past few years will continue. If I can be of any assistance toward this endeavor, please do not hesitate to call.

Rich Oppenheim,  
 Assistant Superintendent  
 Metra CUS District Operations  
 P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
 547 W. Jackson Blvd., Chicago, IL 60661

**To:** 'MOC Director East'[MOC\_Director\_East@cpr.ca]; John Abrahamson[John\_Abrahamson@cpr.ca]; Niki Marthe[Niki\_Marthe@cpr.ca]  
**Cc:** Nick Walker[Nicholas\_C\_Walker@cpr.ca]; Brandon Billingsley[Brandon\_Billingsley@cpr.ca]; Donnie McKelvey[Donnie\_McKelvey@cpr.ca]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Wed 04/25/2018 11:14:31 AM UTC  
**Subject:** Metra West Line delays - Tuesday, April 24, 2018  
**Received:** Wed 04/25/2018 11:14:33 AM UTC

TOPS1501\_BN.PDF  
TOPS1501\_HCD.PDF  
TOPS1501\_MEDML.PDF  
TOPS1501\_MEDSC.PDF  
TOPS1501\_MEDBI.PDF  
TOPS1501\_MWDN.PDF  
TOPS1501\_MWDW.PDF  
TOPS1501\_NCS.PDF  
TOPS1501\_RID.PDF  
TOPS1501\_SWS.PDF  
TOPS1501\_UPN.PDF  
TOPS1501\_UPNW.PDF  
TOPS1501\_UPW.PDF

Metra 2251 last night delayed 15 minutes at Galewood East waiting for 2252 who was using #1 MT Tower B12 to Galewood East due to traffic holding on both #2 and #3 MT. Then 2254 delayed 11 minutes following EWD freight from B17 to B12. Please advise why freight train moved in a way that did not keep routes available for these scheduled Metra trains.

Rich Oppenheim, Assistant Superintendent  
Metra CUS District Operations

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

Original Message  
From: Metra Mainframe Information Systems  
Sent: Wednesday, April 25, 2018 04:47  
To: MAINFRAME (HFK)  
Subject: TOPS Daily Incident Report

This report is generated from Metra Information Systems



**To:** 'MOC Director East'[MOC\_Director\_East@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; John Abrahamson[John\_Abrahamson@cpr.ca]; Nick Walker[Nicholas\_C\_Walker@cpr.ca]; Donnie McKelvey[Donnie\_McKelvey@cpr.ca]; Brandon Billingsley[Brandon\_Billingsley@cpr.ca]; Matt Bailey[Matt\_Bailey@cpr.ca]  
**Cc:** David Rodriguez[DRodriguez@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; huck\_hubbard@cpr.ca[chuck\_hubbard@cpr.ca]; Jack Bauer[JBauer@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Thur 09/06/2018 4:36:08 PM UTC  
**Subject:** DELAYS to METRA 2158 and 2155 - WEDNESDAY SEPT 5, 2018  
**Received:** Thur 09/06/2018 4:36:10 PM UTC

On Wednesday, September 5, 2018, Metra Train #2158 due Rondout 2031 stopped at Rondout per GPS data at 2040 hrs. and was held by 812 empty coal train who had to operate via Tower A5 and then make a main line crew change on the Elgin Sub. My understanding is the Dispatcher was directed by the Chief Dispatcher to intentionally hold the scheduled Metra train in order to follow 812 due to the crew on 812 on "short time". Doing this resulted in not only the initial delay to 2158 at Rondout, but additional delay as 2158 following 812 enroute on signals. Bear in mind that 812 had to negotiate the UP controlled crossing at Mayfair as well as the 10 MPH move around the wye at Tower A5 directly ahead of 2158. To help mitigate the delay, Dispatcher arrange for 2158 to run on #1 MT from Mayfair to Tower A5, however this did not help as 2158 still had to wait at each station while passengers who were blocked by 812 made it across to the opposite platform. 2158 arrived Chicago at 2146, 12 minutes late causing their "flip" 2155 to depart Chicago 12 minutes late and arrive Fox Lake 9 minutes late. Both trains are considered to be "reportable" delays. A fact also to be considered is that with 812's remaining time short enough to have prompted a move, any of the many unforeseen variables that frequently cause freight trains to stop even briefly would have resulted in 812 being stranded on trackage for an extended period of time while a qualified relief crew was located or called and transported.

Moving forward, it is requested that crews on all traffic allowed to enter Metra territory have sufficient time to not only reach their destination but also have enough of a "buffer" to allow for at least momentary stops at cross traffic locations, etc., and be run in a responsible manner that does not intentionally cause delay to our scheduled trains.

Rich Oppenheim,  
Assistant Superintendent  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | roppenheim@metrarr.com  
547 W. Jackson Blvd., Chicago, IL 60661

**To:** nick\_walker@cpr.ca[nick\_walker@cpr.ca]; Donnie McKelvey[donnie\_mckelvey@cpr.ca]; Matt Bailey[matt\_bailey@cpr.ca]; Brandon Billingsley[brandon\_billingsley@cpr.ca]  
**Cc:** David Rodriguez[DRodriguez@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Wed 11/21/2018 11:56:06 AM UTC  
**Subject:** Excessive Delay to Metra 2255 TUE NOV 21 2018  
**Received:** Wed 11/21/2018 11:56:08 AM UTC

Metra 2255 last night arrived Big Timber Road 17 minutes late last night. They were held 13 minutes at Tower B17 waiting for a lengthy 1 clear the plant. 198 was moved between 2256 and 2255, a window that is clearly not big enough for a train of that size. To make matters then ran a CN freight across Spaulding ahead of them delaying 2255 for an additional 8 minutes.

Sent from my iPhone

**To:** nick\_walker@cpr.ca[nick\_walker@cpr.ca]; Donnie McKelvey[donnie\_mckelvey@cpr.ca]; Matt Bailey[matt\_bailey@cpr.ca]; Brandon Billingsley[brandon\_billingsley@cpr.ca]  
**Cc:** David Rodriguez[DRodriguez@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]  
**From:** Rich Oppenheim  
**nt:** Wed 11/21/2018 11:56:06 AM UTC  
**Subject:** Excessive Delay to Metra 2255 TUE NOV 21 2018  
**Received:** Wed 11/21/2018 11:56:08 AM UTC

Metra 2255 last night arrived Big Timber Road 17 minutes late last night. They were held 13 minutes at Tower B17 waiting for a lengthy 1 clear the plant. 198 was moved between 2256 and 2255, a window that is clearly not big enough for a train of that size. To make matters then ran a CN freight across Spaulding ahead of them delaying 2255 for an additional 8 minutes.

Sent from my iPhone



**To:** David Rodriguez[DRodriguez@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]  
**Cc:** Peter J. Zwolfer[PZwolfer@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Shamonda Jones[SJones@METRARR.COM]; Joe Bratta[JBratta@METRARR.COM]; Keith Georgeff[KGeorgeff@METRARR.COM]; Israel Gonzalez[IGonzalez@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; David Cook[DCook@METRARR.COM]; Tim Tabisz[TTabisz@METRARR.COM]; Ron Wesolowski[RWesolowski@METRARR.COM]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]; John Abrahamson[John\_Abrahamson@cpr.ca]; 'Niki Marthe'[Niki\_Marthe@cpr.ca]; Donnie McKelvey[Donnie\_McKelvey@cpr.ca]; Matt Bailey[Matt\_Bailey@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Fri 06/08/2018 1:00:11 PM UTC  
**Subject:** RE: FrtDelaySummaryTableJan2011-Dec2018.xls - CP additions  
**Received:** Fri 06/08/2018 1:00:13 PM UTC

Add for CP –

2227 10" due to NS 17V going into Bensenville yard at B12 from #2 MT to 4 –lead. Yardmaster told Elgin Dispatcher that route for 17V was lined, but crew (who dragged their feet all the way from the BRC) still had to stop and get one switch. Had to turn 2225-7412 on #1 MT at Franklin Park and 17V was still not clear when 7412 came back. 7412 and 2227 waited on #1 MT looking at each other until 17V finally cleared and 7412 could cross over.

2245 7" CP-287 off BRC to go to B17 and Bryn Mawr to C&M came off #3 MT at Cicero East and ran #3 MT to B12 with 2245 running on #1 MT. Elgin Dispatcher had B12 run 287 right in front of 2245 to B17 instead of crossing 287 over behind 2245.

**From:** David Rodriguez

**Sent:** Friday, June 08, 2018 5:48 AM

**To:** Marty Ryan <mryan@METRARR.COM>

**Cc:** Peter J. Zwolfer <PZwolfer@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Shamonda Jones <SJones@METRARR.COM>; Joe Bratta <JBratta@METRARR.COM>; Keith Georgeff <KGeorgeff@METRARR.COM>; Israel Gonzalez <IGonzalez@METRARR.COM>; Rich Oppenheim <ROppenheim@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; David Cook <DCook@METRARR.COM>; Tim Tabisz <TTabisz@METRARR.COM>; Ron Wesolowski <RWesolowski@METRARR.COM>

**Subject:** FrtDelaySummaryTableJan2011-Dec2018.xls

Marty

5 reportable freight delays yesterday. MTD total is 17 for the month of June thru the 7<sup>th</sup>. Averaging 2.4 per day against a 3.0 per day target.

Through the 7<sup>th</sup> of June 2018 Highlights:

- 0 – HCD Reportable Delays attributed to freight
- 1- Reportable Freight Delay attributed to the CN
- 1- Reportable Freight Delay attributed to the UP

Here is the breakdown by carrier:

05 BN (5-BN)  
 03 CP (3-MilW)  
 03 NS (3-SWS)  
 02 CSX (3-SWS)  
 01 Amt (1-SWS)  
 01 CN (1-NCS)  
 01 IHB (1-SWS)  
 01 UP (1-UPW)  
 00 BRC

**To:** Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]  
**Cc:** Chuck Hubbard[Chuck\_Hubbard@cpr.ca]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; John Abrahamson[John\_Abrahamson@cpr.ca]; Donnie McKelvey[Donnie\_McKelvey@cpr.ca]; Nick Walker[Nicholas\_C\_Walker@cpr.ca]; Brandon Billingsley[Brandon\_Billingsley@cpr.ca]; Matt Bailey[Matt\_Bailey@cpr.ca]; Jack Bauer[JBauer@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Tue 08/28/2018 1:53:40 PM UTC  
**Subject:** RE: Interference to Metra Peak Period trains 2231, 2233, 2235, and 2237  
**Received:** Tue 08/28/2018 1:53:44 PM UTC

Lucas –

Thanks for the response. I have not yet received a response from anyone in Bensenville Yard, but I would have to think that from your standpoint there would be serious concerns if yard personnel are providing your Dispatchers with information that is not true. Clearly this type of situation could have a significantly negative impact on your Operations as well as on ours. I would appreciate your sharing any further follow up that may take place regarding this situation. Thanks, again.

**Rich Oppenheim,**  
 Assistant Superintendent  
 Metra CUS District Operations  
 P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
 547 W. Jackson Blvd., Chicago, IL 60661

**From:** Lucas Lingenfelter [mailto:Lucas\_Lingenfelter@cpr.ca]  
**Sent:** Tuesday, August 28, 2018 8:00 AM  
**To:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Cc:** Chuck Hubbard <Chuck\_Hubbard@cpr.ca>  
**Subject:** RE: Interference to Metra Peak Period trains 2231, 2233, 2235, and 2237

As I understand the situation Rich, you have already talked to the East Director in the Minneapolis Operations Center, and was explained this is an issue with the yard accepting the train and then not being ready to receive it. Senior Management here in the MOC also informed me they assisted with the coordination involving the yard to assure there would be no delay with this train clearing. As it turned out, the yard not only had a train in the way of the CP 198 clearing, but additionally failed to line all switches for the route as promised. I'm not sure if they have replied to you yet on this, but the corrective actions need to be done in the yard operations on this one.

**Lucas Lingenfelter**  
 Director Dispatching  
 O 612-904-5867  
 C 612-380-7954  
 120 South 6<sup>th</sup> Street  
 Minneapolis, MN 55402

CP

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Friday, August 24, 2018 6:07 AM  
**To:** Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>  
**Subject:** Fwd: Interference to Metra Peak Period trains 2231, 2233, 2235, and 2237

This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

---

Sent from my iPhone  
 Begin forwarded message:

**From:** <ROppenheim@METRARR.COM  
**Date:** August 23, 2018 at 10:55:39 PM CDT  
**To:** Vic Flores <VFlores@METRARR.COM, Pete J Zwolfer <pzwolfer@metrarr.com, Matt Bailey <Matt\_Bailey@cpr.ca, Marty Ryan <mryan@METRARR.COM, "John Abrahamson" <john\_abrahamson@cpr.ca>"Jcarbone@Metrarr. Com" <JCarbone@METRARR.COM, Donnie McKelvey <donnie\_mckelvey@cpr.ca> <brandon\_billingsley@metrarr.com> <nick\_walker@cpr.ca, <moc\_director\_east@cpr.ca> <Lucas\_Linkenfelter@cpr.ca> Paul Zwolfer <pzwolfer@METRARR.COM  
**Cc:** <chuck\_hubbard@cpr.ca> "JBauer@Metrarr. Com" <JBauer@METRARR.COM  
**Subject:** Interference to Metra Peak Period trains 2231, 2233, 2235, and 2237

This evening, Metra 2231 was held at Tower B17 approximately 15 minutes for CP 198 at 12,000 feet to enter Bensenville Yard from the Cut-off. The delay to 2231 carried over to 2233, and 2235 who all arrived their destinations 13 minutes late, and 2237 who arrived 8 minutes late. 2231 and 2237 carry an average of 1100 Metra customers each, and 2233 approximately 700. At 12,000 feet, it would have been next to impossible for 198 to clear in the 25 minute window between 2227 and 2231 without causing delay, even if all the yard switches had been lined for 198, which they were not. Moving 198 in this manner not only inconvenienced thousands of our customers, but also represented a gross disregard for the terms of the Metra CP Operating Agreement which specifically prohibits interference with Metra Peak Period trains. Please review the handling of this situation this evening and advise what steps will be taken to prevent a recurrence

If I can be of any assistance in this endeavor, please let me know.

Rich Oppenheim, Assistant Superintendent  
 Metra CUS District Operations  
[ROppenheim@metrarr.com](mailto:ROppenheim@metrarr.com)  
 Office. 312-322-8939  
 Cell 312-735-8576

Sent from my iPhone

#### Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast Ltd, an innovator in Software as a Service (SaaS) for business. Providing a safer and more useful place for your human generated data. Specializing in: Security, archiving and compliance. To find out more [Click Here](#).

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email and any accompanying attachments contain confidential information intended only for the use of the individual or named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer le présent courriel et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et l'employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence du contenu du message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. -----  
 IMPORTANT NOTICE - AVIS IMPORTANT -----



**To:** Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; MOC Director East[MOC\_Director\_East@cpr.ca]; John Abrahamson[John\_Abrahamson@cpr.ca]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]; Donnie McKelvey[Donnie\_McKelvey@cpr.ca]; Brandon Billingsley[brandon\_billingsley@cpr.ca]; Matt Bailey[Matt\_Bailey@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; 'chuck\_hubbard@cpr.ca'[chuck\_hubbard@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Tue 10/30/2018 3:31:23 PM UTC  
**Subject:** Delays to Metra 2251-2256 MON OCT 29, 2018  
**Received:** Tue 10/30/2018 3:31:25 PM UTC

Metra 2251 on Mon Oct 29<sup>th</sup> was delayed **18 minutes** at Galewood East due to being held for inbound 2252 who had to run East on #1 MT due to CP-198 (11,300 feet) pulling into yard at Tower B12 from #2 MT, thus leaving only #1 MT open to run trains. As information, 2251 and 2252 are scheduled to meet between Elmwood Park and Mont Clare so bringing this lengthy 198 into the yard at B12 in this manner insured a significant delay to Metra's scheduled trains. 2256 who "flips" from 2251 at Big Timber Road was also delayed 12 minutes as a result of this operation. These extensive delays could likely have been avoided if 198 had been staged to come through B12 directly behind an EWD Metra train which would have created a close to 1-hour window in which to maneuver this lengthy train into the yard. In order to avoid similar delays to scheduled Metra trains in the future, we ask that this type of staging be implemented, as well as availing every opportunity to have route into yard lined up in advance for the train. Thanks for any assistance you can give.

**Rich Oppenheim,**  
Assistant Superintendent  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661

To: MOC Director East[MOC\_Director\_East@cpr.ca]; Niki Marthe[Niki\_Marthe@cpr.ca]  
Cc: John Abrahamson[John\_Abrahamson@cpr.ca]; Arthur Clark[arthur\_clark@cpr.ca]  
From: Rich Oppenheim  
Sent: Sat 03/24/2018 1:23:02 PM UTC  
Subject: 2256 Fri March 23

Received: Sat 03/24/2018 1:23:04 PM UTC

- [TOPS1501\\_BN.PDF](#)
- [TOPS1501\\_HCD.PDF](#)
- [TOPS1501\\_MEDML.PDF](#)
- [TOPS1501\\_MEDSC.PDF](#)
- [TOPS1501\\_MEDBI.PDF](#)
- [TOPS1501\\_MWDN.PDF](#)
- [TOPS1501\\_MWDW.PDF](#)
- [TOPS1501\\_NCS.PDF](#)
- [TOPS1501\\_RID.PDF](#)
- [TOPS1501\\_SWS.PDF](#)
- [TOPS1501\\_UPN.PDF](#)
- [TOPS1501\\_UPNW.PDF](#)
- [TOPS1501\\_UPW.PDF](#)

2256 showing 18 minute delay at Tower B12 for freight interference. Please advise circumstances.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

Original Message

From: Metra Mainframe Information Systems

Sent: Saturday, March 24, 2018 04:47

To: MAINFRAME (HFK)

Subject: TOPS Daily Incident Report

This report is generated from Metra Information Systems

**To:** Arthur Clark[arthur\_clark@cpr.ca]; Nick Walker[nick\_walker@cpr.ca]  
**Cc:** MOC Director East[MOC\_Director\_East@cpr.ca]; Niki Marthe[Niki\_Marthe@cpr.ca]; John Abrahamson[John\_Abrahamson@cpr.ca]; Chuck Hubbard[chuck\_hubbard@cpr.ca]; Victor Flores[VFlores@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Sat 03/24/2018 4:14:43 PM UTC  
**Subject:** Fw: 2256 Fri March 23  
**Received:** Sat 03/24/2018 4:14:46 PM UTC

The crews who handle NS 17V are consistently excessively slow clearing in to the yard. Very often this train is moved in a window that for train should be sufficient, but 17V always seems to take much longer. Is there any way to work with these crews and hopefully speed up process?

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

Original Message  
**From:** Israel Gonzalez <IGonzalez@METRARR.COM>  
**Sent:** Saturday, March 24, 2018 09:48  
**To:** Rich Oppenheim  
**Subject:** RE: 2256 Fri March 23

It was a 6300' 17V that came out of 4L to MT2 after 2254 cleared. That route fired off at 2210 and 17V knocked it down at 2214. 17V could west on MT3 because G47 was on that track. B12 dispatcher lined up 17V at B12 MT2 to 6L at 2210. 17V knocked down B12 at 2230 and clear the interlocking until 2316.

Israel Gonzalez  
(312)597-1004

-----Original Message-----

**From:** Rich Oppenheim  
**Sent:** Saturday, March 24, 2018 9:26 AM  
**To:** Metra CCF Dispatching  
**Subject:** Fw: 2256 Fri March 23

Can you check B12 sheet and/or replay se what got 2256 for 18 minutes.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

Original Message  
**From:** MOC Director East <MOC\_Director\_East@cpr.ca>  
**Sent:** Saturday, March 24, 2018 08:45  
**To:** Rich Oppenheim; Niki Marthe  
**Cc:** John Abrahamson; Arthur Clark  
**Subject:** RE: 2256 Fri March 23

Just going off of what our train sheet is showing a 17VB3-22 cleared B12 at 2253 and Metra 2256 cleared B12 at 2321. On time is 2256.1 else showing. Will have to advise once 2nd trick dispatcher reports for duty.

-----Original Message-----

**From:** Rich Oppenheim [mailto:ROppenheim@METRARR.COM]  
**Sent:** Saturday, March 24, 2018 8:23 AM  
**To:** MOC Director East; Niki Marthe  
**Cc:** John Abrahamson; Arthur Clark  
**Subject:** 2256 Fri March 23

This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

=====

2256 showing 18 minute delay at Tower B12 for freight interference. Please advise circumstances.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

Original Message  
**From:** Metra Mainframe Information Systems  
**Sent:** Saturday, March 24, 2018 04:47  
**To:** MAINFRAME (HFK)  
**Subject:** TOPS Daily Incident Report



This report is generated from Metra Information Systems

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation to the information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast Ltd, an innovator in Software as a Service (SaaS) for business. Providing a safer and more useful place for your human generated data. Specializing in: Security, archiving, compliance. To find out more visit the Mimecast website.

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email transmission and any accompanying attachments contain confidential information only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the content of this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete it and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer le courrier et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et son employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courrier. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence de ce message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courrier par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. ----- IMPORTANT NOTICE - AVIS IMPORTANT -----

**To:** John Abrahamson[John\_Abrahamson@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; 'MOC Director East'[MOC\_Director\_East@cpr.ca]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]; Donnie McKelvey[Donnie\_McKelvey@cpr.ca]; Brandon Billingsley[Brandon\_Billingsley@cpr.ca]; Matt Bailey[Matt\_Bailey@cpr.ca]  
**Cc:** Peter J. Zwolfer[PZwolfer@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]  
**From:** Rich Oppenheim  
**Date:** Wed 07/25/2018 5:38:37 PM UTC  
**Subject:** FW: Passenger complaint - Metra trains on opposite track at Bartlett due to split platforms  
**Received:** Wed 07/25/2018 5:42:45 PM UTC

Please refer to passenger complaint received today regarding operation of Metra 2200 on #1 MT between Tower B35 and Roselle West yesterday due to CP G35 working at Spaulding with Control point blocked. Also see our response below the complaint. As we have discussed before, operation of Metra trains on other than their regular tracks can create unique challenges for our customers, as well as a potential for more serious issues should someone arriving at the last minute somehow misjudge the speed of the approaching train and dash across the tracks in their zeal to not miss their train. This is particularly important in the case of Bartlett where the #2 MT platform and the #1 MT platform are a good city block away from each other. We understand that track work, signal problems, and some unforeseen occurrences necessitate operating on the opposite main, but we again request this only be done where it cannot otherwise be avoided. As to G35 switching at Spaulding, if they keep their train on #2 MT West of the Spaulding control point with the East Electric Lock switch lined for #2 MT except when needed for an immediate movement, there should be no problem bringing EWD Metra trains on #1 MT from B35 to Spaulding and then crossing back over to #2 MT before reaching the first passenger station at Bartlett. Please share this with Elgin Dispatchers and B17 Operators. Thanks for your assistance.

**Rich Oppenheim,**  
 Assistant Superintendent  
 Metra CUS District Operations  
 P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
 547 W. Jackson Blvd., Chicago, IL 60661

**From:** Metra Service Desk [mailto:servicedesk@metrarr.com]  
**Date:** Wednesday, July 25, 2018 11:27 AM  
**To:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Subject:** Issue #30406, Next Action assigned: 2018-07-25, md-w, Stations/Facilities (Transportation) As Next Action Group Member

\*==\*

Next Action has been set for following Issue in IssueTrak:

To view this Issue in detail, click [HERE](#).

Issue #: 30406  
 Subject: 2018-07-25, md-w, Stations/Facilities  
 Status: Open  
 Class: Customer Service  
 Issue Type: Transportation MD-W  
 Subtype 1: Complaint  
 Subtype 2: Employee Performance

Priority: Medium

Project:

Location: 547 – 12th Floor 547 – 12th Floor

Organization: Transportation

Submitted By: Metra Rail on 25-Jul-2018

Assigned To: Metra Responds Group on 25-Jul-2018

Next Action: CUS Transportation Response Group on 25-Jul-2018

#### Issue Description:

---

Rail Line:md-w Message:Bartlett has 2 train platforms. Inbound trains are supposed to pick up at the new depot but the 426am often picks up at the old depot (which is for outbound trains). Which means riders are running down to the other depot in order to not miss their train. There was no alert on the page letting us know what depot to go to. Its dangerous and people are going to miss their train because of this. Please either stick to the correct inboundoutbound stations or put up a service alert so we know where to be in the early morning hours Date:2018-07-25 Time:4 : 26 AM

**METRA RESPONSE:** Thank you for writing. The separated platforms at Bartlett are unique to the Metra system. They were constructed this way at the request of the Village of Bartlett whose goal was to alleviate traffic backups on Oak Avenue which used to occur when trains stopping at the depot kept the gates at that crossing lowered. The logistical problems which occur when operational needs require running train on other than their main tracks were unfortunately not foreseen when Metra Engineering planners agreed to Bartlett's request many years ago. As required by the Metra – Canadian Pacific Operating agreement established when Metra came into existence, trains on Metra's Milwaukee West Line are dispatched by Canadian Pacific train dispatchers in Minneapolis. On those occasions where our Train 2200 operates on the regular outbound track, it is usually due to freight interchange activities taking place at Spaulding 2 miles West of Bartlett. We have on numerous occasions requested that CP keep our trains on their normal tracks except in cases of emergency or when significant delays would otherwise occur. We will pass along your complaint to our counterparts at Canadian Pacific and again request that they orchestrate their freight activities in such a way that allows our trains to operate on their regular tracks. Please be aware that on those occasions where Metra trains do need to operate on other than their regular tracks, protocol calls for the CP Dispatcher to notify Metra's GPS center who then makes platform announcements. In most cases insufficient lead time will preclude written alerts from being sent.



**To:** Victor Flores[VFlores@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Matt Bailey[Matt\_Bailey@cpr.ca]; Marty Ryan[mryan@METRARR.COM]; John Abrahamson[john\_abrahamson@cpr.ca]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Donnie McKelvey[donnie\_mckelvey@cpr.ca]; brandon\_billingsley@metrarr.com[brandon\_billingsley@metrarr.com]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]; moc\_director\_east@cpr.ca.[moc\_director\_east@cpr.ca.]; lucas\_linkenfelter@cpr.ca[lucas\_linkenfelter@cpr.ca]; Paul wolfer[pazwolfer@METRARR.COM]  
**Cc:** chuck\_hubbard@cpr.ca[chuck\_hubbard@cpr.ca]; Jack Bauer[JBauer@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Fri 08/24/2018 3:55:39 AM UTC  
**Subject:** Interference to Metra Peak Period trains 2231, 2233, 2235, and 2237  
**Received:** Fri 08/24/2018 3:55:58 AM UTC

This evening, Metra 2231 was held at Tower B17 approximately 15 minutes for CP 198 at 12,000 feet to enter Bensenville Yard from the north. The delay to 2231 carried over to 2233, and 2235 who all arrived their destinations 13 minutes late, and 2237 who arrived 8 minutes late. 2237 carry an average of 1100 Metra customers each, and 2233 approximately 700. At 12,000 feet, it would have been next to impossible to clear in the 25 minute window between 2227 and 2231 without causing delay, even if all the yard switches had been lined for 198, which they are not. Moving 198 in this manner not only inconvenienced thousands of our customers, but also represented a gross disregard for the terms of the Metra-CP Operating Agreement which specifically prohibits interference with Metra Peak Period trains. Please review the handling of this situation this evening and advise what steps will be taken to prevent a recurrence.

If I can be of any assistance in this endeavor, please let me know.

Rich Oppenheim, Assistant Superintendent  
Metra CUS District Operations  
Roppenheim@metrarr.com  
Office: 312-322-8939  
Cell: 312-735-8576

Sent from my iPhone

To: Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]  
 From: Rich Oppenheim  
 Sent: Fri 08/24/2018 11:06:55 AM UTC  
 Subject: Fwd: Interference to Metra Peak Period trains 2231, 2233, 2235, and 2237  
 Received: Fri 08/24/2018 11:07:04 AM UTC

Sent from my iPhone

Begin forwarded message:

**From:** <ROppenheim@METRARR.COM>  
**Date:** August 23, 2018 at 10:55:39 PM CDT  
**To:** Vic Flores <VFlores@METRARR.COM>, Pete J Zwolfer <pzwolfer@metrarr.com>, Matt Bailey <Matt\_Bailey@cpr.ca>, Marty Ryan <mryan@METRARR.COM>, "John Abrahamson" <john\_abrahamson@cpr.ca>, Jcarbonelli@Metrarr. Com"JCarbonelli@METRARR.COM, Donnie McKelvey <donnie\_mckelvey@cpr.ca>, <brandon\_billingsley@metrarr.com>, <nick\_walker@cpr.ca>, <moc\_director\_east@cpr.ca>, <lucas\_lingenfelter@cpr.ca> Paul Zwolfer <pzwolfer@METRARR.COM>  
**Cc:** <chuck\_hubbard@cpr.ca>, "Jbauer@Metrarr. Com"JBauer@METRARR.COM  
**Subject:** Interference to Metra Peak Period trains 2231, 2233, 2235, and 2237

This evening, Metra 2231 was held at Tower B17 approximately 15 minutes for CP 198 at 12,000 feet to enter Bensenville Yard from the Cut-off. The delay to 2231 carried over to 2233, and 2235 who all arrived their destinations 13 minutes late, and 2237 who arrived 8 minutes late. 2231 and 2237 carry an average of 1100 Metra customers each, and 2233 approximately 700. At 12,000 feet, it would have been next to impossible for 198 to clear in the 25 minute window between 2227 and 2231 without causing delay, even if all the yard switches had been lined for 198, which they were not. Moving 198 in this manner not only inconvenienced thousands of our customers, but also represented a gross disregard for the terms of the Me CP Operating Agreement which specifically prohibits interference with Metra Peak Period trains. Please review the handling of this situation this evening and advise what steps will be taken to prevent a recurrence

If I can be of any assistance in this endeavor, please let me know.

Rich Oppenheim, Assistant Superintendent  
 Metra CUS District Operations  
 Roppenheim@metrarr.com  
 Office. 312-322-8939  
 Cell 312-735-8576

Sent from my iPhone

**To:** Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]  
**Cc:** Marty Ryan[mryan@METRARR.COM]; Peter J. Zwolfer[PZwolfer@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Thur 08/09/2018 1:13:51 PM UTC  
**Subject:** RE: Delay to Metra 2254 at Galewood East  
**Received:** Thur 08/09/2018 1:13:53 PM UTC

Thanks, Lucas.

**From:** Lucas Lingenfelter [mailto:Lucas\_Lingenfelter@cpr.ca]  
**Sent:** Thursday, August 09, 2018 8:09 AM  
**To:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Subject:** RE: Delay to Metra 2254 at Galewood East

Rich,

This situation will be reviewed with all dispatchers qualified on Metra territory. Thanks.

Luke

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Wednesday, August 8, 2018 10:48 PM  
**To:** Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>  
**Subject:** Fwd: Delay to Metra 2254 at Galewood East

This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

---

Sent from my iPhone  
 Begin forwarded message:

**From:** <ROppenheim@METRARR.COM>  
**Date:** August 8, 2018 at 10:45:34 PM CDT  
**To:** <moc\_director\_east@cpr.ca> John Abrahamson<john\_abrahamson@cpr.ca>, <nick\_walker@cpr.ca>, Donnie McKelvey <donnie\_mckelvey@cpr.ca>, Matt Bailey <matt\_bailey@cpr.ca>, <brandon\_billingsley@metrarr.com> <lucas\_lingenfelter@cpr.ca>  
**Cc:** Vic Flores <vflores@metrarr.com>, Marty Ryan <mryan@metrarr.com>, "Pete J Zwolfer" <pzwolfer@metrarr.com>, Janet Carbonelli <jcarbonelli@metrarr.com>  
**Subject:** Delay to Metra 2254 at Galewood East

Metra 2254 tonight held 15 minutes on #3 MT at Galewood East blocked by 581 tripling out West end of Galewood Yard toward #2 MT. It appears there was insufficient time to make this move ahead of scheduled Metra train. Move could have been set up behind last inbound Metra 2256, or could have doubled, pulled out toward #2 Main to let 2254, then completed triple. Delay to 2254 will carry over to 2255 who has tight flip from 2254 at CUS. Please discuss with Elgin Dispatcher to avoid this type of situation in the future.

Sent from my iPhone

#### Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast Ltd, an innovator in Software as a Service (SaaS) for business. Providing a safer and more useful place for your human generated data. Specializing in; Security, archiving and compliance. To



**To:** Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Tue 11/13/2018 12:17:31 PM UTC  
**Subject:** Fwd: Metra Delays on Elgin Sub MON NOV 12, 2018  
**Received:** Tue 11/13/2018 12:17:33 PM UTC

[TOPS1501\\_BN.PDF](#)  
[.TT00001.htm](#)  
[TOPS1501\\_HCD.PDF](#)  
[ATT00002.htm](#)  
[TOPS1501\\_MEDML.PDF](#)  
[ATT00003.htm](#)  
[TOPS1501\\_MEDSC.PDF](#)  
[ATT00004.htm](#)  
[TOPS1501\\_MEDBI.PDF](#)  
[ATT00005.htm](#)  
[TOPS1501\\_MWDN.PDF](#)  
[ATT00006.htm](#)  
[TOPS1501\\_MWDW.PDF](#)  
[ATT00007.htm](#)  
[TOPS1501\\_NCS.PDF](#)  
[ATT00008.htm](#)  
[TOPS1501\\_RID.PDF](#)  
[ATT00009.htm](#)  
[TOPS1501\\_SWS.PDF](#)  
[ATT00010.htm](#)  
[TOPS1501\\_UPN.PDF](#)  
[ATT00011.htm](#)  
[TOPS1501\\_UPNW.PDF](#)  
[ATT00012.htm](#)  
[TOPS1501\\_UPW.PDF](#)  
[ATT00013.htm](#)

Sent from my iPhone

Begin forwarded message:

**From:** Rich Oppenheim <[ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)>  
**Date:** November 13, 2018 at 6:15:57 AM CST  
**To:** Victor Flores <[VFlores@METRARR.COM](mailto:VFlores@METRARR.COM)>, "Peter J. Zwolfer" <[PZwolfer@METRARR.COM](mailto:PZwolfer@METRARR.COM)>, Matt Bailey <[Matt\\_Bailey@cpr.ca](mailto:Matt_Bailey@cpr.ca)>, Marty Ryan <[mryan@METRARR.COM](mailto:mryan@METRARR.COM)>, John Abrahamson <[john\\_abrahamson@cpr.ca](mailto:john_abrahamson@cpr.ca)>, Janet Carbonelli <[JCarbonelli@METRARR.COM](mailto:JCarbonelli@METRARR.COM)>, Donnie McKelvey <[donnie\\_mckelvey@cpr.ca](mailto:donnie_mckelvey@cpr.ca)>, "[brandon\\_billingsley@metrarr.com](mailto:brandon_billingsley@metrarr.com)" <[brandon\\_billingsley@metrarr.com](mailto:brandon_billingsley@metrarr.com)>, "[nick\\_walker@cpr.ca](mailto:nick_walker@cpr.ca)" <[nick\\_walker@cpr.ca](mailto:nick_walker@cpr.ca)>, "[moc\\_director\\_east@cpr.ca](mailto:moc_director_east@cpr.ca)" <[moc\\_director\\_east@cpr.ca](mailto:moc_director_east@cpr.ca)>, "[lucas\\_lingenfelter@cpr.ca](mailto:lucas_lingenfelter@cpr.ca)" <[lucas\\_lingenfelter@cpr.ca](mailto:lucas_lingenfelter@cpr.ca)>  
**Cc:** David Rodriguez <[DRodriguez@METRARR.COM](mailto:DRodriguez@METRARR.COM)>  
**Subject:** Metra Delays on Elgin Sub MON NOV 12, 2018

Please refer to attached delay report for Monday, November 12, 2018, specifically Milwaukee West Line. Please note that there were 3 separate incidents in quick succession wherein scheduled Metra trains were delayed significantly by CP freight operations: #2248 delayed 13 minutes following freight from Spaulding to Tower B17, #2256 at Galewood East for a 2-287 doubling out of Galewood Yard, and 2255 blocked at Tower B17 for inbound freight pulling in yard from Cut-Off. As we have discussed in the past, it is essential that freight operations be structured in such a way the scheduled Metra Trains operating on Metra owned tracks are not subjected to these types of delays. Please follow up with Elgin Dispatchers involved so as to prevent any recurrence. Thank you for your assistance  
 Rich Oppenheim, Assistant Superintendent  
 Metra CUS District Operations  
 Office - 312-322-8939  
 Cell - 312-735-8576

Sent from my iPhone

Begin forwarded message:

**From:** Metra Mainframe Information Systems  
**Date:** November 13, 2018 at 4:47:50 AM CST  
**To:** "MAINFRAME (HFK)" <[MMainframe@METRARR.COM](mailto:MMainframe@METRARR.COM)>, "MAINFRAME (HFK)"  
<[MMainframe@METRARR.COM](mailto:MMainframe@METRARR.COM)>  
**Subject:** **TOPS Daily Incident Report**

This report is generated from Metra Information Systems

**To:** nick\_walker@cpr.ca[nick\_walker@cpr.ca]; Donnie McKelvey[Donnie\_McKelvey@cpr.ca]; Brandon Billingsley[Brandon\_Billingsley@cpr.ca]; Matt Bailey[Matt\_Bailey@cpr.ca]; John Abrahamson[John\_Abrahamson@cpr.ca]; 'Niki Marthe'[Niki\_Marthe@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; 'MOC Director East'[MOC\_Director\_East@cpr.ca]  
**Cc:** Peter J. Zwolfer[PZwolfer@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; 'huck\_hubbard@cpr.ca'[chuck\_hubbard@cpr.ca]; Jack Bauer[JBauer@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Mon 08/27/2018 3:23:45 PM UTC  
**Subject:** Use of Metra Main Tracks Tower B17-Cicero West; Metra Delays  
**Received:** Mon 08/27/2018 3:23:48 PM UTC  
[doc02943420180827105002.pdf](#)

Several years ago, in the course of meetings held between Metra and CP Senior Management, concerns were expressed by Metra regarding the then prevalent use of the Metra-owned Main tracks in the Bensenville-Chicago terminal area for what were considered to be "yard activities". At the time, CP freight trains were routinely occupying these tracks for extended periods of time while picking up and setting out cars and/or locomotives, and to affect crew changes. In the meeting Metra was assured by CP that use of the Metra-owned Main Tracks was intended for MOVING trains, and as promised, most of these activities were curtailed. The only exception involved Main Line crew changes, which, although reduced for the most part following the meeting, continued to occur from time to time. When they did occur, these were usually orchestrated so that the crew change occurred quickly at Mannheim with the outbound crew standing by as the train pulled up, and were typically set to take place behind scheduled Metra trains so that delays did not occur to our service. Main line crew changes orchestrated in a responsible manner like this were acceptable, and as a result, began to occur more and more frequently. Unfortunately, the trend is now going back the other way. This past Saturday, for example.

1. A crew swap was set up at Galewood involving two CP trains, one of which was on #2 MT and one on #3 MT (I believe one may have been G52). This impacted Metra 2708 who was delayed 16 minutes in the process (see attached GPS report).
2. A CP-470 train (Loco BNSF 4930) went by Tower B17 at 1425 hrs on #2 MT and was parked West of Scott Street. For whatever reason this train remained Parked on Metra's #2 MT for almost 7 HOURS. It did not get by B12 until 2127. The single track situation ultimately affected Metra 2716 who was running out of slot due to an earlier pedestrian strike. And, yes, the pedestrian strike was unforeseen (although it did occur and was cleaned up long before 470 went down #2 Main), but the point is this is precisely why the Metra mains need to be fluid. We should not be forced into a single track operation when unforeseen occurrences take place.

On another note, there is again a daytime CN interchange move lined up to take place today involving a 380-003. As was pointed out the last time one of these moves was lined up, we essentially lack the infrastructure necessary for these moves to successfully occur while scheduled Metra operations are taking place. It was suggested when the CP-CN interchange was established that an additional Control point at Bartlett was necessary for these moves to take place without impacting our schedules. Short of that, these moves need to be scheduled during overnight hours. Interchange trains enroute to Spaulding need to leave Bensenville after Metra 2253 gets by B17 at 2212 hrs. Interchange train can then cross to #2 MT at Roselle West behind #2256 (last Metra inbound for the night) and then have plenty of time to occupy our #2 MT at Spaulding while the interchange takes place.

Thank you for your consideration and assistance.

Rich Oppenheim,  
 Assistant Superintendent  
 Metra CUS District Operations  
 P: 312-322-8939 C: 312-735-8576 | roppenheim@metrarr.com  
 547 W. Jackson Blvd., Chicago, IL 60661



**To:** Marshall Beecher[MBeecher@METRARR.COM]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; MDC Illinois West Desk[MDC\_Illinois\_West\_Desk@cpr.ca]; Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]; Josh Bahruth[joshua\_bahruth@cpr.ca]; brandon\_billingsley@metrarr.com[brandon\_billingsley@metrarr.com]; Matt Bailey[matt\_bailey@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Wed 06/12/2019 2:56:58 AM UTC  
**Subject:** Re: MILW #2250  
**Received:** Wed 06/12/2019 2:57:00 AM UTC

We have discussed G35 Spaulding scenarios in the past. As a reminder:  
 Best plan: Follow 2253 out of B17 at 2215 x/o to #2 MT at Roselle West behind 2256 (last Metra Eastbound) and G35 has entire night on #2 MT to do work.

Next best: If they must be at Spaulding while Metras are still running they must assemble their train on #2 MT WEST of Spaulding Control point. EWD Metra trains run #1 MT Tower B35 to Spaulding and must cross back over to #2 MT at Spaulding. G35 crew must arrange to line and lock East switch for #2 MT whenever EWD Metra trains are due. Once G35 has train assembled West of Spaulding, brake tested and ready to go, wait for EWD Metra to x/o in front and then follow to B17.

Sent from my iPhone

On Jun 11, 2019, at 8:23 PM, Marshall Beecher <MBeecher@metrarr.com> wrote:

CP G35 was the reason. He had an hour window to get them out and heading east from Spaulding, their longest window but their move took too long. G35 departed there in advance of MW2250's arrival but they caught up to them before getting to Roselle. He was finally able to get MW2250 over 2-1 at Roselle of course by then the damage was done.

**Marshall W. Beecher**

**Trainmaster**

Chicago Union Station District

C: [312.257.0637](tel:312.257.0637)

W: [312.542.8326](tel:312.542.8326)

On Jun 11, 2019, at 7:51 PM, Victor Flores <VFlores@metrarr.com> wrote:

Marshall

When you can please provide info on delay

Thanks

Sent from my iPhone

Begin forwarded message:

**From:** Metra Notification <noreply@everbridge.net>

**Date:** June 11, 2019 at 7:47:19 PM CDT

**To:** "vflores@metrarr.com" <vflores@metrarr.com>

**Subject:** MILW #2250

**Reply-To:** Metra Notification <conf-5d004b91210ce14b815aa64e-5d004b8ee87b266540f49345@smtpic-ne.prd1.everbridge.net>

This is an *Alert* from the MetraNotification System.

[Please click here to acknowledge receipt of this message](#)

Train #2250, scheduled to arrive Chicago Union Station at 8:29 PM, is operating 15 to 20 minutes behind schedule due to freight train interference.

---



<https://MetraRail.com>

**To:** steven\_nettleton@cpr.ca[steven\_nettleton@cpr.ca]; Lucas\_Lingenfelter[Lucas\_Lingenfelter@cpr.ca];  
nick\_walker@cpr.ca[nick\_walker@cpr.ca]  
**Cc:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet  
Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Tue 07/30/2019 3:39:49 PM UTC  
**Subject:** Metra Delays MON-TUE JUL 29-30, 2019 - CP Freight interference  
**Received:** Tue 07/30/2019 3:39:50 PM UTC

**MONDAY JULY 29, 2019:**

- 2215 held at Galewood East 17 mins for EWD freight to clear #2 MT, then crossover and use #2 MT to B12, loading and unloading passengers on crosswalks. #1 MT was OOS for Sayre Ave resurfacing and #3 MT was unavailable due to WWD freight pulling out of Galewood yard on to #3 MT.
- 2223 held 20 minutes at Tower B12 to meet 2242 running East on #1 MT from B17 around a CP 650 re-crewing on #2 MT at Mannheim. Lost time on 2242 on this move also impacted 2231 waiting for #3 MT to clear up. 2231 (a Peak Period Train) was 6 minutes late at Big Timber Road.

**TUES JULY 30, 2019**

- Metra NCS 112 held 10 minutes at Tower B12 to follow CP-281 to Galewood East.

**Rich Oppenheim,**

Assistant Superintendent

Metra CUS District Operations

P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)

547 W. Jackson Blvd., Chicago, IL 60661



**To:** joshua\_bahruth@cpr.ca[joshua\_bahruth@cpr.ca]; Joshua Pennington[Joshua\_Pennington@cpr.ca]; Michael Ugorek[Michael\_Ugorek@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; MOC Director East[MOC\_Director\_East@cpr.ca]  
**Cc:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Tue 09/24/2019 6:31:06 PM UTC  
**Subject:** Metra Delays due to yard activities on Metra Main Tracks between Tower B12 and Tower B17  
**Received:** Tue 09/24/2019 6:31:07 PM UTC

The subject of CP freight movements occupying Metra Main Tracks between Tower B12 and Tower B17 has come up from time to time. In our discussions, it was agreed that yard-type activities such as picking up and setting out cars and locomotives would take place in the yard, or by using the two "cut-off" tracks between Tower B17 and Bryn Mawr. The Metra main tracks were to be used exclusively for moving trains with perhaps a brief stop for a crew change if crew could be in place to quickly accomplish it. Over the past few weeks we are seeing more and more instances of CP freight traffic parked between Tower B12 and Tower B17 with Metra trains single-tracking around them. Yesterday, two Westbound trains were stopped on #1 MT at Tower B17 while 3 inbound trains on both tracks came off the cut off. Metra single tracking went on for 3 hours or more. Today, 2-287-24 stopped at B17 @ 1100 hrs with a 581 train pulling up shortly behind them. 2-287 sat while a locomotive swap took place. Getting the fresh power back to the train resulted in a 12 to 13 minute delay to Metra 2217 who was running around both freights on #2 MT but had to wait at Tower B17 due to being blocked by the light power going back on 2-287's train. Metra 2236 also delayed @ 12-13 minutes at Tower B17 waiting for 2217 to clear up #2 MT once the light power got out of the way. It would be appreciated we could get back to using the 2 Metra Main Tracks between Tower B12 and Tower B17 for moving trains as had been agreed to.

**Rich Oppenheim,**  
Assistant Superintendent  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661

To: robert\_johnson@cpr.ca[robert\_johnson@cpr.ca]  
 Cc: Bruce Marcheschi[BMarcheschi@METRARR.COM]  
 From: Rich Oppenheim  
 Sent: Thur 08/08/2019 8:34:03 PM UTC  
 Subject: FW: Metra Delays due to CP Freight Interference - WED AUG 7, 2019  
 Received: Thur 08/08/2019 8:34:04 PM UTC

Robert =

Would you still be interested in a call tonight - or at another time more convenient? If you are available, Bruce Marcheschi would also like the conversation. We could use our conference bridge 312-322-8910 and then 8999#  
 Let me know if tonight is still a go..

-----Original Message-----

From: Rich Oppenheim  
 Sent: Wednesday, August 07, 2019 12:13 PM  
 To: 'Robert A Johnson' <Robert\_Johnson@cpr.ca>  
 Cc: Steven Nettleton <Steven\_Nettleton@cpr.ca>; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; Nicholas C Walker <Nicholas\_C\_Walker@cpr.ca>; Joshua Bahruth <Joshua\_Bahruth@cpr.ca>; Brandon Billingsley <Brandon\_Billingsley@cpr.ca>; Matt Ba <Matt\_Bailey@cpr.ca>; Bruce Marcheschi <BMarcheschi@METRARR.COM>; Marty Ryan <mryan@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Charl Harrison <CHarrison@METRARR.COM>; NCarlsonforward <norman.carlson@sbcglobal.net>  
 Subject: RE: Metra Delays due to CP Freight Interference - WED AUG 7, 2019

Robert -

Do you have a time in mind? I do have some commitments Thursday evening but should be able to schedule them around the phone call know what works for you.

Rich

-----Original Message-----

From: Robert A Johnson [mailto:Robert\_Johnson@cpr.ca]  
 Sent: Wednesday, August 07, 2019 12:06 PM  
 To: Rich Oppenheim <ROppenheim@METRARR.COM>  
 Cc: Steven Nettleton <Steven\_Nettleton@cpr.ca>; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; Nicholas C Walker <Nicholas\_C\_Walker@cpr.ca>; Joshua Bahruth <Joshua\_Bahruth@cpr.ca>; Brandon Billingsley <Brandon\_Billingsley@cpr.ca>; Matt Ba <Matt\_Bailey@cpr.ca>; Bruce Marcheschi <BMarcheschi@METRARR.COM>; Marty Ryan <mryan@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Charl Harrison <CHarrison@METRARR.COM>; NCarlsonforward <norman.carlson@sbcglobal.net>  
 Subject: Re: Metra Delays due to CP Freight Interference - WED AUG 7, 2019

Rich,

Lets pick up the phone and have a conversation as email is improper way to resolve issues in available Thursday evening: I'm out on the RR on an Inspection Trip.

Thanks

Robert Johnson  
 Executive VP Operations  
 CP Railway

> On Aug 7, 2019, at 10:46, Rich Oppenheim <ROppenheim@metrarr.com> wrote:

>  
 > This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.  
 >

> =====  
 > Robert -

>  
 > Thank you for your prompt response. I am often called upon to respond to customer inquiries as to why their train may have been running behind schedule at intermediate points. The reality is that, as you know, Operating Rules do not permit a train to depart a station in a scheduled time. That fact, coupled with the myriad of situations that regularly come up -- such as ADA passengers who need to have their seats and raised so that they can board or detrain, Engineering work that may require a train to slow down briefly for a Form B Bulletin in order to negotiate a work zone, train handling differences among engineers, some of whom may get in and out of stations faster than others, etc. - prompted us to design our schedules so that at intermediate stops, a train should not have to needlessly sit and wait for departure time to

around. In other words, the times at intermediate stations are achievable under essentially perfect conditions, but, more often than not, for reasons stated, and others, we do frequently tend to run a few minutes behind schedule. Our schedules are designed so that a 6 minute the case with 2230 today, will typically not prevent the train from arriving its final destination at the scheduled time. This is nothing new. Scheduling commuter trains in this manner has been the norm on our system - as well as throughout the industry - for as long as I have been in railroad operations. If CP is taking the stance that unless a scheduled train is running exactly 100% on its schedule they no longer need a schedule, then something is very wrong.

>  
> -----Original Message-----  
> From: Robert A Johnson [mailto:Robert\_Johnson@cpr.ca]  
> Sent: Wednesday, August 07, 2019 11:23 AM  
> To: Rich Oppenheim <ROppenheim@METRARR.COM>  
> Cc: Steven Nettleton <Steven\_Nettleton@cpr.ca>; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; Nicholas C Walker <Nicholas\_C\_Walker@cpr.ca>; Joshua Bahruth <Joshua\_Bahruth@cpr.ca>; Brandon Billingsley <Brandon\_Billingsley@cpr.ca>; Matt Bailey <Matt\_Bailey@cpr.ca>; Bruce Marcheschi <BMarcheschi@METRARR.COM>; Marty Ryan <mryan@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Charlie Harrison <CHarrison@METRARR.COM>; NCarlsonforward <norman.carlson@sbcglobal.net>  
> Subject: Re: Metra Delays due to CP Freight Interference - WED AUG 7, 2019

> Rich,  
>  
> Why was Metra late?  
>  
> Sent from my iPhone

> On Aug 7, 2019, at 10:13, Rich Oppenheim <ROppenheim@metrarr.com<mailto:ROppenheim@metrarr.com>> wrote:

> This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

> WEDNESDAY - AUGUST 7, 2019

> Metra 2230 is due at Tower B17 10:19 AM. Per Metra GPS data, train was operating 6 minutes behind schedule departing from the line before Tower B17. At 10:15 AM, 4 minutes before 2230 schedule time at Tower B17, CP deliberately dispatched an 11,000 foot 199 which was too long to fit between Tower B17 and Bryn Mawr. UP wound up holding 199 at Bryn Mawr due to a local switch job occupying their #1 track of Bryn Mawr, and an Engineering Department employee holding Track Authority on their #2 track. Accordingly 199 stopped with rear end blocking Tower B17 control point until Engineering Department employee cleared the track and released his authority. Metra 2230 departed Tower B17 at 10:42 AM, 23 minutes late, incurring an additional 17 minutes delay beyond the original 6 minutes while waiting for 199 to clear.

> Why was it necessary to even attempt to move an 11,000 foot train so closely ahead of a scheduled Metra train, let alone one that know not be able to clear Metra owned Main Tracks without an immediate line up from a foreign line Dispatcher not under control?

> Metra 2230 typically carries over 400 passengers, many of whom are using our service to get them to time sensitive appointments. CP appears to be showing a blatant disregard for Metra operation and the customers who count on us to get them to their destinations on time. Please review the handling of CP-199 today in relation to our scheduled Metra train and advise if there were any extenuating circumstances that justified moving the train in this manner.

> Rich Oppenheim,  
> Assistant Superintendent  
> Metra CUS District Operations  
> P: 312-322-8939 C: 312-735-8576 | roppenheim@metrarr.com<mailto:roppenheim@metrarr.com>  
> 547 W. Jackson Blvd., Chicago, IL 60661

> From: Rich Oppenheim  
> Sent: Tuesday, August 06, 2019 2:37 PM  
> To: Steven Nettleton <steven\_nettleton@cpr.ca<mailto:steven\_nettleton@cpr.ca>>; Lucas Lingenfelter <lucas\_lingenfelter@cpr.ca<mailto:lucas\_lingenfelter@cpr.ca>>; Nick Walker <nick\_walker@cpr.ca<mailto:nick\_walker@cpr.ca>>; Josh Bahruth <joshua\_bahruth@cpr.ca<mailto:joshua\_bahruth@cpr.ca>>; Brandon Billingsley <brandon\_billingsley@cpr.ca<mailto:brandon\_billingsley@cpr.ca>>; Matt Bailey <matt\_bailey@cpr.ca<mailto:matt\_bailey@cpr.ca>>  
> Cc: Bruce Marcheschi <BMarcheschi@METRARR.COM<mailto:BMarcheschi@METRARR.COM>>; Marty Ryan <mryan@METRARR.COM<mailto:mryan@METRARR.COM>>; Janet Carbonelli <JCarbonelli@METRARR.COM<mailto:JCarbonelli@METRARR.COM>>; Victor Flores <VFlores@METRARR.COM<mailto:VFlores@METRARR.COM>>; David Rodriguez <DRodriguez@METRARR.COM<mailto:DRodriguez@METRARR.COM>>; Charlie Harrison <CHarrison@METRARR.COM<mailto:CHarrison@METRARR.COM>>  
> Subject: Metra Delays due to CP Freight Interference - TUES AUG 6, 2019



> Following delays to Metra Traffic on Elgin Sub today were due to CP freight interference:

- >
- > 2202 (-17) Arrived CUS @ 06:30. -5 Freight interference Wood Dale East: "Stop signal B-17 (686-770) freight train yarding blocked by another locomotive, rear-end was hanging out [CP 686 hanging out on #2 MT at Tower B17 blocking 2202]
- > 2203 (-20) Arrived Elgin @ 07:58. -14 Departed CUS late due to late arrival/turn of 2202, previous delay THIS IS A PEAK PERIOD TRAIN.
- > 2220 (-9) Arrived CUS @ 08:32. Departed Roselle late due to late arrival/turn of 7201, following tardy THIS IS A PEAK PERIOD TRAIN
- > 2224 (-7) Arrived CUS @ 08:56. -2 Departed Franklin Park late due to following 2220 and 2222 THIS IS A PEAK PERIOD TRAIN.
- > 2226 (-14) Arrived CUS @ 09:14. -1 Departed Elgin late due to late arrival/turn of 2203: Stop signal THIS IS A PEAK PERIOD TRAIN.
- >
- >
- > 2232 (-32) Arrived CUS @ 12:15. -35 Stop signal B-12 freight interference (G57) wrong lineup into the yard, back up move

> -----  
> This was due to a CP-686 that was run from Randall to Bensenville Yard ahead of 2202. Upon arrival at Bensenville Yard, 686 was blocked engine on the lead with train hanging out on #2 MT. Delay to 2202 will also affect 2203 as well as Peak Period Train 2226. Delays to 7201 2203 are likely potentially resulting in delays to Peak Period Trains 2220 and 2222.

> Rich Oppenheim, Assistant Superintendent Metra CUS District Operations  
> Office: 312-322-8939  
> Cell. 312-735-8576  
> Sent from my iPhone

> Begin forwarded message:

> From: Metra <servicealerts@metramail.commailto:servicealerts@metramail.com>>  
> Date: August 6, 2019 at 5:54:15 AM CDT  
> To: <roppenheim@metrarr.commailto:roppenheim@metrarr.com>>  
> Subject: Metra Alert MD-W - Train #2202, sched. to arrive Chicago Union Station at 6:13 AM - 18 to 22 minute delay, freight train interference

> [https://protect-us.mimecast.com/s/gCoLcPXYDXin37xnHPNwMS ]<https://protect-us.mimecast.com/s/hCirCqxMEyu8jv78sXZAYN>

> Train #2202, scheduled to arrive Chicago Union Station at 6:13 AM, is operating 18 to 22 minutes behind schedule due to freight train interference. Please listen to platform announcements for the location of this train.

> -----  
> This email was sent to: roppenheim@metrarr.commailto:roppenheim@metrarr.com>

> This email was sent by: Metra  
> 547 W. Jackson Boulevard  
> Chicago, IL 60661-5717 USA

> We respect your right to privacy - view our policy<https://protect-us.mimecast.com/s/AzLeCrkMGzs8lWD8s4tGR>  
> Unsubscribe<https://protect-us.mimecast.com/s/w92HCv29MEI7zRy7UADRhf> if you no longer want to receive Metra Alert Email Notifications.  
> Please do not reply to this email as it was generated by an automated system.  
> If you have questions or comments, you may contact us at https://protect-us.mimecast.com/s/214-CwpRNGcG32RGU1C1I2 <https://protect-us.mimecast.com/s/HFNFCxk70JsIozQ1UWj0Xu>

> Disclaimer

> The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of this information is strictly prohibited and may be unlawful.

> This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast Ltd, an innovator in Software as a Service (SaaS) for business. Providing a safer and more useful place for your human generated data. Specializing in: Security, archiving:

compliance. To find out more Click Here <<https://protect-us.mimecast.com/s/e1B-CyPJ4Ksr5pyrFPfKil>>

>  
> ----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email transmission and any accompanying attachments contain confidential information only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the content of this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete it and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer par un antivirus et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et son employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence de ce message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. ----- IMPORTANT NOTICE - AVIS IMPORTANT -----

> Disclaimer

> The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

> This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast Ltd, an innovator in Software as a Service (SaaS) for business. Providing a safer and more useful place for your human generated data. Specializing in: Security, archiving and compliance. To find out more visit the Mimecast website.

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email transmission and any accompanying attachments contain confidential information only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the content of this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete it and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer par un antivirus et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et son employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence de ce message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. ----- IMPORTANT NOTICE - AVIS IMPORTANT -----

**To:** Robert A Johnson[Robert\_Johnson@cpr.ca]  
**Cc:** Steven Nettleton[Steven\_Nettleton@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; Nicholas C Walker[Nicholas\_C\_Walker@cpr.ca]; Joshua Bahruth[Joshua\_Bahruth@cpr.ca]; Brandon Billingsley[Brandon\_Billingsley@cpr.ca]; Matt Bailey[Matt\_Bailey@cpr.ca]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Charlie Harrison[CHarrison@METRARR.COM]; NCarlsonforward[norman.carlson@sbcglobal.net]  
**From:** Rich Oppenheim  
**Sent:** Fri 08/09/2019 11:14:19 AM UTC  
**Subject:** Metra Delays due to CP Freight Interference - FRI AUG 9, 2019  
**Received:** Fri 08/09/2019 11:14:20 AM UTC

Metra 2200 This morning, Friday August 9, 2019 was stopped at Tower B17 approximately 25 minutes due to a CP-386 off the North Line started in to Bensenville Yard @ 0400 hrs but actually had no clear route into the yard because of an earlier locomotive derailment in the was known at the time 386 was released but train was released anyway. The delay to 2200 will carry over to 2201 (Peak Period Train) as 2222 (Also Peak Period Train) who both utilize 2200s crew and equipment. 2200 arrived Chicago 27 minutes late;

Rich Oppenheim, Assistant Superintendent  
 Metra CUS District Operations  
 Office 312-322-8839  
 Cell. 312-735-8576  
 Roppenheim@metrarr.com

Sent from my iPhone

> On Aug 7, 2019, at 11:46 AM, Rich Oppenheim <ROppenheim@metrarr.com> wrote:

>

> Robert -

>

> Thank you for your prompt response. I am often called upon to respond to customer inquiries as to why their train may have been running behind schedule at intermediate points. The reality is that, as you know, Operating Rules do not permit a train to depart a station in advance of its scheduled time. That fact, coupled with the myriad of situations that regularly come up -- such as ADA passengers who need to have the train stopped and raised so that they can board or detrain, Engineering work that may require a train to slow down briefly for a Form B Bulletin in order to negotiate a work zone, train handling differences among engineers, some of whom may get in and out of stations faster than others, etc. -- prompted us to design our schedules so that at intermediate stops, a train should not have to needlessly sit and wait for departure time to come around. In other words, the times at intermediate stations are achievable under essentially perfect conditions, but, more often than not, for reasons stated, and others, we do frequently tend to run a few minutes behind schedule. Our schedules are designed so that a 6 minute delay in the case with 2230 today, will typically not prevent the train from arriving its final destination at the scheduled time. This is nothing new. Scheduling commuter trains in this manner has been the norm on our system - as well as throughout the industry - for as long as I have been involved in railroad operations. If CP is taking the stance that unless a scheduled train is running exactly 100% on its schedule they no longer need to adhere to its schedule, then something is very wrong.

>

>

> -----Original Message-----

> From: Robert A Johnson [mailto:Robert\_Johnson@cpr.ca]

> Sent: Wednesday, August 07, 2019 11:23 AM

> To: Rich Oppenheim <ROppenheim@METRARR.COM>

> Cc: Steven Nettleton <Steven\_Nettleton@cpr.ca>; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; Nicholas C Walker <Nicholas\_C\_Walker@cpr.ca>; Joshua Bahruth <Joshua\_Bahruth@cpr.ca>; Brandon Billingsley <Brandon\_Billingsley@cpr.ca>; Matt Bailey <Matt\_Bailey@cpr.ca>; Bruce Marcheschi <BMarcheschi@METRARR.COM>; Marty Ryan <mryan@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Charlie Harrison <CHarrison@METRARR.COM>; NCarlsonforward <norman.carlson@sbcglobal.net>

> Subject: Re: Metra Delays due to CP Freight Interference - WED AUG 7, 2019

>

> Rich,

>

> Why was Metra late?

>

> Sent from my iPhone

>

> On Aug 7, 2019, at 10:13, Rich Oppenheim <ROppenheim@metrarr.com<mailto:ROppenheim@metrarr.com>> wrote:

>

> This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

>

> WEDNESDAY-- AUGUST 7, 2019

> Metra 2230 is due at Tower B17 10:19 AM. Per Metra GPS data, train was operating 6 minutes behind schedule departing from the yard before Tower B17. At 10:15 AM, 4 minutes before 2230 schedule time at Tower B17, CP deliberately dispatched an 11,000 foot 199 which was too long to fit between Tower B17 and Bryn Mawr. UP wound up holding 199 at Bryn Mawr due to a local switch job occupying their #1 track.



of Bryn Mawr, and an Engineering Department employee holding Track Authority on their #2 track. Accordingly 199 stopped with rear end blocking Tower B17 control point until Engineering Department employee cleared the track and released his authority. Metra 2230 depart B17 at 10:42 AM, 23 minutes late, incurring an additional 17 minutes delay beyond the original 6 minutes while waiting for 199 to clear.

>  
> Why was it necessary to even attempt to move an 11,000 foot train so closely ahead of a scheduled Metra train, let alone one that know it be able to clear Metra owned Main Tracks without an immediate line up from a foreign line Dispatcher not under control?

> Metra 2230 typically carries over 400 passengers, many of whom are using our service to get them to time sensitive appointments. CP appears to be showing a blatant disregard for Metra operation and the customers who count on us to get them to their destinations on time. review the handling of CP-199 today in relation to our scheduled Metra train and advise if there were any extenuating circumstances that justified moving the train in this manner.

>  
> Rich Oppenheim,  
> Assistant Superintendent  
> Metra CUS District Operations  
> P: 312-322-8939 C: 312-735-8576 | roppenheim@metrarr.com<mailto:roppenheim@metrarr.com>  
> 547 W. Jackson Blvd., Chicago, IL 60661

>  
>  
>  
>  
> From: Rich Oppenheim  
> Sent: Tuesday, August 06, 2019 2:37 PM  
> To: Steven Nettleton <steven\_nettleton@cpr.ca<mailto:steven\_nettleton@cpr.ca>>; Lucas Lingenfelter  
<lucas\_lingenfelter@cpr.ca<mailto:lucas\_lingenfelter@cpr.ca>>; nick\_walker@cpr.ca<mailto:nick\_walker@cpr.ca>; Josh Bahruth  
<joshua\_bahruth@cpr.ca<mailto:joshua\_bahruth@cpr.ca>>; Brandon Billingsley  
<brandon\_billingsley@cpr.ca<mailto:brandon\_billingsley@cpr.ca>>; Matt Bailey <matt\_bailey@cpr.ca<mailto:matt\_bailey@cpr.ca>>  
> Cc: Bruce Marcheschi <BMarcheschi@METRARR.COM<mailto:BMarcheschi@METRARR.COM>>; Marty Ryan  
<mryan@METRARR.COM<mailto:mryan@METRARR.COM>>; Janet Carbonelli  
<JCarbonelli@METRARR.COM<mailto:JCarbonelli@METRARR.COM>>; Victor Flores  
<VFlores@METRARR.COM<mailto:VFlores@METRARR.COM>>; David Rodriguez  
<DRodriguez@METRARR.COM<mailto:DRodriguez@METRARR.COM>>; Charlie Harrison  
<CHarrison@METRARR.COM<mailto:CHarrison@METRARR.COM>>  
> Subject: Metra Delays due to CP Freight Interference - TUES AUG 6, 2019

Following delays to Metra Traffic on Elgin Sub today were due to CP freight interference:

>  
> 2202 (-17) Arrived CUS @ 06:30. Freight interference Wood Dale East; Stop signal B-17 (686-770) freight train yarding blocked by another locomotive, rear-end was hanging out [CP 686 hanging out on #2 MT at Tower B17 blocking 2202]  
> 2203 (-20) Arrived Elgin @ 07:58. Departed CUS late due to late arrival/turn of 2202, previous delay THIS IS A PEAK PERIOD TRAIN.  
> 2220 (-9) Arrived CUS @ 08:32. Departed Roselle late due to late arrival/turn of 7201, following tardy THIS IS A PEAK PERIOD TRAIN.  
> 2224 (-7) Arrived CUS @ 08:56. Departed Franklin Park late due to following 2220 and 2222 THIS IS A PEAK PERIOD TRAIN,  
> 2226 (-14) Arrived CUS @ 09:14. Departed Elgin late due to late arrival/turn of 2203; Stop signal THIS IS A PEAK PERIOD TRAIN.  
>  
>  
> 2232 (-32) Arrived CUS @ 12:15. Stop signal B-12 freight interference (G57) wrong lineup into the yard, back up move

-----  
>  
> This was due to a CP-686 that was run from Randall to Bensenville Yard ahead of 2202. Upon arrival at Bensenville Yard, 686 was block engine on the lead with train hanging out on #2 MT. Delay to 2202 will also affect 2203 as well as Peak Period Train 2226. Delays to 7201 2203 are likely potentially resulting in delays to Peak Period Trains 2220 and 2222.

>  
> Rich Oppenheim, Assistant Superintendent Metra CUS District Operations  
> Office: 312-322-8939  
> Cell: 312-735-8576  
> Sent from my iPhone

>  
> Begin forwarded message:  
> From: Metra <servicealerts@metramail.com<mailto:servicealerts@metramail.com>>  
> Date: August 6, 2019 at 5:54:15 AM CDT  
> To: <roppenheim@metrarr.com<mailto:roppenheim@metrarr.com>>  
> Subject: Metra Alert MD-W - Train #2202, sched. to arrive Chicago Union Station at 6:13 AM - 18 to 22 minute delay, freight train interfere

> [https://protect-us.mimecast.com/s/G5X4Czpx8LcMo0YOc4eHEN]<https://protect-us.mimecast.com/s/D4H0CAD9L0hNAvKG18wL5X>

> Train #2202, scheduled to arrive Chicago Union Station at 6:13 AM, is operating 18 to 22 minutes behind schedule due to freight train interference. Please listen to platform announcements for the location of this train.

> This email was sent to: roppenheim@metrarr.com<mailto:roppenheim@metrarr.com>

> This email was sent by: Metra  
> 547 W. Jackson Boulevard  
> Chicago, IL 60661-5717 USA

> We respect your right to privacy - view our policy<<https://protect-us.mimecast.com/s/2n50CBBRMkc75gXzsNzDHZ>>  
> Unsubscribe<<https://protect-us.mimecast.com/s/OcKsCDkJOms5IRLDuZH2dR>> if you no longer want to receive Metra Alert Email Noti:  
> Please do not reply to this email as it was generated by an automated system.  
> If you have questions or comments, you may contact us at <https://protect-us.mimecast.com/s/MMKyCER6gnu35Q8khZ7mYq><<https://protect-us.mimecast.com/s/7X2ECG6QkpI15VN2I0uWUC>>

> Disclaimer

> The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the of this information is strictly prohibited and may be unlawful.

> This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast Ltd, an innovator in Software as a Service (SaaS) for business. Providing a safer and more useful place for your human generated data. Specializing in; Security, archiving; compliance. To find out more Click Here<<https://protect-us.mimecast.com/s/xfirCJ67nvIqE7Wgcp5J1O>>.

> ----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email transmission and any accompanying attachments contain confidential information only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the content of this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete it and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer en revue le courrier et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et son employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courrier. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence dans un autre message du message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courrier par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. ----- IMPORTANT NOTICE - AVIS IMPORTANT -----

**To:** Robert A Johnson[Robert\_Johnson@cpr.ca]  
**Cc:** Steven Nettleton[Steven\_Nettleton@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; Nicholas C Walker[Nicholas\_C\_Walker@cpr.ca]; Joshua Bahruth[Joshua\_Bahruth@cpr.ca]; Brandon Billingsley[Brandon\_Billingsley@cpr.ca]; Matt Bailey[Matt\_Bailey@cpr.ca]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Charlie Harrison[CHarrison@METRARR.COM]; NCarlsonforward[norman.carlson@sbcglobal.net]  
**From:** Rich Oppenheim  
**Sent:** Fri 08/09/2019 11:36:30 AM UTC  
**Subject:** Re: Metra Delays due to CP Freight Interference - THU AUG 8, 2019 and FRI AUG 9, 2019  
**Received:** Fri 08/09/2019 11:36:31 AM UTC

Sent from my iPhone

> On Aug 9, 2019, at 6:14 AM, Rich Oppenheim <ROppenheim@metrarr.com> wrote:

>  
 > Metra 2200 This morning, Friday August 9, 2019 was stopped at Tower B17 approximately 25 minutes due to a CP-386 off the North Line was started in to Bensenville Yard @ 0400 hrs but actually had no clear route into the yard because of an earlier locomotive derailment in This was known at the time 386 was released but train was released anyway. The delay to 2200 will carry over to 2201 (Peak Period Train as to 2222 (Also Peak Period Train) who both utilize 2200s crew and equipment. 2200 arrived Chicago 27 minutes late;

>  
 > Rich Oppenheim, Assistant Superintendent  
 > Metra CUS District Operations  
 > Office 312-322-8839  
 > Cell. 312-735-8576  
 > Roppenheim@metrarr.com

On THURS August 8, 2019, Metra 2230 was held at Tower B12 11 minutes so that CP-281 could pull out of yard and depart first.

>  
 > Sent from my iPhone

>> On Aug 7, 2019, at 11:46 AM, Rich Oppenheim <ROppenheim@metrarr.com> wrote:

>>  
 >> Robert -  
 >>  
 >> Thank you for your prompt response. I am often called upon to respond to customer inquiries as to why their train may have been run slightly behind schedule at intermediate points. The reality is that, as you know, Operating Rules do not permit a train to depart a station of its schedule time. That fact, coupled with the myriad of situations that regularly come up -- such as ADA passengers who need to have lowered and raised so that they can board or detrain, Engineering work that may require a train to slow down briefly for a Form B Bulletin negotiate a work zone, train handling differences among engineers, some of whom may get in and out of stations faster than others, etc. - prompted us to design our schedules so that at intermediate stops, a train should not have to needlessly sit and wait for departure time to around. In other words, the times at intermediate stations are achievable under essentially perfect conditions, but, more often than not, for reasons stated, and others, we do frequently tend to run a few minutes behind schedule. Our schedules are designed so that a 6 minute the case with 2230 today, will typically not prevent the train from arriving its final destination at the scheduled time. This is nothing new. Scheduling commuter trains in this manner has been the norm on our system - as well as throughout the industry - for as long as I have been in railroad operations. If CP is taking the stance that unless a scheduled train is running exactly 100% on its schedule they no longer need its schedule, then something is very wrong.

>>  
 >> -----Original Message-----  
 >> From: Robert A Johnson [mailto:Robert\_Johnson@cpr.ca]  
 >> Sent: Wednesday, August 07, 2019 11:23 AM  
 >> To: Rich Oppenheim <ROppenheim@METRARR.COM>  
 >> Cc: Steven Nettleton <Steven\_Nettleton@cpr.ca>; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; Nicholas C Walker <Nicholas\_C\_Walker@cpr.ca>; Joshua Bahruth <Joshua\_Bahruth@cpr.ca>; Brandon Billingsley <Brandon\_Billingsley@cpr.ca>; Matt Bailey <Matt\_Bailey@cpr.ca>; Bruce Marcheschi <BMarcheschi@METRARR.COM>; Marty Ryan <mryan@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Charlie Harrison <CHarrison@METRARR.COM>; NCarlsonforward <norman.carlson@sbcglobal.net>  
 >> Subject: Re: Metra Delays due to CP Freight Interference - WED AUG 7, 2019

>>  
 >> Rich,  
 >>  
 >> Why was Metra late?

>>  
 >> Sent from my iPhone

>>  
 >> On Aug 7, 2019, at 10:13, Rich Oppenheim <ROppenheim@metrarr.com<mailto:ROppenheim@metrarr.com>> wrote:



>>  
>> This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

>> WEDNESDAY– AUGUST 7, 2019

>> Metra 2230 is due at Tower B17 10:19 AM. Per Metra GPS data, train was operating 6 minutes behind schedule departing from the la before Tower B17. At 10:15 AM, 4 minutes before 2230 schedule time at Tower B17, CP deliberately dispatched an 11,000 foot 199 wh' too long to fit between Tower B17 and Bryn Mawr. UP wound up holding 199 at Bryn Mawr due to a local switch job occupying their # of Bryn Mawr, and an Engineering Department employee holding Track Authority on their #2 track. Accordingly 199 stopped with rear end blocking Tower B17 control point until Engineering Department employee cleared the track and released his authority. Metra 2230 depart B17 at 10:42 AM, 23 minutes late, incurring an additional 17 minutes delay beyond the original 6 minutes while waiting for 199 to clear.

>> Why was it necessary to even attempt to move an 11,000 foot train so closely ahead of a scheduled Metra train, let alone one that kno would not be able to clear Metra owned Main Tracks without an immediate line up from a foreign line Dispatcher not unidirectional?

>> Metra 2230 typically carries over 400 passengers, many of whom are using our service to get them to time sensitive appointments. CI appears to be showing a blatant disregard for Metra operation and the customers who count on us to get them to their destinations on time. review the handling of CP-199 today in relation to our scheduled Metra train and advise if there were any extenuating circumstances that justified moving the train in this manner.

>> Rich Oppenheim,  
>> Assistant Superintendent  
>> Metra CUS District Operations  
>> P: 312-322-8939 C: 312-735-8576 | roppenheim@metrarr.com<mailto:roppenheim@metrarr.com>  
>> 547 W. Jackson Blvd., Chicago, IL 60661

>> From: Rich Oppenheim  
>> Sent: Tuesday, August 06, 2019 2:37 PM  
>> To: Steven Nettleton <steven\_nettleton@cpr.ca<mailto:steven\_nettleton@cpr.ca>>; Lucas Lingenfelter <lucas\_lingenfelter@cpr.ca<mailto:lucas\_lingenfelter@cpr.ca>>; nick\_walker@cpr.ca<mailto:nick\_walker@cpr.ca>; Josh Bahruth <joshua\_bahruth@cpr.ca<mailto:joshua\_bahruth@cpr.ca>>; Brandon Billingsley <brandon\_billingsley@cpr.ca<mailto:brandon\_billingsley@cpr.ca>>; Matt Bailey <matt\_bailey@cpr.ca<mailto:matt\_bailey@cpr.ca>>  
>> Ce: Bruce Marcheschi <BMarcheschi@METRARR.COM<mailto:BMarcheschi@METRARR.COM>>; Marty Ryan <mryan@METRARR.COM<mailto:mryan@METRARR.COM>>; Janet Carbonelli <JCarbonelli@METRARR.COM<mailto:JCarbonelli@METRARR.COM>>; Victor Flores <VFlores@METRARR.COM<mailto:VFlores@METRARR.COM>>; David Rodriguez <DRodriguez@METRARR.COM<mailto:DRodriguez@METRARR.COM>>; Charlie Harrison <CHarrison@METRARR.COM<mailto:CHarrison@METRARR.COM>>  
>> Subject: Metra Delays due to CP Freight Interference - TUES AUG 6, 2019

>> Following delays to Metra Traffic on Elgin Sub today were due to CP freight interference:

>> 2202 (-17) Arrived CUS @ 06:30. -5 Freight interference Wood Dale East; -5 Stop signal B-17 (686-770) freight train yarding blocked by another locomotive, rear-end was hanging out [CP 686 hanging out on #2 MT at Tower B17 blocking 2202]

>> 2203 (-20) Arrived Elgin @ 07:58. -7 Departed CUS late due to late arrival/turn of 2202, previous delays THIS IS A PEAK PERIOD TRAIN.

>> 2220 (-9) Arrived CUS @ 08:32. Departed Roselle late due to late arrival/turn of 7201, following tardy THIS IS A PEAK PERIOD TRAIN.

>> 2224 (-7) Arrived CUS @ 08:56. -7 Departed Franklin Park late due to following 2220 and 2221 THIS IS A PEAK PERIOD TRAIN.

>> 2226 (-14) Arrived CUS @ 09:14. -11 Departed Elgin late due to late arrival/turn of 2203; Stop signal THIS IS A PEAK PERIOD TRAIN.

>> 2232 (-32) Arrived CUS @ 12:15. -35 Stop signal B-12 freight interference (G57) wrong lineup into the yard, back up move

>> This was due to a CP-686 that was run from Randall to Bensenville Yard ahead of 2202. Upon arrival at Bensenville Yard, 686 was bk an engine on the lead with train hanging out on #2 MT. Delay to 2202 will also affect 2203 as well as Peak Period Train 2226. Delays to 7 following 2203 are likely potentially resulting in delays to Peak Period Trains 2220 and 2222.

>> Rich Oppenheim, Assistant Superintendant Metra CUS District Operations  
>> Office: 312-322-8939  
>> Cell. 312-735-8576  
>> Sent from my iPhone

>> Begin forwarded message:

>> From: Metra <servicealerts@metramail.com<mailto:servicealerts@metramail.com>>  
>> Date: August 6, 2019 at 5:54:15 AM CDT  
>> To: <roppenheim@metrarr.com<mailto:roppenheim@metrarr.com>>  
>> Subject: Metra Alert MD-W - Train #2202, sched. to arrive Chicago Union Station at 6:13 AM - 18 to 22 minute delay, freight train inter

>> [https://protect-us.mimecast.com/s/G5X4Czpx8LcMo0YOc4eHEN]<https://protect-us.mimecast.com/s/D4H0CAD9L0hNAvKGI8wL5X>

>> Train #2202, scheduled to arrive Chicago Union Station at 6:13 AM, is operating 18 to 22 minutes behind schedule due to freight train interference. Please listen to platform announcements for the location of this train.

>> This email was sent to: roppenheim@metrarr.com<mailto:roppenheim@metrarr.com>

>> This email was sent by: Metra  
>> 547 W. Jackson Boulevard  
>> Chicago, IL 60661-5717 USA

>> We respect your right to privacy - view our policy<https://protect-us.mimecast.com/s/2n50CBBRMkc75gXzsNzDHZ>  
>> Unsubscribe<https://protect-us.mimecast.com/s/OcKsCDkJOms5IRLDuZH2dR> if you no longer want to receive Metra Alert Email Notifications.

>> Please do not reply to this email as it was generated by an automated system.  
>> If you have questions or comments, you may contact us at https://protect-us.mimecast.com/s/MMKyCER6gnu35Q8khZ7mYq<https://protect-us.mimecast.com/s/7X2ECG6QkpII5VN2I0uWUC>

>> Disclaimer

>> The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and other authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in reliance on the contents of this information is strictly prohibited and may be unlawful.

>> This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast Ltd, an innovator in Security as a Service (SaaS) for business. Providing a safer and more useful place for your human generated data. Specializing in; Security, archiving & compliance. To find out more Click Here<https://protect-us.mimecast.com/s/xfirCJ67nvIqE7Wgcp5J1O>.

>> ----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for damage caused by any virus transmitted by this email. This email transmission and any accompanying attachments contain confidential information intended only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc vérifier le présent courriel et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et son employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation non autorisée du contenu du message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. ----- IMPORTANT NOTICE - AVIS IMPORTANT -----

**To:** UP dridder[DRRIDDER@up.com]  
**Cc:** Marty Ryan[mryan@METRARR.COM]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Nicole Kurtenbach CP AGM Minneapolis[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]; EAST CP[Moc\_Director\_East@cpr.ca]  
**From:** Rich Oppenheim  
**Date:** Fri 10/04/2019 12:56:55 AM UTC  
**Subject:** Delays to Metra 2154 and Amtrak 340 due to P342 not handling CP 680  
**Received:** Fri 10/04/2019 12:57:00 AM UTC

Dean -

I know you gave me some Omaha contacts at one point, but I'm having trouble locating them. The issue we have tonight is that CP had a 286 & 680-315 which they claim were both presented to Desk P-342 who agreed to handle them. Apparently 286 was stopped at Shermer briefly, however as 680 was going by A20, 3 minutes from Shermer, P342 lined up for a UP Southbound and a UP Northbound. Since 680 did not clear between Shermer and A20, Metra 2154 took an 18 minute delay waiting until CP 680 was finally lined up and pulled up to clear A20. Amtrak wound up stopping behind 2154 until they could move, and Techny Road crossing was blocked for the duration.

Is it possible for you to reach out to Omaha and confirm that P342 in fact committed to moving both CP trains and then reneged? We can stress that CP must not let freight trains out of Rondout without a commitment from UP that they will keep moving. We would like it re-emphasized to all who work P342 that if they commit to CP to move a freight they need to do so. Thanks for your help.

Rich

Sent from my iPhone



PUBLIC VERSION

EXHIBIT B-2

To: UP dridder[DRRIDDER@up.com]  
Cc: Marty Ryan[mryan@METRARR.COM]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Nicole Kurtenbach CP AGM Minneapolis[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]; EAST CP[Moc\_Director\_East@cpr.ca]  
From: Rich Oppenheim  
Sent: Fri 10/04/2019 12:56:55 AM UTC  
Subject: Delays to Metra 2154 and Amtrak 340 due to P342 not handling CP 680  
Received: Fri 10/04/2019 12:57:00 AM UTC

Dean -

I know you gave me some Omaha contacts at one point, but having trouble locating them. The issue we have tonight is that CP had a 286 & 680-315 which they claim were both presented to Desk P-342 who agreed to handle them. Apparently 286 was stopped at Shermer briefly, however as 680 was going by A20, 3 minutes from Shermer, P342 lined up for a UP Southbound and a UP Northbound. Since 680 dived between Shermer and A20, Metra 2154 took an 18 minute delay waiting until CP 680 was finally lined up and pulled up to clear A20. Amtrak wound up stopping behind 2154 until they could move, and Techny Road crossing was blocked for the duration.

Is it possible for you to reach out to Omaha and confirm that P342 in fact committed to moving both CP trains and then reneged? We can stress that CP must not let freight trains out of Rondout without a commitment from UP that they will keep moving. We would like it re-emphasized to all who work P342 that if they commit to CP to move a freight they need to do so. Thanks for your help.

Rich

Sent from my iPhone

**To:** Josh Bahruth[joshua\_bahruth@cpr.ca]; Josh Pennington[joshua\_pennington@cpr.ca]; Michael Ugorek[michael\_ugorek@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Adam Farence[AFarence@METRARR.COM]; Kevin Lynch[KLynch@METRARR.COM]; Maurice King[MKing@METRARR.COM]; Robert Tellin[RTellin@METRARR.COM]; Kenneth Rice[KRice@METRARR.COM]; Alyssa Battaglia[ABattaglia@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Tue 12/24/2019 5:25:34 AM UTC  
**Subject:** Re: MW2253 Late MON 12/23  
**Received:** Tue 12/24/2019 5:25:36 AM UTC

CP please follow up with 581 crew as well as with Elgin Dispatcher. If the expectation was that 581 was going to clear ahead of 2253, what communication took place between the crew and dispatcher to determine when train was act to move. Did this take place before 2253 was lined in behind 581?

Sent from my iPhone

On Dec 23, 2019, at 10:37 PM, Marshall Beecher <MBeecher@metrarr.com> wrote:

MW2253 Followed a recrewed CP581 on main 1 at B17. Freight Crew took it upon themselves to check the fuel levels of their road power, which delayed their pull towards Bryn Mawr, when it was not requested or required of the crew by anyone. MW2253 was 2mins late by A5, 7mins late by B-12 (no delays A5-B12) and lost the balance of their time waiting for CP 581 to clear Elgin Sub 1 main to the C&M at B-17.  
FYI

**Marshall W. Beecher**  
**Trainmaster**  
Chicago Union Station District  
C: 312.257.0637  
W: 312.542.8326

**To:** nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; MOC Director East[MOC\_Director\_East@cpr.ca]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]; joshua\_bahruth@cpr.ca[joshua\_bahruth@cpr.ca]; Joshua Pennington[Joshua\_Pennington@cpr.ca]; Michael Ugorek[Michael\_Ugorek@cpr.ca]  
**Cc:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Charlie Harrison[CHarrison@METRARR.COM]; Jack Bauer[JBauer@METRARR.COM]; Rocio Gentil[rgentil@metrarr.com]  
**From:** Rich Oppenheim  
**Sent:** Wed 09/25/2019 2:53:13 PM UTC  
**Subject:** Delay to Metra Peak Period Trains WED SEPT 25, 2019 - Tower B17  
**Received:** Wed 09/25/2019 2:53:14 PM UTC

WEDNESDAY SEPTEMBER 25, 2019, a 9300 foot CP-381 was moved out of Bensenville yard and up the Cut-Off toward Bryn Mawr behind Metra 2212 and 7201 and ahead of Metra 2214. The window between trains was insufficient to accommodate a train of this length and as a result the following delays were incurred by Metra Peak Period Trains:

- 2214 stopped at Tower B17 7 minutes arrived Chicago 7:59 AM, 2 minutes late.
- 2216 stopped behind 2214, then running on restricting signal due to 2214 ahead, passed Tower B17 9 minutes late, arrived Chicago 8 minutes late (reportable).
- 2218 following 2216 passed Tower B17 8 minutes late, arrived Chicago 9 minutes late (reportable). This resulted in a 5 minute late departure from Chicago on 2209 who uses Engineer and equipment from 2218.
- North Central 108 followed Metra 2216 from Tower B12, arrived Chicago 7 minutes late (reportable).

As information, after clearing Tower B17, CP-381 wound up waiting at Bryn Mawr for well over an hour waiting for UP to handle due to Metra traffic on UP Harvard Sub at Deval.

**Rich Oppenheim,**  
Assistant Superintendent  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661



**To:** Nicole Kurtenbach CP AGM Minneapolis[nicole\_kurtenbach@cpr.ca]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]; EAST CP[Moc\_Director\_East@cpr.ca]; moc\_director\_east@cpr.ca.[moc\_director\_east@cpr.ca.]; Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]  
**Cc:** Marty Ryan[mryan@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Josh Bahruth[joshua\_bahruth@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Tue 10/01/2019 11:16:07 AM UTC  
**Subject:** Metra Delays due to CP freight Interference Sept 30-Oct 1 2019  
**Received:** Tue 10/01/2019 11:16:08 AM UTC

The following Metra Trains incurred delays caused by CP freight interference on Monday Sept 30 and Tuesday Oct 1, 2019:

**MONDAY SEPT 30:**

2208 delayed 7 minutes following CP G54. 2208 is contractually a Peak Period train.

2156 was running 12 minutes late on turn from 2141, but schedule for this train has every time built into schedule which would have allowed for arrival at Chicago within 5 minute tolerance. Instead CP ran a lengthy 198 directly ahead of 2156 out of Rondout to operate via Tower known 10 MPH restriction around wye at A5, 198 caused an additional 20 minutes delay to 2156 resulting in 31 minute late arrival at Chic 2156. This also delayed Amtrak 342 behind 2156.

**TUESDAY OCT 1**

Metra 2200 held 16 minutes at Tower B35 to let a CP-474 go through first. 2200 arrived Chicago 18 minutes late resulting in late departur 2201. This will also affect peak period train 2222 who turns from 2201.

Rich Oppenheim, Asst Supt  
Metra CUS District Operations  
Office 312-322-8939  
Cell. 312-735-8576

Sent from my iPhone

**To:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Nicole Kurtenbach CP AGM Minneapolis[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]; EAST CP[Moc\_Director\_East@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Fri 10/04/2019 3:31:27 PM UTC  
**Subject:** RE: Delays to Metra 2154 and Amtrak 340 due to P342 not handling CP 680  
**Received:** Fri 10/04/2019 3:31:29 PM UTC

See below. UP is claiming that they only agreed to handling 286 right away and not 680. Can you check your records on this? Thanks.

Rich, they told them they would only be able to move one train and then would move the next one after the first one cleared.

Dean Ridder  
MTO Commuter Ops.  
2 N. Riverside Plaza  
Suite 1700  
Chicago, IL 60606-2623  
(708)277-3152

Dean -

I know you gave me some Omaha contacts at one point, but I'm having trouble locating them. The issue we have tonight is that CP had a 286 & 680-315 which they claim were both presented to Desk P-342 who agreed to handle them. Apparently 286 was stopped at Shermer briefly, however as 680 was going by A20, 3 minutes from Shermer, P342 lined up for a UP Southbound and a UP Northbound. Since 680 did not clear between Shermer and A20, Metra 2154 took an 18 minute delay waiting until CP 680 was finally lined up and pulled up to clear A20. Amtrak wound up stopping behind 2154 until they could move, and Techny Road crossing was blocked for the duration.

Is it possible for you to reach out to Omaha and confirm that P342 in fact committed to moving both CP trains and then reneged? We stress that CP must not let freight trains out of Rondout without a commitment from UP that they will keep moving. We would like it re-stated to all who work P342 that if they commit to CP to move a freight they need to do so. Thanks for your help.

Rich

Sent from my iPhone

**To:** nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Thur 09/19/2019 4:24:15 PM UTC  
**Subject:** FW: Metra 2253 Delay at Tower B17 WED SEPT 18, 2019  
**Received:** Thur 09/19/2019 4:24:33 PM UTC

Nicole –

Congratulations! Please let me know if you can provide any insight into the issue below from last night. Thanks.

Rich

**From:** Lucas Lingenfelter [mailto:Lucas\_Lingenfelter@cpr.ca]  
**Sent:** Thursday, September 19, 2019 11:21 AM  
**To:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Subject:** RE: Metra 2253 Delay at Tower B17 WED SEPT 18, 2019

Rich,

FYI – the new GM in the MOC is Nicole Kurtenbach if you haven't heard yet. She was the AGM under Steven Nettleton and has been promoted.

For issues at her level the email address is [Nicole\\_Kurtenbach@cpr.ca](mailto:Nicole_Kurtenbach@cpr.ca).

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, September 19, 2019 9:37 AM  
**To:** Joshua Bahruth <Joshua\_Bahruth@cpr.ca>; Joshua Pennington <Joshua\_Pennington@cpr.ca>; Michael Ugorek <Michael\_Ugorek@cpr.ca>; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; MOC Director East <MOC\_Director\_East@cpr.ca>  
**Cc:** Bruce Marcheschi <BMarcheschi@METRARR.COM>; Marty Ryan <mryan@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>  
**Subject:** Metra 2253 Delay at Tower B17 WED SEPT 18, 2019

This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

Last night, Metra 2253 was held @ 20 minutes at Tower B17 waiting for a CP-382 from Bryn Mawr pulling in to the yard. Please advise what prompted this delay to occur. Our yardmaster also left a notation to the effect that there may have been a miscalculation as to 382's actual length that may have been a contributing factor. I would appreciate it if you could look into this situation and let us know if there is any truth to this. Thanks for your assistance.

**Rich Oppenheim,**  
Assistant Superintendent  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661

#### Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast Ltd, an innovator in Software as a Service (SaaS) for business. Providing a safer and more useful place for your human generated data. Specializing in: Security, archiving and compliance. To find out more [Click Here](#).

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Send



**PUBLIC VERSION**

**EXHIBIT B-2**

sender company accept no liability for any damage caused by any virus transmitted by this email. This email trans and any accompanying attachments contain confidential information intended only for the use of the individual or named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by other than the intended recipient is strictly prohibited. If you have received this email in error please immediately d and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer le présent courriel et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et l'employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne nommée ci-dessus ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence du contenu du message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. -----  
IMPORTANT NOTICE - AVIS IMPORTANT -----

**To:** nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]; joshua\_bahruth@cpr.ca[joshua\_bahruth@cpr.ca]; Joshua Pennington[Joshua\_Pennington@cpr.ca]; Michael Ugorek[Michael\_Ugorek@cpr.ca]  
**Cc:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Charlie Harrison[CHarrison@METRARR.COM]; chuck\_hubbard@cpr.ca[chuck\_hubbard@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Mon 12/02/2019 5:47:58 PM UTC  
**Subject:** Metra Delays - CP  
**Received:** Mon 12/02/2019 5:47:59 PM UTC

Please review the following delays to Metra Operations experienced during the course of last week:

- MON 11-25-19 -- Metra 2134 delayed 9 minutes following freight train from Rondout to Tower A20.
- TUES 11-26-19 -- CP 472 was run out of Almora directly ahead of Metra 2228, then had knuckle/drawbar failure just East of Roselle West. Due to operating so closely ahead of 2228, 2209 was already lined West at B17 on #1 MT so 2228 was held 20 minutes at Roselle West to meet #2209 and use #1 MT. Under normal circumstances, preferred move would have been to hold 2209 and run 2228 had there been sufficient warning. 2211 was also held 18 minutes at B17 to meet 2230.
- TUES 11-26-19 -- CP 650 was allowed to occupy #2 MT between Tower B17 and Tower B12 in order to make a crew change at Mannheim during time period where 2219 and 2238 are scheduled to meet between B12 and B17. Crew change could easily have been made at Tower B17 or Galewood, or 650 should have been held to follow 2238. 2219 was delayed 15 minutes.
- WED 11-27-19 -- 2132 was 9 minutes late -- Waited for CP-199 to clear Tower A20 and waited for CP-281 to clear Tower A6.
- WED 11-27-19 -- 2134 was 6 minutes late due to following freight from Rondout to Tower A20.
- WED 11-27-19 -- 2242 was 11 minutes late due to freight train at Tower B12 occupying #3 MT, 2242 had to operate on #2 MT from B12 to Galewood East necessitating loading and unloading passengers through one coach on crosswalks.
- FRI 11-29-19 -- CP 281 lost air as locos were entering Tower A6 control point. This resulted in delays to 2132 (18 minutes) 2115 (39 minutes) and 2215 (10 minutes).
- SUN 12-1-19 --- CP 286 was run out of Rondout directly ahead of 2608 -- essentially on 2608's schedule. 2608 arrived Chicago 8 minutes late.
- MON 12-2-1 -- CP 2/287 was brought out of B12 toward #2 MT at tail end of morning rush. 2/287 lost air in plant causing 2226 to hold at B17 for 2207. 2226 arrived Chicago 12 minutes late.

There has been an increasing trend toward dispatching freight traffic on or directly ahead of published Metra schedules. This practice not only increases the likelihood of causing delays to our scheduled operation, but also essentially removes any cushion for recovery if anything unforeseen should happen with the freight train. In the case of Rondout to Tower A20, you are counting on the UP to promptly line the train up at Shermer, something that does not happen often enough to be counted upon. Also, with freights operating close to Metra schedules, it is difficult for our customers to distinguish the difference between their Metra train coming in for a stop, and a freight barreling along at track speed. The chances of striking someone at a crosswalk under these circumstances is unfortunately greater than we would all like to think. With the winter months directly ahead, and given the operational challenges for all of us that they inevitably bring, we would again ask that CP dispatch trains through the Metra owned territory in a responsible and appropriate manner.

**Rich Oppenheim,**  
 Assistant Superintendent  
 Metra CUS District Operations  
 P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
 547 W. Jackson Blvd., Chicago, IL 60661

**To:** Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]  
**Cc:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Thur 09/19/2019 5:38:49 PM UTC  
**Subject:** RE: Metra 2253 Delay at Tower B17 WED SEPT 18, 2019  
**Received:** Thur 09/19/2019 5:38:50 PM UTC

Luke –  
 Thanks for the quick follow up. Much appreciated.

Rich

**From:** Lucas Lingenfelter [mailto:Lucas\_Lingenfelter@cpr.ca]  
**Sent:** Thursday, September 19, 2019 12:36 PM  
**To:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Subject:** RE: Metra 2253 Delay at Tower B17 WED SEPT 18, 2019

Rich,

After reviewing the messenger logs from last evening, it appears the Dispatcher passed incorrect train information to the Operator and Yardmaster stating that 382 was just over 3,000 ft. This was probably a typo, and it is out of character for the regular 2<sup>nd</sup> shift C&M Dispatcher to make these kind of mistakes. I will talk to him about double checking his messenger entries.

Luke

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, September 19, 2019 9:37 AM  
**To:** Joshua Bahruth <Joshua\_Bahruth@cpr.ca>; Joshua Pennington <Joshua\_Pennington@cpr.ca>; Michael Ugorek <Michael\_Ugorek@cpr.ca>; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; MOC Director East <MOC\_Director\_East@cpr.ca>  
**Cc:** Bruce Marcheschi <BMarcheschi@METRARR.COM>; Marty Ryan <mryan@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>  
**Subject:** Metra 2253 Delay at Tower B17 WED SEPT 18, 2019

This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

Last night, Metra 2253 was held @ 20 minutes at Tower B17 waiting for a CP-382 from Bryn Mawr pulling in to the yard. Please advise what prompted this delay to occur. Our yardmaster also left a notation to the effect that there may have been a miscalculation as to 382's actual length that may have been a contributing factor. I would appreciate it if you could look into this situation and let us know if there is any truth to this. Thanks for your assistance.

Rich Oppenheim,  
 Assistant Superintendent  
 Metra CUS District Operations  
 P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
 547 W. Jackson Blvd., Chicago, IL 60661

#### Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast Ltd, an innovator in Software as a Service (SaaS) for business. Providing a safer and more useful place for your human generated data. Specializing in: Security, archiving and compliance. To find out more [Click Here](#).



>> Rodriguez <DRodriguez@METRARR.COM>; Charlie Harrison  
 >> <CHarrison@METRARR.COM>; NCarlsonforward  
 >> <norman.carlson@sbcglobal.net>  
 >> Subject: Re: Metra Delays due to CP Freight Interference - WED AUG 7,  
 >> 2019  
 >>  
 >> Rich,  
 >>  
 >> Why was Metra late?  
 >>  
 >> Sent from my iPhone  
 >>  
 >> On Aug 7, 2019, at 10:13, Rich Oppenheim <ROppenheim@metrarr.com<mailto:ROppenheim@metrarr.com>> wrote:  
 >>  
 >> This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.  
 >>  
 >> WEDNESDAY– AUGUST 7, 2019  
 >> Metra 2230 is due at Tower B17 10:19 AM. Per Metra GPS data, train was operating 6 minutes behind schedule departing from the la  
 >> before Tower B17. At 10:15 AM, 4 minutes before 2230 schedule time at Tower B17, CP deliberately dispatched an 11,000 foot 199 which  
 >> too long to fit between Tower B17 and Bryn Mawr. UP wound up holding 199 at Bryn Mawr due to a local switch job occupying their #1 tra  
 >> of Bryn Mawr, and an Engineering Department employee holding Track Authority on their #2 track. Accordingly 199 stopped with rear en  
 >> blocking Tower B17 control point until Engineering Department employee cleared the track and released his authority. Metra 2230 depart  
 >> B17 at 10:42 AM, 23 minutes late, incurring an additional 17 minutes delay beyond the original 6 minutes while waiting for 199 to clear.  
 >>  
 >> Why was it necessary to even attempt to move an 11,000 foot train so closely ahead of a scheduled Metra train, let alone one that kno  
 >> would not be able to clear Metra owned Main Tracks without an immediate line up from a foreign line Dispatcher not under control?  
 >>  
 >> Metra 2230 typically carries over 400 passengers, many of whom are using our service to get them to time sensitive appointments. C1  
 >> appears to be showing a blatant disregard for Metra operation and the customers who count on us to get them to their destinations on time.  
 >> review the handling of CP-199 today in relation to our scheduled Metra train and advise if there were any extenuating circumstances that  
 >> justified moving the train in this manner.  
 >>  
 >> Rich Oppenheim,  
 >> Assistant Superintendent  
 >> Metra CUS District Operations  
 >> P: 312-322-8939 C: 312-735-8576 |  
 >> roppenheim@metrarr.com<mailto:roppenheim@metrarr.com>  
 >> 547 W. Jackson Blvd., Chicago, IL 60661  
 >>  
 >>  
 >>  
 >>  
 >> From: Rich Oppenheim  
 >> Sent: Tuesday, August 06, 2019 2:37 PM  
 >> To: Steven Nettleton  
 >> <steven\_nettleton@cpr.ca<mailto:steven\_nettleton@cpr.ca>>; Lucas  
 >> Lingenfelter  
 >> <lucas\_lingenfelter@cpr.ca<mailto:lucas\_lingenfelter@cpr.ca>>;  
 >> nick\_walker@cpr.ca<mailto:nick\_walker@cpr.ca>; Josh Bahruth  
 >> <joshua\_bahruth@cpr.ca<mailto:joshua\_bahruth@cpr.ca>>; Brandon  
 >> Billingsley  
 >> <brandon\_billingsley@cpr.ca<mailto:brandon\_billingsley@cpr.ca>>; Matt  
 >> Bailey <matt\_bailey@cpr.ca<mailto:matt\_bailey@cpr.ca>>  
 >> Cc: Bruce Marcheschi  
 >> <BMarcheschi@METRARR.COM<mailto:BMarcheschi@METRARR.COM>>; Marty Ryan  
 >> <mryan@METRARR.COM<mailto:mryan@METRARR.COM>>; Janet Carbonelli  
 >> <JCarbonelli@METRARR.COM<mailto:JCarbonelli@METRARR.COM>>; Victor  
 >> Flores <VFlores@METRARR.COM<mailto:VFlores@METRARR.COM>>; David  
 >> Rodriguez <DRodriguez@METRARR.COM<mailto:DRodriguez@METRARR.COM>>;  
 >> Charlie Harrison  
 >> <CHarrison@METRARR.COM<mailto:CHarrison@METRARR.COM>>  
 >> Subject: Metra Delays due to CP Freight Interference - TUES AUG 6,  
 >> 2019  
 >>  
 >> Following delays to Metra Traffic on Elgin Sub today were due to CP freight interference:  
 >>  
 >> 2202 (-17) Arrived CUS @ 06:30. Freight interference Wood Dale  
 >> East; -10 Stop signal B-17 (686-770) freight train yarding blocked

>> by another locomotive, rear-end was hanging out [CP 686 hanging out  
>> on #2 MT at Tower B17 blocking 2202]  
>> 2203 (-20) Arrived Elgin @ 07:58. -14 Departed CUS late due to late arrival/turn of 2202, previous delay THIS IS A PEAK PERIOD TRAIN.  
>> 2220 (-9) Arrived CUS @ 08:32. Departed Roselle late due to late arrival/turn of 7201, following tardy THIS IS A PEAK PERIOD TRAIN.  
>> 2224 (-7) Arrived CUS @ 08:56. -2 Departed Franklin Park late due to following 2220 and 2227 THIS IS A PEAK PERIOD TRAIN.  
>> 2226 (-14) Arrived CUS @ 09:14. -1 Departed Elgin late due to late arrival/turn of 2203. -3 Stop signal THIS IS A PEAK PERIOD TRAIN.  
>>  
>>  
>> 2232 (-32) Arrived CUS @ 12:15. -3 Stop signal B-12 freight  
>> interference (G57) wrong lineup into the yard, back up move  
>>  
>> -----  
>> -----  
>> -----  
>>  
>> This was due to a CP-686 that was run from Randall to Bensenville Yard ahead of 2202. Upon arrival at Bensenville Yard, 686 was blocking an engine on the lead with train hanging out on #2 MT. Delay to 2202 will also affect 2203 as well as Peak Period Train 2226. Delays to 7 following 2203 are likely potentially resulting in delays to Peak Period Trains 2220 and 2222.  
>>  
>> Rich Oppenheim, Assistant Superintendent Metra CUS District  
>> Operations  
>> Office: 312-322-8939  
>> Cell: 312-735-8576  
>> Sent from my iPhone  
>>  
>> Begin forwarded message:  
>> From: Metra  
>> <servicealerts@metramail.com<mailto:servicealerts@metramail.com>>  
>> Date: August 6, 2019 at 5:54:15 AM CDT  
>> To: <roppenheim@metrarr.com<mailto:roppenheim@metrarr.com>>  
>> Subject: Metra Alert MD-W - Train #2202, sched. to arrive Chicago  
>> Union Station at 6:13 AM - 18 to 22 minute delay, freight train  
>> interference  
>>  
>>  
>> [https://protect-us.mimecast.com/s/G5X4Czpx8LcMo0YOc4eHEN]<https://protect-us.mimecast.com/s/D4H0CAD9L0hNAvKG18wL5X>  
>>  
>>  
>>  
>> Train #2202, scheduled to arrive Chicago Union Station at 6:13 AM, is operating 18 to 22 minutes behind schedule due to freight train interference. Please listen to platform announcements for the location of this train.  
>>  
>>  
>>  
>>  
>> This email was sent to:  
>> roppenheim@metrarr.com<mailto:roppenheim@metrarr.com>  
>>  
>> This email was sent by: Metra  
>> 547 W. Jackson Boulevard  
>> Chicago, IL 60661-5717 USA  
>>  
>> We respect your right to privacy - view our  
>> policy<https://protect-us.mimecast.com/s/2n50CBBRMkc75gXzsNzDHZ>  
>> Unsubscribe<https://protect-us.mimecast.com/s/OcKsCDkJOms5IRLDuZH2dR> if you no longer want to receive Metra Alert Email Notifications.  
>> Please do not reply to this email as it was generated by an automated system.  
>> If you have questions or comments, you may contact us at  
>> https://protect-us.mimecast.com/s/MMKyCER6gnu35Q8khZ7mYq<https://protect-us.mimecast.com/s/7X2ECG6QkpI15VN2I0uWUC>  
>>  
>>  
>>  
>>

>>  
>>  
>>

>> Disclaimer

>>

>> The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and not authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in the contents of this information is strictly prohibited and may be unlawful.

>>

>> This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast Ltd, an innovator in Security as a Service (SaaS) for business. Providing a safer and more useful place for your human generated data. Specializing in; Security, archiving & compliance. To find out more Click Here<<https://protect-us.mimecast.com/s/xfirCJ67nvlqE7Wgcp5J1O>>.

>>

>> ----- IMPORTANT NOTICE - AVIS IMPORTANT

>> ----- Computer viruses can be transmitted  
>> via email. Recipient should check this email and any attachments for  
>> the presence of viruses. Sender and sender company accept no  
>> liability for any damage caused by any virus transmitted by this  
>> email. This email transmission and any accompanying attachments  
>> contain confidential information intended only for the use of the  
>> individual or entity named above. Any dissemination, distribution,  
>> copying or action taken in reliance on the contents of this email by  
>> anyone other than the intended recipient is strictly prohibited. If  
>> you have received this email in error please immediately delete it  
>> and notify sender at the above email address. Le courrier  
>> électronique peut être porteur de virus informatiques. Le  
>> destinataire doit donc passer le présent courriel et les pièces qui y  
>> sont jointes au détecteur de virus. L'expéditeur et son employeur  
>> déclinent toute responsabilité pour les dommages causés par un virus  
>> contenu dans le courriel. Le présent message et les pièces qui y sont  
>> jointes contiennent des renseignements confidentiels destinés  
>> uniquement à la personne ou à l'organisme nommé ci-dessus. Toute  
>> diffusion, distribution, reproduction ou utilisation comme référence  
>> du contenu du message par une autre personne que le destinataire est  
>> formellement interdite. Si vous avez reçu ce courriel par erreur,  
>> veuillez le détruire immédiatement et en informer l'expéditeur à l'  
>> adresse ci-dessus. ----- IMPORTANT NOTICE -  
>> AVIS IMPORTANT -----



**To:** nick\_walker@cpr.ca[nick\_walker@cpr.ca]  
**Cc:** David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Thur 11/14/2019 6:15:24 PM UTC  
**Subject:** FW: Grayslake - CP Overview  
**Received:** Thur 11/14/2019 6:15:32 PM UTC

Nick –

Dave Rodriguez let me know following the last Rail Carriers meeting that he discussed with you the possibility of giving the CN RTC who controls Grayslake access to the CP Overview screen, which theoretically would provide the information needed to make better decisions about who to line up at Grayslake first. This would be very helpful from a number of standpoints and would ultimately help everyone's operations run smoother. CN has indicated that they would be very receptive to this if we can do it. If you are in agreement, please let me and the appropriate people at CP know so that we can move forward with this. Thanks for your help.

Rich

**From:** Thomas Duncan [mailto:tom.duncan@cn.ca]  
**Sent:** Thursday, November 14, 2019 12:00 PM  
**To:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Cc:** Scott Kuxmann <Scott.Kuxmann@cn.ca>; Matthew McClaren <matthew.mcclar01@cn.ca>; Diane Lewis <Diane.Lewis@cn.ca>; David Rodriguez <DRodriguez@METRARR.COM>; Marty Ryan <mryan@METRARR.COM>; Bruce Marcheschi <BMarcheschi@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>  
**Subject:** RE: Grayslake - CP Overview

We appreciate any tool and will utilize if granted access. Diane Lewis is CC'd and your contact moving forward with this.

Side note, any update on the GPS site issues being rectified?

**From:** Rich Oppenheim [mailto:ROppenheim@METRARR.COM]  
**Sent:** Wednesday, November 13, 2019 2:59 PM  
**To:** Scott Kuxmann <Scott.Kuxmann@cn.ca>; Matthew McClaren <matthew.mcclar01@cn.ca>  
**Cc:** DRodriguez-METRARR.COM <DRodriguez@METRARR.COM>; Marty Ryan <mryan@METRARR.COM>; Bruce Marcheschi <BMarcheschi@METRARR.COM>; VFlores-METRARR.COM <vflores@metrarr.com>; JCarbonelli-METRARR.COM <JCarbonelli@METRARR.COM>  
**Subject:** Grayslake - CP Overview

Last night we experienced delays on both 2125 and 2129 at the Grayslake crossing for cross traffic. Today 2117 also delayed. We have asked CP if they would be agreeable to allowing CN RTCs access to their overview screens which are available on the internet by using Internet Explorer (only) as a browser. CP indicated that they would be willing to do this. Since implementation of CTC on the Fox Lake Sub earlier this year, we now have control points at Liberty (4 miles East of CN Crossing) as well as at Grayslake East and Grayslake West just West of the crossing. If Desk 15 had access to the CP C&M Dispatcher overview they would be able to see the trains on the Fox Lake Sub approaching and should be better able to judge whether cross traffic could clear in time or not.

Would CN be agreeable to giving Desk 15 this valuable tool? Let me know if the answer is 'yes' and I will pursue further with CP. Thanks.

**Rich Oppenheim,**  
Assistant Superintendent  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661

Disclaimer

**PUBLIC VERSION**

**EXHIBIT B-2**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast Ltd, an innovator in Software as a Service (SaaS) for business. Providing a safer and more useful place for your human generated data. Specializing in: Security, archiving and compliance. To find out more [Click Here](#).

**PUBLIC VERSION**

**EXHIBIT B-2**

**To:** Josh Bahruth[joshua\_bahruth@cpr.ca]; Josh Pennington[joshua\_pennington@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Michael Ugorek[michael\_ugorek@cpr.ca]; Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]  
**Cc:** Marty Ryan[mryan@METRARR.COM]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Sat 11/16/2019 9:31:36 PM UTC  
**Subject:** Excessive Delay to 2711 at B17  
**Received:** Sat 11/16/2019 9:31:39 PM UTC

Metra 2711 date delayed 18 minutes at Tower B17 waiting for CP 286-15 to clear going into Bensenville Yard. This will also cause delay 2718 who turns from 2711 at Elgin. There was a window of approximately 1 hour 30 minutes behind 2711. Please advise why this excess was necessary.

Rich Oppenheim, Assistant Superintendent  
Metra CUS District Operations  
Office 312-322-8939  
Cell 312-735-8576  
Roppenheim@metrarr.com

Sent from my iPhone



**To:** Josh Bahruth[joshua\_bahruth@cpr.ca]; Josh Pennington[joshua\_pennington@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Michael Ugorek[michael\_ugorek@cpr.ca]; Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]  
**Cc:** Marty Ryan[mryan@METRARR.COM]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Sat 11/16/2019 9:31:36 PM UTC  
**Subject:** Excessive Delay to 2711 at B17  
**Received:** Sat 11/16/2019 9:31:38 PM UTC

Metra 2711 date delayed 18 minutes at Tower B17 waiting for CP 286-15 to clear going into Bensenville Yard. This will also cause delay 2718 who turns from 2711 at Elgin. There was a window of approximately 1 hour 30 minutes behind 2711. Please advise why this excess was necessary.

Rich Oppenheim, Assistant Superintendent  
Metra CUS District Operations  
Office 312-322-8939  
Cell 312-735-8576  
Roppenheim@metrarr.com

Sent from my iPhone

**To:** joshua\_bahruth@cpr.ca[joshua\_bahruth@cpr.ca]; Joshua Pennington[Joshua\_Pennington@cpr.ca]; Michael Ugorek[Michael\_Ugorek@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]  
**Cc:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]  
**From:** Rich Oppenheim  
**Date:** Wed 10/23/2019 5:12:18 PM UTC  
**Subject:** CP G57-287(23) on No 2 MT between Tower B12 and Tower B17  
**Received:** Wed 10/23/2019 5:12:19 PM UTC

CP G57 (outbound 287-23) has been occupying Metra #2 MT between Tower B12 and Tower B17 since 0915 this morning. My understanding is that arrangements were made to have this train hold #2 MT while setting out cars in Bensenville Yard. Metra Operations have been single tracking around this train on #1 MT going on 3 hours. To make matters worse, we now have a CP-581 stopped on #1 MT at Mannheim changing crews, essentially taking away both of the Metra owned Main Tracks for yard activities. It was agreed some time ago that the Metra Main tracks were to be used for moving trains. Crew changes were acceptable if relief crews were in place and trains were staged so as not to delay Metra's operations. Yard activities, such as picking up and setting out cars and locomotives were to take place in the yard or on the Cut-off between Tower B17 and Bryn Mawr. With both Metra Mains occupied both Metra 2215 who followed 581 to B17, as well as Metra 2234 who was waiting at Tower B17 for 2215, incurred minor delays. Moving forward, we respectfully request that CP resume the use of Metra's two Main tracks between Tower B12 and Tower B17 for moving traffic as was agreed to.

Rich Oppenheim,  
Assistant Superintendent  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661

**To:** Steven Nettleton[[steven\\_nettleton@cpr.ca](mailto:steven_nettleton@cpr.ca)]  
**Cc:** [nick\\_walker@cpr.ca](mailto:nick_walker@cpr.ca)[[nick\\_walker@cpr.ca](mailto:nick_walker@cpr.ca)]; Jack Bauer[[JBauer@METRARR.COM](mailto:JBauer@METRARR.COM)]; Rocio Bear[[rbear@METRARR.COM](mailto:rbear@METRARR.COM)]  
**From:** Rich Oppenheim  
**Sent:** Mon 07/29/2019 11:01:21 AM UTC  
**Subject:** Fwd: MW#2714: B-17 SUNDAY 7/28/19  
**Received:** Mon 07/29/2019 11:01:22 AM UTC

Steve -

As clarification regarding the 20 minute delay to Metra 2714 at Tower B17, on Sunday July 28, 2019, was moving to the yard that closely ahead of 2714 a conscious decision to impact it, or were there other extenuating factors?

Sent from my iPhone

Begin forwarded message:

**From:** Rich Oppenheim [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)  
**Date:** July 28, 2019 at 2:54:16 PM CDT  
**To:** Brandon Billingsley [brandon\\_billingsley@cpr.ca](mailto:brandon_billingsley@cpr.ca) Steven Nettleton [steven\\_nettleton@cpr.ca](mailto:steven_nettleton@cpr.ca)  
**Subject:** Fwd: MW#2714: B-17 SUNDAY 7/28/19

Sent from my iPhone

Begin forwarded message:

**From:** Rich Oppenheim [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)  
**Date:** July 28, 2019 at 2:53:09 PM CDT  
**To:** Josh Bahruth [joshua\\_bahruth@cpr.ca](mailto:joshua_bahruth@cpr.ca) "brandon\_billingsley@metrarr.com" [brandon\\_billingsley@metrarr.com](mailto:brandon_billingsley@metrarr.com) Matt Bailey [matt\\_bailey@cpr.ca](mailto:matt_bailey@cpr.ca)  
**Subject:** Fwd: MW#2714: B-17 SUNDAY 7/28/19

Please investigate and advise why scheduled Metra window was not respected

Sent from my iPhone

Begin forwarded message:

**From:** Marshall Beecher [MBeecher@METRARR.COM](mailto:MBeecher@METRARR.COM)  
**Date:** July 28, 2019 at 1:57:32 PM CDT  
**To:** David Rodriguez [DRodriguez@METRARR.COM](mailto:DRodriguez@METRARR.COM) Donnie McKelvey  
[Donnie\\_McKelvey@cpr.ca](mailto:Donnie_McKelvey@cpr.ca) Janet Carbonelli [JCarbonelli@METRARR.COM](mailto:JCarbonelli@METRARR.COM)  
 John Abrahamson [john\\_abrahamson@cpr.ca](mailto:john_abrahamson@cpr.ca) Marty Ryan  
[mryan@METRARR.COM](mailto:mryan@METRARR.COM), MOC DIRECTOR EAST CP  
[MOC\\_Director\\_East@cpr.ca](mailto:MOC_Director_East@cpr.ca) Nick Walker - CP [Nicholas\\_C\\_Walker@cpr.ca](mailto:Nicholas_C_Walker@cpr.ca)  
 Rich Oppenheim [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM) Victor Flores  
[VFlores@METRARR.COM](mailto:VFlores@METRARR.COM)  
**Cc:** Robert Tellin [RTellin@METRARR.COM](mailto:RTellin@METRARR.COM), Adam Farence [AFarence@METRARR.COM](mailto:AFarence@METRARR.COM)  
 Maurice King [MKing@METRARR.COM](mailto:MKing@METRARR.COM)  
**Subject:** MW#2714: B-17 SUNDAY 7/28/19



This afternoon, an on-time Milwaukee West Line train (MW2714) was excessively delayed by a yarding Canadian Pacific train (286-27) at Tower B17 a short while ago.

The 6600' freight train was asked to hand line a yard switch and make a 10 minute window to clear the mains at Tower B-17. The B-17 Operator further asked 2714 what their status was and they indicated that they were on-time, and in the vicinity of Itasca. The freight train was lined up, nonetheless.

Ultimately, this poor operating decision made for a 20 minute-late MW2714 at Chicago.

Marshall W. Beecher

Metra CUSD Trainmaster

**To:** Rich Oppenheim[ROppenheim@METRARR.COM]; Nicole Kurtenbach CP AGM Minneapolis[nicole\_kurtenbach@cpr.ca]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]; EAST CP[Moc\_Director\_East@cpr.ca]; moc\_director\_east@cpr.ca.[moc\_director\_east@cpr.ca.]; Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]  
**Cc:** Marty Ryan[mryan@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Josh Bahruth[joshua\_bahruth@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Tue 10/01/2019 5:05:59 PM UTC  
**Subject:** RE: Metra Delays due to CP freight Interference Sept 30-Oct 1 2019  
**Received:** Tue 10/01/2019 5:06:04 PM UTC

Please see attached representing feedback from our customers:

Issue #: 49359  
 Issue Status: Open  
 Submitted By: Metra Rail

\* Description:

COMPLAINT: Rail Line:md-w Message: Why is this train always late. Today it is 17 to 20 mins late due to freight train interference. I have here since 430 am and have not seen or heard any freight trains. The other day it was due to accommodating boarding passengers no passenger requesting assistance. It is ridiculous that I pay 124.00 a month to be late for work almost daily. You charge 5.00 extra from people who do their ticket at the station you should give each passenger 5.00 every time you are late. Date:2019-10-01 Time:5 : 10 AM

Edit

\* Priority: Critical Medium

RESPONSE: Although Metra owns and maintains the tracks, Canadian Pacific freight dispatchers control and are responsible for train on the Milwaukee West Line. This is in accordance with the terms of the Operating Agreement between Metra and CP Rail that dates back to Metra's inception. This morning, a CP Rail Dispatcher authorized a Westward freight train through a small portion of single track near Elgin. A poor decision resulted in an 18 minute delay to Metra 2200. We have followed up this issue with our CP counterparts asking that appropriate measures be taken to avoid a repeat performance. We are sorry for your inconvenience, but unfortunately we cannot provide refunds for trains.

-----Original Message-----

From: Rich Oppenheim [mailto:ROppenheim@METRARR.COM]  
 Sent: Tuesday, October 01, 2019 6:16 AM  
 To: Nicole Kurtenbach CP AGM Minneapolis <nicole\_kurtenbach@cpr.ca>; nick\_walker@cpr.ca; EAST CP <Moc\_Director\_East@cpr.ca>; moc\_director\_east@cpr.ca.; Lucas Lingenfelter <lucas\_lingenfelter@cpr.ca>  
 Cc: Marty Ryan <mryan@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Bruce Marcheschi <BMarcheschi@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; Josh Bahruth <joshua\_bahruth@cpr.ca>  
 Subject: Metra Delays due to CP freight Interference Sept 30-Oct 1 2019

The following Metra Trains incurred delays caused by CP freight interference on Monday Sept 30 and Tuesday Oct 1, 2019:

MONDAY SEPT 30:

2208 delayed 7 minutes following CP G54. 2208 is contractually a Peak Period train.

2156 was running 12 minutes late on turn from 2141, but schedule for this train has a "buffer" time built into schedule which would have allowed for arrival at Chicago within 5 minute tolerance. Instead CP ran a lengthy 198 directly ahead of 2156 out of Rondout to operate via Tower known 10 MPH restriction around wye at A5. 198 caused an additional 20 minutes delay to 2156 resulting in 31 minute late arrival at Chicago. 2156. This also delayed Amtrak 342 behind 2156.

TUESDAY OCT 1

Metra 2200 held 16 minutes at Tower B35 to let a CP-474 go through first. 2200 arrived Chicago 18 minutes late resulting in late departure of 2201. This will also affect peak period train 2222 who turns from 2201.

Rich Oppenheim, Asst Supt  
Metra CUS District Operations  
Office 312-322-8939  
Cell. 312-735-8576

ent from my iPhone



**To:** UP dridder[DRRIDDER@up.com]  
**Cc:** Marty Ryan[mryan@METRARR.COM]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Nicole Kurtenbach CP AGM Minneapolis[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]; EAST CP[Moc\_Director\_East@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Fri 10/04/2019 12:56:55 AM UTC  
**Subject:** Delays to Metra 2154 and Amtrak 340 due to P342 not handling CP 680  
**Received:** Fri 10/04/2019 12:56:56 AM UTC

Dean -

I know you gave me some Omaha contacts at one point, but I'm having trouble locating them. The issue we have tonight is that CP had a 286 and 680-315 which they claim were both presented to Desk P-342 who agreed to handle them. Apparently 286 was stopped at Shermer briefly, however as 680 was going by A20, 3 minutes from Shermer, P342 lined up for a UP Southbound and a UP Northbound. Since 680 did not clear between Shermer and A20, Metra 2154 took an 18 minute delay waiting until CP 680 was finally lined up and pulled up to clear A20. Amtrak wound up stopping behind 2154 until they could move, and Techny Road crossing was blocked for the duration.

Is it possible for you to reach out to Omaha and confirm that P342 in fact committed to moving both CP trains and then reneged? We can stress that CP must not let freight trains out of Rondout without a commitment from UP that they will keep moving. We would like it re-emphasized to all who work P342 that if they commit to CP to move a freight they need to do so. Thanks for your help.

Rich

Sent from my iPhone

**To:** nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]  
**Cc:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Jack Bauer[JBauer@METRARR.COM]; Rocio Gentil[rgentil@metrarr.com]  
**From:** Rich Oppenheim  
**Sent:** Fri 10/18/2019 7:25:03 PM UTC  
**Subject:** Delay to Metra Peak Period Train 2208 for freight interference FRI OCT 18, 2019  
**Received:** Fri 10/18/2019 7:25:05 PM UTC

**Milwaukee West:**

**2208** (-8) Arrived CUS @ 07:28. -12" Stop signal Franklin Park, freight interference waited on East-bound light engine move to clear Galewood.

FYI, this morning, Light Engines ran from Tower B17 to Cicero East to access BRC during height of morning rush. Since light engines required an axle block, Metra 2208 had to be held approximately 12 minutes at Tower B12 until Light power ahead on #3 MT cleared the Control Point at Galewood West. 2208 arrived CUS 8 minutes late.

**Rich Oppenheim,**  
Assistant Superintendent  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661

**To:** steven\_nettleton@cpr.ca[steven\_nettleton@cpr.ca]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]  
**Cc:** joshua\_bahruth@cpr.ca[joshua\_bahruth@cpr.ca]; Brandon Billingsley[brandon\_billingsley@cpr.ca]; Matt Bailey[Matt\_Bailey@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; robert\_johnson@cpr.ca[robert\_johnson@cpr.ca]; NCarlsonforward[norman.carlson@sbcglobal.net]; Jim Derwinski[JDerwinski@METRARR.COM]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; net Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Charlie Harrison[CHarrison@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Fri 08/02/2019 6:14:17 PM UTC  
**Subject:** Movement of CP Freight traffic vs. Metra trains  
**Received:** Fri 08/02/2019 6:14:18 PM UTC

Steve/Nick –

This has reference to various conversations held over the last week or two concerning instructions issued recently to CP C&M and Elgin Dispatchers, essentially directing them to move CP freight traffic in preference to Metra traffic whenever Metra is "late".

While the intent of these instructions when issued may have been initially well intentioned, from my understanding they are somewhat vague and open to varying degrees of interpretation. Although Metra has not received an actual copy of these instructions, as requested, we do have reason to believe that the instructions go into effect whenever Metra trains are running "late" – but there is no quantification as to what constitutes "late", i.e. 5 minutes, 10 minutes, 20 minutes, etc. Common sense would dictate that if a Metra train was running 5 or 10 minutes late, it should not prompt having a 10,000 foot freight train moved in front of it, causing further delay, but unfortunately this is not spelled out, and as a result we have experienced several incidents of late which in our opinion should not have occurred. Please consider the scenario that took place earlier today:

- Metra 2230 was running approximately 8 minutes late due to heavy passenger loading brought about by the Lollapalooza fest in Chicago. 2230 was already lined up at Tower B12 for their normal route from #2 Main Track to #3 Main Track.
- As 2230 was approaching Mannheim, CP-281 had pulled down on 3-lead in preparation for departure and announced to the Elgin Dispatcher that they were ready to go. Elgin Dispatcher then directed the B12 Operator to take the signal away from 2230 and begin running time on the signal. 2230 was then to wait for outbound 2211 to clear B12 and 2230 then cross to #1 Main while 281 pulled out from 3-Lead to #3 Main. Bear in mind that 2230 was already physically in front of 281 when the process began. 2230 actually sat at Tower B12 while 281 slowly pulled past them.
- Also, bear in mind that passengers waiting for 2230 at Elmwood Park, Mont Clare, and Galewood would be standing on the platform adjacent to #3 Main, and would then either wind up being blocked by 281, or more likely would dash across in front of 281 in order to get to the #1 main platform and not miss their train. The safety implications of this scenario are staggering, not to mention the blatant disregard for Metra's Operation on our own tracks.

I am deeply concerned about some of the Operation decisions that have been made since these instructions were issued. From my perspective, some of what I am seeing is reminiscent of a very dark period in the history of CP-Metra relations during which Metra Operations and our customers were essentially treated as second class citizens on our own railroad day after day. This was the norm during the latter part of 2014, and it wasn't until we were finally able to meet with Mr. Johnson in February 2015, and discuss the needs and concerns of both Metra and CP, that we were able to come up with plans and strategies to protect our schedules and provide the timely operation that the traveling public demands. I am hopeful that we can again adhere to the protocols that were established at that time and over the last four plus years. The instructions recently issued, which essentially direct the movement of freight traffic in preference to Metra Operations, are in direct conflict with the principles established at that time, and should be rescinded. At very least, the instructions need to be quantified and clarified, and carefully explained to the CP Dispatchers and Managers who are making these decisions. They also need to be shared with us at Metra Transportation. Your cooperation is greatly appreciated.

**Rich Oppenheim,**  
 Assistant Superintendent  
 Metra CUS District Operations  
 P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
 547 W. Jackson Blvd., Chicago, IL 60661



**To:** nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Mon 11/18/2019 6:01:44 PM UTC  
**Subject:** FW: Grayslake - CP Overview  
**Received:** Mon 11/18/2019 6:01:45 PM UTC

Nicole –

Nick Walker has indicated that he is okay with this, but that you would be the one to get this done. Please let me know if you can help get this moving. Thanks.

Rich

**From:** Rich Oppenheim  
**Sent:** Thursday, November 14, 2019 12:15 PM  
**To:** 'nick\_walker@cpr.ca' <nick\_walker@cpr.ca>  
**Cc:** David Rodriguez <DRodriguez@METRARR.COM>  
**Subject:** FW: Grayslake - CP Overview

Nick –

Dave Rodriguez let me know following the last Rail Carriers meeting that he discussed with you the possibility of giving the CN RTC who controls Grayslake access to the CP Overview screen, which theoretically would provide the information needed to make better decisions about who to line up at Grayslake first. This would be very helpful from a number of standpoints and would ultimately help everyone's operations run smoother. CN has indicated that they would be very receptive to this if we can do it. If you are in agreement, please let me and the appropriate people at CP know so that we can move forward with this. Thanks for your help.

Rich

**From:** Thomas Duncan [mailto:tom.duncan@cn.ca]  
**Sent:** Thursday, November 14, 2019 12:00 PM  
**To:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Cc:** Scott Kuxmann <Scott.Kuxmann@cn.ca>; Matthew McClaren <matthew.mcclar01@cn.ca>; Diane Lewis <Diane.Lewis@cn.ca>; David Rodriguez <DRodriguez@METRARR.COM>; Marty Ryan <mryan@METRARR.COM>; Bruce Marcheschi <BMarcheschi@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>  
**Subject:** RE: Grayslake - CP Overview

We appreciate any tool and will utilize if granted access. Diane Lewis is CC'd and your contact moving forward with this.

Side note, any update on the GPS site issues being rectified?

**From:** Rich Oppenheim [mailto:ROppenheim@METRARR.COM]  
**Sent:** Wednesday, November 13, 2019 2:59 PM  
**To:** Scott Kuxmann <Scott.Kuxmann@cn.ca>; Matthew McClaren <matthew.mcclar01@cn.ca>  
**Cc:** DRodriguez-METRARR.COM <DRodriguez@METRARR.COM>; Marty Ryan <mryan@METRARR.COM>; Bruce Marcheschi <BMarcheschi@METRARR.COM>; VFlores-METRARR.COM <Vflores@metrarr.com>; JCarbonelli-METRARR.COM <JCarbonelli@METRARR.COM>  
**Subject:** Grayslake - CP Overview

Last night we experienced delays on both 2125 and 2129 at the Grayslake crossing for cross traffic. Today 2117 also delayed. We have asked CP if they would be agreeable to allowing CN RTCs access to their overview screens which are available on the internet by using Internet Explorer (only) as a browser. CP indicated that they would be willing to do this. Since implementation of CTC on the Fox Lake Sub earlier this year, we now have control points at Liberty (4 miles East of CN Crossing) as well as at Grayslake East and Grayslake West just West of the crossing. If Desk 15 had access to the CP C&M Dispatcher overview they would be able to see the trains on the Fox Lake Sub approaching and should be better able to judge whether cross traffic could clear in time or not.

Would CN be agreeable to giving Desk 15 this valuable tool? Let me know if the answer is 'yes' and I will pursue further with CP. Thanks.

**Rich Oppenheim,**  
Assistant Superintendent  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast Ltd, an Innovator in Software as a Service (SaaS) for business. Providing a safer and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

**To:** Steven Nettleton[steven\_nettleton@cpr.ca]; Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]; Josh Bahruth[joshua\_bahruth@cpr.ca]; Brandon Billingsley[brandon\_billingsley@cpr.ca]; Matt Bailey[matt\_bailey@cpr.ca]  
**Cc:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Charlie Harrison[CHarrison@METRARR.COM]; robert\_johnson@cpr.ca[robert\_johnson@cpr.ca]; NCarlsonforward[norman.carlson@sbcglobal.net]  
**From:** Rich Oppenheim  
**Sent:** Wed 08/07/2019 4:13:25 PM UTC  
**Subject:** Metra Delays due to CP Freight Interference - WED AUG 7, 2019  
**Received:** Wed 08/07/2019 4:13:26 PM UTC

WEDNESDAY – AUGUST 7, 2019

Metra 2230 is due at Tower B17 10:19 AM. Per Metra GPS data, train was operating 6 minutes behind schedule departing from the last station before Tower B17. At 10:15 AM, 4 minutes before 2230's schedule time at Tower B17, CP deliberately dispatched an 11,000 foot 199 which was too long to fit between Tower B17 and Bryn Mawr. UP wound up holding 199 at Bryn Mawr due to a local switch job occupying their #1 track West of Bryn Mawr, and an Engineering Department employee holding Track Authority on their #2 track. Accordingly 199 stopped with rear end of train blocking Tower B17 control point until Engineering Department employee cleared the track and released his authority. Metra 2230 departed Tower B17 at 10:42 AM, 23 minutes late, incurring an additional 17 minutes delay beyond the original 6 minutes while waiting for 199 to clear.

Why was it necessary to even attempt to move an 11,000 foot train so closely ahead of a scheduled Metra train, let alone one that knowingly would not be able to clear Metra's owned Main Tracks without an immediate line up from a foreign line Dispatcher not under CP's control?

Metra 2230 typically carries over 400 passengers, many of whom are using our service to get them to time sensitive appointments. CP again appears to be showing a blatant disregard for Metra's operation and the customers who count on us to get them to their destinations on time. Please review the handling of CP-199 today in relation to our scheduled Metra train and advise if there were any extenuating circumstances that would have justified moving the train in this manner.

**Rich Oppenheim,**  
 Assistant Superintendent  
 Metra CUS District Operations  
 P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
 547 W. Jackson Blvd., Chicago, IL 60661

**From:** Rich Oppenheim  
**Sent:** Tuesday, August 06, 2019 2:37 PM  
**To:** Steven Nettleton <steven\_nettleton@cpr.ca>; Lucas Lingenfelter <lucas\_lingenfelter@cpr.ca>; nick\_walker@cpr.ca; Josh Bahruth <joshua\_bahruth@cpr.ca>; Brandon Billingsley <brandon\_billingsley@cpr.ca>; Matt Bailey <matt\_bailey@cpr.ca>  
**Cc:** Bruce Marcheschi <BMarcheschi@METRARR.COM>; Marty Ryan <mryan@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Charlie Harrison <CHarrison@METRARR.COM>  
**Subject:** Metra Delays due to CP Freight Interference - TUES AUG 6, 2019

Following delays to Metra Traffic on Elgin Sub today were due to CP freight interference:

**2202 (-17)** Arrived CUS @ 06:30. -5" Freight interference Wood Dale East; -10" Stop signal B-17 (686-770) freight train yarding blocked by another locomotive, rear-end was hanging out [**CP 686 hanging out on #2 MT at Tower B17 blocking 2202**]  
**2203 (-20)** Arrived Elgin @ 07:58. -14" Departed CUS late due to late arrival/turn of 2202, previous delays – *THIS IS A PEAK PERIOD TRAIN.*  
**2220 (-9)** Arrived CUS @ 03:32. Departed Roselle late due to late arrival/turn of 2201, following tardy 2205 – *THIS IS A PEAK PERIOD TRAIN.*  
**2224 (-7)** Arrived CUS @ 03:56. -7" Departed Franklin Park late due to following 2220 and 2222 – *THIS IS A PEAK PERIOD TRAIN.*  
**2226 (-14)** Arrived CUS @ 09:14. -11" Departed Elgin late due to late arrival/turn of 2203; -4" Stop signal – *THIS IS A PEAK PERIOD TRAIN.*



2232 (-32) Arrived CUS @ 12:15. -35" Stop signal B-12 freight interference (G57) wrong lineup into the yard, back up move

---

This was due to a CP-686 that was run from Randall to Bensenville Yard ahead of 2202. Upon arrival at Bensenville Yard, 686 was blocked by an engine on the lead with train hanging out on #2 MT. Delay to 2202 will also affect 22 as well as Peak Period Train 2226. Delays to 7201 following 2203 are likely potentially resulting in delays to Peak Period Trains 2220 and 2222.

Rich Oppenheim, Assistant Superintendent  
Metra CUS District Operations  
Office: 312-322-8939  
Cell: 312-735-8576

Sent from my iPhone  
Begin forwarded message:

**From:** Metra <[servicealerts@metramail.com](mailto:servicealerts@metramail.com)>  
**Date:** August 6, 2019 at 5:54:15 AM CDT  
**To:** <[roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)>  
**Subject:** Metra Alert MD-W - Train #2202, sched. to arrive Chicago Union Station at 6:13 AM - 18 to 22 minute delay, freight train interference



---

Train #2202, scheduled to arrive Chicago Union Station at 6:13 AM, is operating 18 to 22 minutes behind schedule due to freight train interference. Please listen to platform announcements for the location of the train.

---

*This email was sent [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)*

This email was sent by: Metra  
547 W. Jackson Boulevard  
Chicago, IL 60661-5717 USA

We respect your right to privacy [view our policy](#)  
[Unsubscribe](#) if you no longer want to receive Metra Alert Email Notifications.  
Please do not reply to this email as it was generated by an automated system.  
If you have questions or comments, you may contact <https://metrarail.com/contact-us>

**To:** Robert A Johnson[Robert\_Johnson@cpr.ca]  
**Cc:** Steven Nettleton[Steven\_Nettleton@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; Nicholas C Walker[Nicholas\_C\_Walker@cpr.ca]; Joshua Bahruth[Joshua\_Bahruth@cpr.ca]; Brandon Billingsley[Brandon\_Billingsley@cpr.ca]; Matt Bailey[Matt\_Bailey@cpr.ca]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Charlie Harrison[CHarrison@METRARR.COM]; NCarlsonforward[norman.carlson@sbcglobal.net]  
**From:** Rich Oppenheim  
**Sent:** Wed 08/07/2019 4:46:40 PM UTC  
**Subject:** RE: Metra Delays due to CP Freight Interference - WED AUG 7, 2019  
**Received:** Wed 08/07/2019 4:46:44 PM UTC

Robert -

Thank you for your prompt response. I am often called upon to respond to customer inquiries as to why their train may have been running behind schedule at intermediate points. The reality is that, as you know, Operating Rules do not permit a train to depart a station in advance of its scheduled time. That fact, coupled with the myriad of situations that regularly come up -- such as ADA passengers who need to have the train stopped and raised so that they can board or detrain, Engineering work that may require a train to slow down briefly for a Form B Bulletin in order to negotiate a work zone, train handling differences among engineers, some of whom may get in and out of stations faster than others, etc. -- prompted us to design our schedules so that at intermediate stops, a train should not have to needlessly sit and wait for departure time to come around. In other words, the times at intermediate stations are achievable under essentially perfect conditions, but, more often than not, for reasons stated, and others, we do frequently tend to run a few minutes behind schedule. Our schedules are designed so that a 6 minute delay in the case with 2230 today, will typically not prevent the train from arriving its final destination at the scheduled time. This is nothing new. Scheduling commuter trains in this manner has been the norm on our system - as well as throughout the industry - for as long as I have been involved in railroad operations. If CP is taking the stance that unless a scheduled train is running exactly 100% on its schedule they no longer need to adhere to its schedule, then something is very wrong.

-----Original Message-----

**From:** Robert A Johnson [mailto:Robert\_Johnson@cpr.ca]  
**Sent:** Wednesday, August 07, 2019 11:23 AM  
**To:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Cc:** Steven Nettleton <Steven\_Nettleton@cpr.ca>; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; Nicholas C Walker <Nicholas\_C\_Walker@cpr.ca>; Joshua Bahruth <Joshua\_Bahruth@cpr.ca>; Brandon Billingsley <Brandon\_Billingsley@cpr.ca>; Matt Bailey <Matt\_Bailey@cpr.ca>; Bruce Marcheschi <BMarcheschi@METRARR.COM>; Marty Ryan <mryan@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Charlie Harrison <CHarrison@METRARR.COM>; NCarlsonforward <norman.carlson@sbcglobal.net>  
**Subject:** Re: Metra Delays due to CP Freight Interference - WED AUG 7, 2019

Rich,

Why was Metra late?

Sent from my iPhone

On Aug 7, 2019, at 10:13, Rich Oppenheim <ROppenheim@metrarr.com<mailto:ROppenheim@metrarr.com>> wrote:

This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

WEDNESDAY – AUGUST 7, 2019

Metra 2230 is due at Tower B17 10:19 AM. Per Metra GPS data, train was operating 6 minutes behind schedule departing from the last stop before Tower B17. At 10:15 AM, 4 minutes before its scheduled time at Tower B17, CP deliberately dispatched an 11,000 foot 199 which was too long to fit between Tower B17 and Bryn Mawr. UP wound up holding 199 at Bryn Mawr due to a local switch job occupying their #1 track of Bryn Mawr, and an Engineering Department employee holding Track Authority on their #2 track. Accordingly 199 stopped with rear end blocking Tower B17 control point until Engineering Department employee cleared the track and released his authority. Metra 2230 departed Tower B17 at 10:42 AM, 23 minutes late, incurring an additional 17 minutes delay beyond the original 6 minutes while waiting for 199 to clear.

Why was it necessary to even attempt to move an 11,000 foot train so closely ahead of a scheduled Metra train, let alone one that known not to be able to clear Metra owned Main Tracks without an immediate line up from a foreign line Dispatcher not understanding?

Metra 2230 typically carries over 400 passengers, many of whom are using our service to get them to time sensitive appointments. CP appears to be showing a blatant disregard for Metra's reputation and the customers who count on us to get them to their destinations on time. Please advise the handling of CP-199 today in relation to our scheduled Metra train and advise if there were any extenuating circumstances that would justify moving the train in this manner.

Rich Oppenheim,  
 Assistant Superintendent  
 Metra CUS District Operations  
 P: 312-322-8939 C: 312-735-8576 | roppenheim@metrarr.com<mailto:roppenheim@metrarr.com>

From: Rich Oppenheim  
 Sent: Tuesday, August 06, 2019 2:37 PM  
 To: Steven Nettleton <steven\_nettleton@cpr.ca<mailto:steven\_nettleton@cpr.ca>>; Lucas Lingenfelter <lucas\_lingenfelter@cpr.ca<mailto:lucas\_lingenfelter@cpr.ca>>; nick\_walker@cpr.ca<mailto:nick\_walker@cpr.ca>; Josh Bahruth <joshua\_bahruth@cpr.ca<mailto:joshua\_bahruth@cpr.ca>>; Brandon Billingsley <brandon\_billingsley@cpr.ca<mailto:brandon\_billingsley@cpr.ca>>; Matt Bailey <matt\_bailey@cpr.ca<mailto:matt\_bailey@cpr.ca>>  
 Cc: Bruce Marcheschi <BMarcheschi@METRARR.COM<mailto:BMarcheschi@METRARR.COM>>; Marty Ryan <mryan@METRARR.COM<mailto:mryan@METRARR.COM>>; Janet Carbone Ili <JCarboneIli@METRARR.COM<mailto:JCarboneIli@METRARR.COM>>; Victor Flores <VFlores@METRARR.COM<mailto:VFlores@METRARR.COM>>; David Rodriguez <DRodriguez@METRARR.COM<mailto:DRodriguez@METRARR.COM>>; Charlie Harrison <CHarrison@METRARR.COM<mailto:CHarrison@METRARR.COM>>  
 Subject: Metra Delays due to CP Freight Interference - TUES AUG 6, 2019

Following delays to Metra Traffic on Elgin Sub today were due to CP freight interference:

2202 (-17) Arrived CUS @ 06:30. ~~Freight interference Wood Dale East;~~ ~~Stop signal B-17 (686-770) freight train yarding blocked by another locomotive, rear-end was hanging out [CP 686 hanging out on #2 MT at Tower B17 blocking 2202]~~  
 2203 (-20) Arrived Elgin @ 07:58. ~~Departed CUS late due to late arrival/turn of 2202, previous delay~~ ~~THIS IS A PEAK PERIOD TRAIN.~~  
 2220 (-9) Arrived CUS @ 08:32. Departed Roselle late due to late arrival/turn of 7201, following tardy ~~THIS IS A PEAK PERIOD TRAIN.~~  
 2224 (-7) Arrived CUS @ 08:56. ~~Departed Franklin Park late due to following 2220 and 2224~~ ~~THIS IS A PEAK PERIOD TRAIN.~~  
 2226 (-14) Arrived CUS @ 09:14. ~~Departed Elgin late due to late arrival/turn of 2203;~~ ~~Stop signal~~ ~~THIS IS A PEAK PERIOD TRAIN.~~

2232 (-32) Arrived CUS @ 12:15. ~~Stop signal B-12 freight interference (G57) wrong lineup into the yard, back up move~~

---

This was due to a CP-686 that was run from Randall to Bensenville Yard ahead of 2202. Upon arrival at Bensenville Yard, 686 was blocked by engine on the lead with train hanging out on #2 MT. Delay to 2202 will also affect 2203 as well as Peak Period Train 2226. Delays to 7201 and 2203 are likely potentially resulting in delays to Peak Period Trains 2220 and 2222.

Rich Oppenheim, Assistant Superintendent Metra CUS District Operations  
 Office: 312-322-8939  
 Cell: 312-735-8576  
 Sent from my iPhone

Begin forwarded message:

From: Metra <servicealerts@metramail.com<mailto:servicealerts@metramail.com>>  
 Date: August 6, 2019 at 5:54:15 AM CDT  
 To: <roppenheim@metrarr.com<mailto:roppenheim@metrarr.com>>  
 Subject: Metra Alert MD-W - Train #2202, sched. to arrive Chicago Union Station at 6:13 AM - 18 to 22 minute delay, freight train interfere

[<https://protect-us.mimecast.com/s/G5X4Czpx8LcMo0YOc4eHEN>]<https://protect-us.mimecast.com/s/D4H0CAD9L0hNAvKGI8wL5X>

Train #2202, scheduled to arrive Chicago Union Station at 6:13 AM, is operating 18 to 22 minutes behind schedule due to freight train interference. Please listen to platform announcements for the location of this train.

This email was sent to: roppenheim@metrarr.com<mailto:roppenheim@metrarr.com>

This email was sent by: Metra  
 547 W. Jackson Boulevard  
 Chicago, IL 60661-5717 USA

We respect your right to privacy - view our policy<<https://protect-us.mimecast.com/s/2n50CBBRMkc75gXzsNzDHZ>>  
 Unsubscribe<<https://protect-us.mimecast.com/s/OcKsCDkJOms5IRLDuZH2dR>> if you no longer want to receive Metra Alert Email Notifications.  
 Please do not reply to this email as it was generated by an automated system.



If you have questions or comments, you may contact us at <https://protect-us.mimecast.com/s/MMKyCER6ghu35Q8khZ7mYq> <<https://protect-us.mimecast.com/s/7X2ECG6Qkp115VN210uWUC>>

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation to the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast Ltd, an innovator in Software as a Service (SaaS) for business. Providing a safer and more useful place for your human generated data. Specializing in: Security, archiving and compliance. To find out more Click Here <<https://protect-us.mimecast.com/s/xfirCJ67nvlqE7Wgcp5J1O>>.

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email transmission and any accompanying attachments contain confidential information only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the content of this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete it and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer au crible le courriel et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et son employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence de ce message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. ----- IMPORTANT NOTICE - AVIS IMPORTANT -----

To: steven\_nettleton@cpr.ca[steven\_nettleton@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca];  
nick\_walker@cpr.ca[nick\_walker@cpr.ca]  
Cc: Bruce Marcheschi[BMarcheschi@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet  
Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
From: Rich Oppenheim  
Sent: Tue 07/30/2019 3:43:50 PM UTC  
Subject: Metra Delays MON-TUE JUL 29-30, 2019 - CP Freight interference  
Received: Tue 07/30/2019 3:43:51 PM UTC

## MONDAY JULY 29, 2019:

- 2228 13 minutes at Tower B17 waiting for freight train to clear into Bensenville yard.
- 2232 8 minutes at Tower B17 waiting for outbound freight coming out of Bensenville yard.
- 2215 held at Galewood East 17 mins for EWD freight to clear #2 MT, then crossover and use #2 MT to B12, loading and unloading passengers on crosswalks. #1 MT was OOS for Sayre Ave resurfacing and #3 MT was unavailable due to WWD freight pulling out of Galewood yard on to #3 MT.
- 2223 held 20 minutes at Tower B12 to meet 2242 running East on #1 MT from B17 around a CP 650 re-crewing on #2 MT at Mannheim. Lost time on 2242 on this move also impacted 2231 waiting for #3 MT to clear up. 2231 (a Peak Period Train) was 6 minutes late at Big Timber Road.

## TUES JULY 30, 2019

- Metra NCS 112 held 10 minutes at Tower B12 to follow CP-281 to Galewood East.

Rich Oppenheim,  
Assistant Superintendent  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661

**To:** steven\_nettleton@cpr.ca[steven\_nettleton@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]  
**Cc:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Charlie Harrison[CHarrison@METRARR.COM]; Jack Bauer[JBauer@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Tue 07/30/2019 6:34:03 PM UTC  
**Subject:** RE: Metra Delays MON-TUE JUL 29-30, 2019 - CP Freight interference  
**Received:** Tue 07/30/2019 6:34:05 PM UTC

Additional Metra Delays for TUES JULY 30 2019:

TUES JULY 30, 2019

- Metra NCS 112 held 10 minutes at Tower B12 to follow CP-281 to Galewood East.
- 2217 8 minutes at Tower B17 waiting for CP-286 to clear going into Bensenville Yard
- 2236 initially 8 minutes at Tower B17 waiting for CP-286 to clear. Then additional 17 minutes at Tower B12 account CP-287 taking headroom at Galewood East toward #3 MT. 2236 had to wait for NC-105 to clear B12, then run #2 MT to Galewood loading and unloading passengers on crosswalks. Passengers at Galewood completely blocked by 287.

**From:** Rich Oppenheim

**Sent:** Tuesday, July 30, 2019 10:44 AM

**To:** 'steven\_nettleton@cpr.ca' <steven\_nettleton@cpr.ca>; 'Lucas Lingenfelter' <Lucas\_Lingenfelter@cpr.ca>; 'nick\_walker@cpr.ca' <nick\_walker@cpr.ca>

**Cc:** Bruce Marcheschi <BMarcheschi@METRARR.COM>; Marty Ryan <mryan@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>

**Subject:** Metra Delays MON-TUE JUL 29-30, 2019 - CP Freight interference

MONDAY JULY 29, 2019:

- 2228 13 minutes at Tower B17 waiting for freight train to clear into Bensenville yard.
- 2232 8 minutes at Tower B17 waiting for outbound freight coming out of Bensenville yard.
- 2215 held at Galewood East 17 mins for EWD freight to clear #2 MT, then crossover and use #2 MT to B12, loading and unloading passengers on crosswalks. #1 MT was OOS for Sayre Ave resurfacing and #3 MT was unavailable due to WWD freight pulling out of Galewood yard on to #3 MT.
- 2223 held 20 minutes at Tower B12 to meet 2242 running East on #1 MT from B17 around a CP 650 re-crewing on #2 MT at Mannheim. Lost time on 2242 on this move also impacted 2231 waiting for #3 MT to clear up. 2231 (a Peak Period Train) was 6 minutes late at Big Timber Road.

**Rich Oppenheim,**

Assistant Superintendent

Metra CUS District Operations

P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)

547 W. Jackson Blvd., Chicago, IL 60661



**PUBLIC VERSION****EXHIBIT B-2**

**To:** 'MDC Illinois West Desk'[MDC\_Illinois\_West\_Desk@cpr.ca]; 'mdc\_towerb17@cpr.ca'[mdc\_towerb17@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]; joshua\_bahruth@cpr.ca[joshua\_bahruth@cpr.ca]; Brandon Billingsley[brandon\_billingsley@cpr.ca]; Matt Bailey[Matt\_Bailey@cpr.ca]  
**Cc:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Thur 05/30/2019 12:51:06 PM UTC  
**Subject:** 2200 vs G35 at Spaulding  
**Received:** Thur 05/30/2019 12:51:07 PM UTC

It is not uncommon for G35 to still be working or finishing up working at Spaulding as 2200 (due out of Elgin 0417) is coming. As has been done in the past, if G35 is leaving cars on #2 MT while working at Spaulding, these cars should be left West of the EWD absolute signal at Spaulding and hand throw switch at East end should be lined back for #2 MT and locked prior to 2200's time. 2200 can then run #1 MT from Tower B35 to Spaulding and cross back to #2 MT at Spaulding so that we can avoid the awkward situation of being on the wrong track at Bartlett with the #1 Platform a full block West of the #2 Platform. If G35 has completed their work at Spaulding and will be following 2200 to Bensenville as is often the case, once their train is assembled on #2 MT, they should then shove back West of the EWD Absolute signal on #2 MT so that 2200 can cross back over ahead of them. Your assistance with this would be greatly appreciated.

**Rich Oppenheim,**  
Assistant Superintendent  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661

**From:** Rich Oppenheim  
**Sent:** Thursday, May 30, 2019 6:48 AM  
**To:** Matt Bevers <mbevers@METRARR.COM>  
**Cc:** Janet Carbonelli <JCarbonelli@METRARR.COM>  
**Subject:** Re: 2200 Yesterday

Even with announcements made, the split platform at Bartlett always kills us. Anyone who shows up last minute has to walk a full block to get to the #1 platform and train normally waits for them. I will discuss with CP again to properly stage G35 so as to avoid this move.

Sent from my iPhone  
On May 30, 2019, at 6:25 AM, Matt Bevers <[mbevers@metrarr.com](mailto:mbevers@metrarr.com)> wrote:

The Delay Report shows #2200 6 down due to passengers on the wrong side Bartlett to Schaumburg, freight train . Announcements were made, not sure why Customers were on the wrong side. I called Track #19 to see if Blake had any insight as to why this train was late yesterday and today and he said he would look into it and call me back.

**To:** nick\_walker@cpr.ca[nick\_walker@cpr.ca]; Josh Bahruth[joshua\_bahruth@cpr.ca]; Brandon Billingsley[brandon\_billingsley@cpr.ca]; Steven Nettleton[steven\_nettleton@cpr.ca]; Matt Bailey[matt\_bailey@cpr.ca]; Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]; MOC\_Director\_East@cpr.ca[MOC\_Director\_East@cpr.ca]  
**Cc:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Sat 07/20/2019 5:17:20 AM UTC  
**Subject:** Excessive Metra Delays Friday July 19, 2018  
**Received:** Sat 07/20/2019 5:17:25 AM UTC

Please review delay report below. Metra operations and customers were impacted severely today (Friday, July 19, CP freight operations. The biggest issue, of course, was the freight train with the broken knuckle at Tower A20. Pl investigate the cause of the broken knuckle and advise your findings. If broken knuckle was due to train handling w expect appropriate handling with crew involved. If it was due to Mechanical failure, please also advise what steps v taken to avoid any repeat occurrences. With Metra schedules already in shambles, someone made the decision to 281 out of A20 in the midst of an already disrupted rush hour. Bear in mind that this was during Metra Peak period and the interference to Metra operations was contrary to the provisions of our Operating Agreement. Please follow whoever was involved with this decision for appropriate correction.

Rich Oppenheim, Assistant Superintendent  
 Metra CUS District Operations  
 Office 312-322-8939  
 Cell. 312-735-8576

Sent from my iPhone

Begin forwarded message:

**From:** Raymond Heintzelman[RHeintzelman@METRARR.COM]  
**Date:** July 19, 2019 at 8:44:28 PM PDT  
**To:** Don Nelson [DNelson@METRARR.COM], Holly Bratanick [HBratanick@METRARR.COM], Jack Kielbasa [JKielbasa@METRARR.COM], Kristie Cambric [KCambric@METRARR.COM], Marshall Beecher [MBeecher@METRARR.COM], Maurice King [MKing@METRARR.COM], Nina Lewis [NLewis@METRARR.COM], Patrick Danz [PDanz@METRARR.COM], "Paul Zwoller [pazwoller@METRARR.COM]" <IMCEAEX-o=metra ou=Exchange+20Administrative+20Group+20+28FYDIBOHF23SPDLT+29 cn=Recipients\_cn=Paul+20Zwollera02238f3@METRARR.COM> Rich Oppenheim [ROppenheim@METRARR.COM], Robert Tellin [RTellin@METRARR.COM], Steven Moore [SMoore@METRARR.COM], Tim Tabisz [TTabisz@METRARR.COM], Victor Flores [VFlores@METRARR.COM], Daniel Marinellie [DMarinellie@METRARR.COM], Darrin Austin [DAustin@METRARR.COM], David Cook [DCook@METRARR.COM], Ernesto Hernandez [EHernandez@METRARR.COM], James Grogans [JGrogans@METRARR.COM] "Martin H. Yock" [MYock@METRARR.COM]  
**Cc:** Adam Singer [ASinger@METRARR.COM], Carlos Lopez [CLopez@METRARR.COM], Celuis Escutia [CEscutia@METRARR.COM], Christopher Persons [cpersons@METRARR.COM], Darin Crouch [DCrouch@METRARR.COM], Edgar Jaramillo [EJaramillo@METRARR.COM], GPS02 [GPS02@METRARR.COM], Grant Gartner [GGartner@METRARR.COM], Jim Bowen [JBowen@METRARR.COM], Joe Laiter [JLaiter@METRARR.COM], Kevin Jones [kejones@METRARR.COM], Robert Witherspoon [RWitherspoon@METRARR.COM], Sal Ochoa [SOchoa@METRARR.COM], Shawn Brown [SBrown@METRARR.COM], Shon George [sgeorge@METRARR.COM], Tom Ekvall [TEkvall@METRARR.COM]  
**Subject:** Delays and things, the usual track work plus an exhilarating game of freight train roulette with both CP Dispatchers AM and PM. When in doubt just run it.

Friday, July 19, 2019

CUS District PM Delays the usual track work plus an

exhilarating game of freight train roulette with just not one but both AM and PM CP Dispatchers when in doubt just run it. CP motto

North line delays, some and a few big ones,

2117 Expressed from Deerfield to Round Lake, arrived Fox Lake at 15:08 3:08 56 min late, 58 min A-20 blocked by CP freight with a broken knuckle and 2 main out of service due to scheduled track (it is summer time) work.

2136 arrived CUS at 14:40 2:40 18 min late, 10 min Grayslake waiting on a late 2115, 10 picking up and delivering CP (knucklehead) Conductor with a replacement Knuckle.

2138 arrived CUS at 16:31 4:31 69 min, 1 hour 9 min late, CP freight blocking 1 main between A-20 and Deerfield, had to make a see-saw move to west of Rondout to clear a path for a late 2117, 335 and 2119 and Amtrak (buffoonery) 7.

Used 2138's equipment for 2137 track 17.

Switch crew brought 2229's equipment from WACY.

2121 arrived Fox Lake at 16:26 4:26 13 min late, 8 min following CP (with a new knuckle) freight to Rondout, 9 min waiting on a Late 2140 to clear Rondout.

2140 arrived CUS at 17:00 5:00 38 min late, 45 min late turn from 2117, 5 min signal Libertyville, 8 min passenger loading, 5 min following trains to CUS.

2142 arrived CUS at 17:20 5:20 10 min late, 10 min waiting on 2121.

2144 arrived CUS at 18:43 6:43 15 min late, 18 min Deerfield waiting on 2142.

2129 arrived Fox Lake at 18:12 6:12 8 min late, train congestion at Deerfield, 2146 was down 6 min,

2131 arrived Fox Lake at 18:30 6:30 12 min late, following CP (Classic Clownery) 281 from A-20 to Deerfield during rush hour.

2133 arrived Deerfield at 17:54 5:54 11 min late, 6 min stop signal Oakley, 6 min cross traffic Mayfair.

2146 arrived CUS at 18:02 6:02 7 min late, 5 min Libertyville meeting 2125, 6 min approach (281 hanging out at A-20) signals.

2150 arrived CUS at 18:55 6:55 11 min late, late turn from 2133.

2151 arrived Fox Lake at 21:15 9:19 6 min late, 8 min Western Ave. depot waiting on medical personal; crew came upon an incapacitated male laying prostrate on the platform

West line delays, none,

North central service delays, none,

Southwest service delays, none,

Heritage Corridor delay, none,



**To:** Steven Nettleton[steven\_nettleton@cpr.ca]; Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]; Josh Bahruth[joshua\_bahruth@cpr.ca]; Brandon Billingsley[brandon\_billingsley@cpr.ca]; Matt Bailey[matt\_bailey@cpr.ca]  
**Cc:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Tue 08/06/2019 11:06:51 AM UTC  
**Subject:** Fwd: Metra Alert MD-W - Train #2202, sched. to arrive Chicago Union Station at 6:13 AM - 18 to 22 minute delay, freight train interference  
**Received:** Tue 08/06/2019 11:06:52 AM UTC

This was due to a CP-686 that was run from Randall to Bensenville Yard ahead of 2202. Upon arrival at Bensenville 686 was blocked by an engine on the lead with train hanging out on #2 MT. Delay to 2202 will also affect 2203 as a Peak Period Train 2226. Delays to 7201 following 2203 are likely potentially resulting in delays to Peak Period Train and 2222.

Rich Oppenheim, Assistant Superintendent  
 Metra CUS District Operations  
 Office: 312-322-8939  
 Cell. 312-735-8576

Sent from my iPhone

Begin forwarded message:

**From:** Metra <servicealerts@metramail.com>  
**Date:** August 6, 2019 at 5:54:15 AM CDT  
**To:** <roppenheim@metrarr.com>  
**Subject:** Metra Alert MD-W - Train #2202, sched. to arrive Chicago Union Station at 6:13 AM - 18 to 22 minute delay, freight train interference

---

Train #2202, scheduled to arrive Chicago Union Station at 6:13 AM, is operating 18 to 22 minutes behind schedule due to freight train interference. Please listen to platform announcements for the location of the train.

---

*This email was sent to [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)*

This email was sent by: Metra  
 547 W. Jackson Boulevard  
 Chicago, IL 60661-5717 USA

We respect your right to privacy [view our policy](#)  
[Unsubscribe](#) if you no longer want to receive Metra Alert Email Notifications.  
 Please do not reply to this email as it was generated by an automated system.  
 If you have questions or comments, you may contact <https://metrail.com/contact-us>

**To:** Steven Nettleton[steven\_nettleton@cpr.ca]; Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]; Josh Bahruth[joshua\_bahruth@cpr.ca]; Brandon Billingsley[brandon\_billingsley@cpr.ca]; Matt Bailey[matt\_bailey@cpr.ca]  
**Cc:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Charlie Harrison[CHarrison@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Tue 08/06/2019 7:37:13 PM UTC  
**Subject:** Metra Delays due to CP Freight Interference - TUES AUG 6, 2019  
**Received:** Tue 08/06/2019 7:37:14 PM UTC

Following delays to Metra Traffic on Elgin Sub today were due to CP freight interference:

**2202 (-17)** Arrived CUS @ 06:30. -5" Freight interference Wood Dale East; -10" Stop signal B-17 (686-770) freight train yarding blocked by another locomotive, rear-end was hanging out [**CP 686 hanging out on #2 MT at Tower B17 blocking 2202**]  
**2203 (-20)** Arrived Elgin @ 07:58. -14" Departed CUS late due to late arrival/turn of 2202, previous delays – *THIS IS A PEAK PERIOD TRAIN.*  
**2220 (-9)** Arrived CUS @ 08:32. Departed Roselle late due to late arrival/turn of 7201, following tardy 2203 – *THIS IS A PEAK PERIOD TRAIN.*  
**2224 (-7)** Arrived CUS @ 08:56. -7" Departed Franklin Park late due to following 2220 and 2222 – *THIS IS A PEAK PERIOD TRAIN.*  
**2226 (-14)** Arrived CUS @ 09:14. -11" Departed Elgin late due to late arrival/turn of 2203; -4" Stop signal – *THIS IS A PEAK PERIOD TRAIN.*

**2232 (-32)** Arrived CUS @ 12:15. -35" Stop signal B-12 freight interference (G57) wrong lineup into the yard, back up move

---

This was due to a CP-686 that was run from Randall to Bensenville Yard ahead of 2202. Upon arrival at Bensenville Yard, 686 was blocked by an engine on the lead with train hanging out on #2 MT. Delay to 2202 will also affect 22 well as Peak Period Train 2226. Delays to 7201 following 2203 are likely potentially resulting in delays to Peak Period Trains 2220 and 2222.

Rich Oppenheim, Assistant Superintendent  
 Metra CUS District Operations  
 Office: 312-322-8939  
 Cell: 312-735-8576

Sent from my iPhone  
 Begin forwarded message:

**From:** Metra <[servicealerts@metramail.com](mailto:servicealerts@metramail.com)>  
**Date:** August 6, 2019 at 5:54:15 AM CDT  
**To:** <[roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)>  
**Subject:** Metra Alert MD-W - Train #2202, sched. to arrive Chicago Union Station at 6:13 AM - 18 to 22 minute delay, freight train interference

---

Train #2202, scheduled to arrive Chicago Union Station at 6:13 AM, is operating 18 to 22 minutes behind schedule due to freight train interference. Please listen to platform announcements for the location of the

**PUBLIC VERSION**

**EXHIBIT B-2**

*This email was sent to [t@ppenheim@metrarr.com](mailto:t@ppenheim@metrarr.com)*

This email was sent by: Metra  
547 W. Jackson Boulevard  
Chicago, IL 60661-5717 USA

We respect your right to privacy [view our policy](#)

Unsubscribe if you no longer want to receive Metra Alert Email Notifications.

Please do not reply to this email as it was generated by an automated system.

If you have questions or comments, you may contact <https://metrarrail.com/contact-us>



**To:** nick\_walker@cpr.ca[nick\_walker@cpr.ca]; joshua\_bahruth@cpr.ca[joshua\_bahruth@cpr.ca]; Joshua Pennington[Joshua\_Pennington@cpr.ca]; Michael Ugorek[Michael\_Ugorek@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]  
**Cc:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; harlie Harrison[CHarrison@METRARR.COM]; chuck\_hubbard@cpr.ca[chuck\_hubbard@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Tue 11/12/2019 7:22:01 PM UTC  
**Subject:** Metra delays due to CP Operations - TUE NOV 12, 2019  
**Received:** Tue 11/12/2019 7:22:03 PM UTC

About 0130 Tue Nov 12, 2019 a 9000 foot CP-472 experienced a broken knuckle toward the rear of the train. Train stopped on Metra #2 MT completely blocking the Roselle West control point. Original crew expired on hours at 0230. In spite of initial plans to have crew bring head end of train into Bensenville yard and then have power return to Roselle for rear end of train, it was decided to leave train intact with road crossings blocked. It is my understanding that crew attempted to change out the broken knuckle but could not do so due to damage to draw bar. CP Mechanical was dispatched to the scene to assist in repairs but subsequently had to return to Bensenville yard to obtain additional materials before repairs could be completed and train re-assembled.

Metra 2200 and 2202 used #1 MT from Tower B35 to Tower B17 loading passengers on the opposite platform at 8 stations (Bartlett through Bensenville) requiring that passengers stand out in cold (temperature was @ 9 degrees). CP-472 began moving toward Bensenville @ 0530 and Metra 2204 was allowed to run their normal #2 MT to Roselle West, and was then lined up to run #1 MT to Tower B17 in case CP-472 didn't yard right away. This turned out to be the case, and with CP-472 going into the outbound lead, it was not possible to cross 2204 back to #2 MT at Tower B17. That meant that 2204 had to stay on #1 MT to Tower B12 with 2201 holding at Tower B12 for them to clear. This delayed 2201 (peak period train) 17 minutes. 2204 (also peak period train) arrived CUS 6 minutes late.

About 1030 hrs, CP-287 on #1 MT and CP-582 on #2 MT were both allowed to simultaneously go to Mannheim for a crew change. Metra 2213 arrived Tower B12 and Metra 2232 arrived Tower B17 with no place to go. CP-582 started to move about that time, so 2232 followed 582 and 2213 crossed over at B12 after 2232 cleared. 2213 was 25 minutes late arriving Big Timber Road.

Before CP-287 moved and cleared up #1 MT between B12 and B17, ANOTHER eastbound, CP-380 was brought down to Mannheim for a crew change. The above scene almost repeated itself with 2215 and 2234, however 287 did begin moving toward the C&M just as 2215 got to B12, so 2215 followed 287 and proceeded once 287 cleared B17 going on to the Cut off, and then 2234 crossed over at B17 and proceed East on #1 MT.

We are all again entering the season of winter railroading in Chicago and will be faced with the many challenges which it brings. We understand that many of those challenges will present situations beyond anyone's control, so it is doubly important to control the things that we are capable of. Moving forward, we request that for crew changes involving the Metra owned tracks between Tower B17 and Tower B12, no more than one crew change at a time be attempted, and that during the few periods of time where Metra trains are scheduled to meet between B12 and B17, they be avoided all together. Whenever possible, please try and arrange for crew changes to take place with trains between Tower B17 and Bryn Mawr or at Galewood. During those unfortunate times when freight trains become disabled, please be sensitive to keeping road crossings and station platforms open when devising a recovery plan. If situations arise where Metra's resources or personnel assistance can help mitigate a negative situation, do not hesitate to let me know. Thanks again for your assistance.

Rich Oppenheim,  
Assistant Superintendent  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661

To: Marshall Beecher[MBeecher@METRARR.COM]; Steven Nettleton[steven\_nettleton@cpr.ca];  
 nick\_walker@cpr.ca[nick\_walker@cpr.ca]; Bruce Marcheschi[BMarcheschi@METRARR.COM];  
 NCarlsonforward[norman.carlson@sbcglobal.net]  
 Cc: Marty Ryan[mryan@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Maurice King[MKing@METRARR.COM];  
 Janet Carbonelli[JCarbonelli@METRARR.COM]  
 From: Rich Oppenheim  
 Sent: Mon 07/22/2019 12:41:39 AM UTC  
 Subject: Re: CP Delay Synopsis: Sunday July 21, 2019  
 Received: Mon 07/22/2019 12:41:41 AM UTC

Steve -

I appreciate your prompt response to my previous e-mail. While I understand the added factor of the switch problem and the delays experienced yesterday, here is a synopsis of what took place today. Even from my vantage point in California I can tell you that when single tracking 2612 and 2607 meet at Deerfield with Amtrak 335 close behind 2607 and Amtrak 336 is at Rondout shortly after 335 clears. The 3 Westward freights either needed to be able to clear Rondout before 2612 or should have been staged to follow 335 from A20 and meet 336 at Deerfield. Single track operation to accomplish needed track work is nothing new. Train dispatching under these circumstances is undeniably challenging and if planned properly can accomplish movement of traffic without the excessive delays experienced yesterday, and again today.

Sent from my iPhone

On Jul 21, 2019, at 5:21 PM, Marshall Beecher[[MBeecher@metrarr.com](mailto:MBeecher@metrarr.com)] wrote:

On Sunday, July 21, 2019 the Canadian Pacific Railroad again created a situation with their freight traffic that led to excessive delays for several trains on the Milwaukee North Line. When questioning the dispatcher about this chain of delays, even before they began, the answer given was that he made no decision on his part to delay our trains and that those decisions were made by his upper managers.

Around 12:35PM, they sent an eastbound train (CP 286-20) on #1 main around the out of service block on Main #2 between Rondout and Deerfield. Waiting at the other end of the single track to head west, beginning at Deerfield towards Tower A20, were three westbound freight trains, CP 581-377, CP 281-21 and CP 199-21. Before 199-21 could even clear the Shermer Cut-Off at Tower A20 and onto Main 1, they had MN2607 waiting on them at the signal at Tower A20. Delays compounded and the decision was made to see-saw MN2612 at Rondout while waiting on freight traffic, in an effort to keep MN2607 moving west. Ultimately, this led to the following 4 delays:

MN2612 Arrived CUS 3:11PM, 49 Mins late. Waiting on 3 CP freight moves and MN2607 at Rondout.

MN2607 Arrived Fox Lake 2:32PM, 30 Mins late. Followed three Westbound freight trains Tower A20 to Rondout. Was able to turn on-time out of Fox Lake as MN2614 which arrived CUS on-time.

MN2611 Arrived Fox Lake 4:52PM, 40 Mins late. Late departure from CUS turning from MN2612, and in-turn departed late from Fox Lake as MN2616.

MN2616 Arrived CUS 6:33PM, 11 Minutes late. Late turn at Fox Lake off MN2611.

As of 5:20PM, #2 main was back in service Rondout-Deerfield and all trains were getting back on-time after MN2616's CUS arrival. No other extreme delays due to freight train interference are anticipated at this time.

**Marshall W. Beecher**

**Trainmaster**

Chicago Union Station District

C: [312.257.0637](tel:312.257.0637)

W: [312.542.8326](tel:312.542.8326)

**To:** joshua\_bahruth@cpr.ca[joshua\_bahruth@cpr.ca]; Joshua Pennington[Joshua\_Pennington@cpr.ca]; Michael Ugorek[Michael\_Ugorek@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; MOC Director East[MOC\_Director\_East@cpr.ca]  
**Cc:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Thur 09/19/2019 2:36:50 PM UTC  
**Subject:** Metra 2253 Delay at Tower B17 WED SEPT 18, 2019  
**Received:** Thur 09/19/2019 2:37:05 PM UTC

Last night, Metra 2253 was held @ 20 minutes at Tower B17 waiting for a CP-382 from Bryn Mawr pulling in to the yard. Please advise what prompted this delay to occur. Our yardmaster also left a notation to the effect that there may have been a miscalculation as to 382's actual length that may have been a contributing factor. I would appreciate it if you could look into this situation and let us know if there is any truth to this. Thanks for your assistance.

**Rich Oppenheim,**  
Assistant Superintendent  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661



**PUBLIC VERSION**      **EXHIBIT B-2**  
To: Marshall Beecher[MBeecher@METRARR.COM]; Steven Nettleton[steven\_nettleton@cpr.ca];  
nick\_walker@cpr.ca[nick\_walker@cpr.ca]; Bruce Marcheschi[BMarcheschi@METRARR.COM];  
NCarlsonforward[norman.carlson@sbcglobal.net]  
Cc: Marty Ryan[mryan@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Maurice King[MKing@METRARR.COM];  
Janet Carbonelli[JCarbonelli@METRARR.COM]  
From: Rich Oppenheim  
Sent: Mon 07/22/2019 12:41:39 AM UTC  
Subject: Re: CP Delay Synopsis: Sunday July 21, 2019  
Received: Mon 07/22/2019 12:41:41 AM UTC

Steve -  
I appreciate your prompt response to my previous e-mail. While I understand the added factor of the switch problems led to an extant the delays experienced yesterday, here is a synopsis of what took place today. Even from my vantage point in California I can tell you that when single tracking 2612 and 2607 meet at Deerfield with Amtrak 335 close behind 2607. Amtrak 336 is at Rondout shortly after 335 clears. The 3 Westward freights either needed to be able to clear Rondout ahead of 2612 or should have been staged to follow 335 from A20 and meet 336 at Deerfield. Single track operation to accomplish needed track work is nothing new. Train dispatching under these circumstances is undeniably challenging, but if planned properly can accomplish movement of traffic without the excessive delays experienced yesterday, and apparently again today.

Sent from my iPhone

On Jul 21, 2019, at 5:21 PM, Marshall Beecher <[MBeecher@metrarr.com](mailto:MBeecher@metrarr.com)> wrote:

On Sunday, July 21, 2019 the Canadian Pacific Railroad again created a situation with their freight traffic that lead to excessive delays for several trains on the Milwaukee North Line. When questioning the dispatcher about this chain of delays, even before they began, the answer given was that he made no decision on his part to delay our trains and that those decisions were made by his upper managers.

Around 12:35PM, they sent an eastbound train (CP 286-20) on #1 main around the out of service block on Main #2 between Rondout and Deerfield. Waiting at the other end of the single track to head west, beginning at Deerfield towards Tower A20, were three westbound freight trains, CP 581-377, CP 281-21 and CP199-21. Before 199-21 could even clear the Shermer Cut-Off at Tower A20 and onto Main 1, they had MN2607 waiting on them at the signal at Tower A20. Delays compounded and the decision was made to see-saw MN2612 at Rondout while waiting on freight traffic, in an effort to keep MN2607 moving west. Ultimately, this led to the following 4 delays:

MN2612 Arrived CUS 3:11PM, 49 Mins late. Waiting on 3 CP freight moves and MN2607 at Rondout.

MN2607 Arrived Fox Lake 2:32PM, 30 Mins late. Followed three Westbound freight trains Tower A20 to Rondout. Was able to turn on-time out of Fox Lake as MN2614 which arrived CUS on-time.

MN2611 Arrived Fox Lake 4:52PM, 40 Mins late. Late departure from CUS turning from MN2612, and in-turn departed late from Fox Lake as MN2616.

MN2616 Arrived CUS 6:33PM, 11 Minutes late. Late turn at Fox Lake off MN2611.

As of 5:20PM, #2 main was back in service Rondout-Deerfield and all trains were getting back on-time after MN2616's CUS arrival. No other extreme delays due to freight train interference are anticipated at this time.

**Marshall W. Beecher**

**Trainmaster**

Chicago Union Station District

C: [312.257.0637](tel:312.257.0637)

W: [312.542.8326](tel:312.542.8326)

**To:** Josh Bahruth[joshua\_bahruth@cpr.ca]; Josh Peabody[josh\_peabody@chicagotrain.com]; Josh Pennington@chicagotrain.com; Michael Ugorek[michael\_ugorek@cpr.ca]; nicole\_kurtenbach@chicagotrain.com; nicole\_kurtenbach@cpr.ca; Lucas Lingenfeller[lucas\_lingenfeller@cpr.ca]; nick\_walker@chicagotrain.com; nick\_walker@cpr.ca  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Adam Farence[AFarence@METRARR.COM]; Kevin Lynch[KLynch@METRARR.COM]; Maurice King[MKing@METRARR.COM]; Robert Tellin[RTellin@METRARR.COM]; Kenneth Rice[KRice@METRARR.COM]; Alyssa Battaglia[ABattaglia@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Tue 12/24/2019 5:25:34 AM UTC  
**Subject:** Re: MW2253 Late MON 12/23  
**Received:** Tue 12/24/2019 5:25:36 AM UTC

CP please follow up with 581 crew as well as with Elgin Dispatcher. If the expectation was that 581 was going to clear ahead of 2253, what communication took place between the crew and dispatcher to determine when train was actually going to move. Did this take place before 2253 was lined in behind 581?

Sent from my iPhone

On Dec 23, 2019, at 10:37 PM, Marshall Beecher <MBeecher@metrarr.com> wrote:

MW2253 Followed a recrewed CP581 on main 1 at B17. Freight Crew took it upon themselves to check the fuel levels of their road power, which delayed their pull towards Bryn Mawr, when it was not requested or required of the crew by anyone. MW2253 was 2mins late by A5, 7mins late by B-12 (no delays A5-B12) and lost the balance of their time waiting for CP 581 to clear Elgin Sub 1 main to the C&M at B-17.  
 FYI

**Marshall W. Beecher**  
**Trainmaster**  
 Chicago Union Station District  
 C: 312.257.0637  
 W: 312.542.8326

**PUBLIC VERSION**

**EXHIBIT B-2**

**To:** Nicole Kurtenbach CP AGM Minneapolis[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]; Josh Bahruth[joshua\_bahruth@cpr.ca]; Josh Pennington[joshua\_pennington@cpr.ca]; Michael Ugorek[michael\_ugorek@cpr.ca]; EAST CP[Moc\_Director\_East@cpr.ca]  
**Cc:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Mon 11/25/2019 12:18:23 PM UTC  
**Subject:** Metra delays at B17  
**Received:** Mon 11/25/2019 12:18:31 PM UTC

Saturday Nov 23, 2019 Metra 2710 delayed 8 minutes at TowerB17 for CP freight clearing in yard.

Sunday Nov 24, 2019 Metra 2714 delayed 12 minutes at Tower B17 also for freight yarding. Before releasing trains for yard can we provide advance information to crews regarding switches that will need to be lined, etc., then receive assurance from crew that they will be able to clear in the allotted time? Your assistance would be greatly appreciated.

Rich Oppenheim, Assistant Superintendent  
Metra CUS District Operations  
Office 312-322-8939  
Cell 312-735-8576  
Roppenheim@metrarr.com

Sent from my iPhone



**To:** Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]; Nicole Kurtenbach CP AGM Minneapolis[nicole\_kurtenbach@cpr.ca]; EAST CP[Moc\_Director\_East@cpr.ca]  
**Cc:** Marty Ryan[mryan@METRARR.COM]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Sun 10/13/2019 1:19:42 PM UTC  
**Subject:** Metra Milwaukee North Line Delays SAT OCT 12 2019  
**Received:** Sun 10/13/2019 1:19:50 PM UTC  
[1501 All District Report.pdf](#)  
[ATT00001.htm](#)

Reference Milwaukee North Line Delay sheet on attached delay report. On Sat Oct 12 CP-281 ran #2 MT A6 to Morton Grove with 2603 on #1 MT. 2603 was held at Morton Grove to allow 281 to cross over in front resulting in 15 minute delay to 2603. Please advise why this was done as opposed to having 281 follow 2603. Also please look into delay to 2607 running around freight between Tower A6 and Mayfair

Rich Oppenheim, Asst Supt  
Metra CUS District  
Office. 312-322-8939  
Cell. 312-735-8576  
Roppenheim@metrarr.com

Sent from my iPhone

Begin forwarded message:

**From:** "MetraReporting@metrarr.com" <MetraReporting@metrarr.com>  
**Date:** October 13, 2019 at 4:45:17 AM CDT  
**To:** Troy Clampit <TClampit@METRARR.COM>, Jeffrey Brantz <JBrantz@METRARR.COM>  
**Subject:** 1501 All District Report was executed at 10/13/2019 4:45:03 AM

We will continue to send the 1501 All Districts Report to everyone, everyday. But, if you would like to be added to a specific district only, please contact tclampit@metrarr.com. Here are your choices grouped for specific districts:

1. RID, SWS, HC
2. MDN, MDW, NCS
3. MEML, MEBI, MESC
4. UPN, UPW, UPNW
5. BNSF, SWS

**To:** Nicholas C Walker[Nicholas\_C\_Walker@cpr.ca]  
**Cc:** Israel Gonzalez[IGonzalez@METRARR.COM]; Steven Nettleton[Steven\_Nettleton@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; Brandon Billingsley[Brandon\_Billingsley@cpr.ca]; Matt Bailey[Matt\_Bailey@cpr.ca]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Carlo Santori[CSantori@METRARR.COM]; Charles Allen[Callen@METRARR.COM]; Corinna Gallardo[cgallardo@metrarr.com]; Courtney Aubrecht[CAubrecht@METRARR.COM]; Daniel Parisi[DParisi@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; GPSAlerting[GPSAlerting@METRARR.COM]; Hilary Konczal[HKonczal@METRARR.COM]; Jacqueline Watkins[JWatkins@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Joe Bratta[JBratta@METRARR.COM]; Katie Dahlstrom[KDahlstrom@METRARR.COM]; Keith Georgeff[KGeorgeff@METRARR.COM]; Kurt Kroner[kkroner@METRARR.COM]; Marshall Beecher[MBeecher@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Matthew Koszulinski[MKoszulinski@METRARR.COM]; Meg Thomas-Reile[mtreile@metrarr.com]; Michael Gillis[mgillis@METRARR.COM]; Sergio Guerrero[SGuerrero@METRARR.COM]; Steve Hoye[SHoye@METRARR.COM]; Steven Cork[SCork@METRARR.COM]; Sylvia Ortiz-Cooper[Sortiz-Cooper@METRARR.COM]; Terron Haynes[THaynes@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Maurice King[MKing@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Sat 07/13/2019 8:53:48 PM UTC  
**Subject:** Re: MW2707 Delay  
**Received:** Sat 07/13/2019 8:53:51 PM UTC

Nick-  
 With tracks out of service, it is expected that freight trains will be dispatched judiciously and only where there is an opportunity for them to run without intentionally delaying scheduled Metra trains. I have asked repeatedly to have 281 sent via UP during track work and these requests have been ignored. If you insist on running 281 via A5 during track work, our expectations are that train will only be moved when there is a window that does not impact our operation - not simply on a basis as to when the train happens to be ready to go.

Rich

Sent from my iPhone

> On Jul 13, 2019, at 3:33 PM, Nicholas C Walker <Nicholas\_C\_Walker@cpr.ca> wrote:  
 >  
 > Train called out 25 minutes before train was due at B17.  
 >  
 > [CP-classic-logo-email]  
 >  
 >  
 > Nicholas C. Walker  
 > General Manager Operations – US East  
 > O630-860-4156<tel:630-860-4156>  
 > C773-372-0854<tel:773-372-0854>  
 > 11306 Franklin Park Ave.<x-apple-data-detectors://1/2>  
 > Franklin Park IL 60131<x-apple-data-detectors://1/2>  
 >  
 >  
 > On Jul 13, 2019, at 2:24 PM, Rich Oppenheim <ROppenheim@metrarr.com<mailto:ROppenheim@metrarr.com>> wrote:  
 >  
 > This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.  
 >  
 > \_\_\_\_\_  
 > With #2 MT oos why was 281 not sent out of B12 behind 2708?  
 >  
 > Sent from my iPhone  
 >  
 > On Jul 13, 2019, at 10:47 AM, Israel Gonzalez <IGonzalez@metrarr.com<mailto:IGonzalez@metrarr.com>> wrote:  
 >  
 > Be advised that the above listed train will take a significant delay at CP Cicero West for a meet with MW2708. We have MT2 out of service for MOW and a CP 281 on MT3. MW 2707 will probably take a 15+ minute delay.  
 >  
 > <image001.png>  
 > Israel Gonzalez  
 > Metra Chief Dispatcher  
 > (312)597-1004  
 > igonzalez@metrarr.com<mailto:igonzalez@metrarr.com>  
 > Metra CCF  
 > 1501 S. Canal Street  
 > Chicago, IL. 60607  
 >  
 > “You don’t manage people; you manage things. You lead people.” Rear Admiral Grace Hopper  
 >

>  
>  
>  
>  
>

> Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

>

> This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast Ltd, an innovator in Software as a Service (SaaS) for business. Providing a safer and more useful place for your human generated data. Specializing in; Security, archiving and compliance. To find out more Click Here<<https://protect-us.mimecast.com/s/DgIdCgJQqlFAOWmxFND1TR>>.

>

> ----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email transmission and any accompanying attachments contain confidential information intended only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete it and notify sender at the above email address. Le courrier electronique peut etre porteur de virus informatiques. Le destinataire doit donc passer le present courriel et les pieces qui y sont jointes au detecteur de virus. L'expediteur et son employeur declinent toute responsabilite pour les dommages causes par un virus contenu dans le courriel. Le present message et les pieces qui y sont jointes contiennent des renseignements confidentiels destines uniquement a la personne ou a l'organisme nomme ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme reference du contenu du message par une autre personne que le destinataire est formellement interdite. Si vous avez recu ce courriel par erreur, veuillez le detruire immediatement et en informer l'expediteur a l'adresse ci-dessus. ----- IMPORTANT NOTICE - AVIS IMPORTANT -----



**To:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Steven Nettleton[Steven\_Nettleton@cpr.ca]; Robert A Johnson[Robert\_Johnson@cpr.ca]; Nicholas C Walker[Nicholas\_C\_Walker@cpr.ca]; Joshua Bahruth[Joshua\_Bahruth@cpr.ca]; Matt Bailey[Matt\_Bailey@cpr.ca]; Brandon Billingsley[Brandon\_Billingsley@cpr.ca]; MOC Director East[MOC\_Director\_East@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]  
**Cc:** Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; DL\_MOC\_Senior\_Director@cpr.ca[MOC\_Senior\_Director@cpr.ca]; Tony Marquis[Tony\_Marquis@cpr.ca]; Tom Albanese[Tom\_Albanese@cpr.ca]; Tracy L Miller[Tracy\_L\_Miller@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Thur 04/04/2019 1:30:42 PM UTC  
**Subject:** RE: Delay to Metra Peak Period Trains  
**Received:** Thur 04/04/2019 1:30:43 PM UTC

2201 delayed 22 minutes, arrived Big Timber 17 mins late.  
 2204 delayed 14 minutes arrived CUS 12 mins late.  
 2220 departed Roselle 7 minutes late, will arrive CUS 5 to 6 minutes late.  
 Minor delays also occurred to NC-100 and 2222.

**From:** Bruce Marcheschi  
**Sent:** Thursday, April 04, 2019 8:25 AM  
**To:** Rich Oppenheim <ROppenheim@METRARR.COM>; Steven Nettleton <Steven\_Nettleton@cpr.ca>; Robert A Johnson <Robert\_Johnson@cpr.ca>; Nicholas C Walker <Nicholas\_C\_Walker@cpr.ca>; Joshua Bahruth <Joshua\_Bahruth@cpr.ca>; Matt Bailey <Matt\_Bailey@cpr.ca>; Brandon Billingsley <Brandon\_Billingsley@cpr.ca>; MOC Director East <MOC\_Director\_East@cpr.ca>; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>  
**Cc:** Marty Ryan <mryan@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; DL\_MOC\_Senior\_Director@cpr.ca <MOC\_Senior\_Director@cpr.ca>; Tony Marquis <Tony\_Marquis@cpr.ca>; Tom Albanese <Tom\_Albanese@cpr.ca>; Tracy L Miller <Tracy\_L\_Miller@cpr.ca>  
**Subject:** Re: Delay to Metra Peak Period Trains

Rich,

How many delays have we taken due to this decision?

Bruce M. Marcheschi  
 Chief Operating Officer and  
 Deputy Executive Director  
 Metra  
 547 W. Jackson Blvd.  
 Chicago, IL 60661  
 Office: 312.322.6949  
 Cell: 312.617.1864  
 Email: [bmarcheschi@metrarr.com](mailto:bmarcheschi@metrarr.com)

----- Original message -----

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Date:** 4/4/19 8:19 AM (GMT-06:00)  
**To:** Steven Nettleton <Steven\_Nettleton@cpr.ca>; Robert A Johnson <Robert\_Johnson@cpr.ca>; Nicholas C Walker <Nicholas\_C\_Walker@cpr.ca>; Joshua Bahruth <Joshua\_Bahruth@cpr.ca>; Matt Bailey <Matt\_Bailey@cpr.ca>; Brandon Billingsley <Brandon\_Billingsley@cpr.ca>; MOC Director East <MOC\_Director\_East@cpr.ca>; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>  
**Cc:** Bruce Marcheschi <BMarcheschi@METRARR.COM>; Marty Ryan <mryan@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; "DL\_MOC\_Senior\_Director@cpr.ca" <MOC\_Senior\_Director@cpr.ca>; Tony Marquis <Tony\_Marquis@cpr.ca>; Tom Albanese <Tom\_Albanese@cpr.ca>; Tracy L Miller <Tracy\_L\_Miller@cpr.ca>  
**Subject:** RE: Delay to Metra Peak Period Trains

I would be curious to know if Elgin Dispatcher or anyone else talked with 143's crew prior to lining them up to determine if they thought they would be able to clear or not. 2201 is due at B12 0610 and 2204 at 0616. Also, when they didn't show up as expected, did anyone attempt to contact crew to see if they could comply with a signal change at B12 and then have them stop short of the plant?

---Original Message----

From: Steven Nettleton [mailto:Steven\_Nettleton@cpr.ca]

Sent: Thursday, April 04, 2019 7:18 AM

To: Rich Oppenheim <ROppenheim@METRARR.COM>; Robert A Johnson <Robert\_Johnson@cpr.ca>; Nicholas C Walker <Nicholas\_C\_Walker@cpr.ca>; Joshua Bahruth <Joshua\_Bahruth@cpr.ca>; Matt Bailey <Matt\_Bailey@cpr.ca>; Brandon Billingsley <Brandon\_Billingsley@cpr.ca>; MOC Director East <MOC\_Director\_East@cpr.ca>; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>  
 Cc: Bruce Marcheschi <BMarcheschi@METRARR.COM>; Marty Ryan <mryan@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; DL MOC Senior Director@cpr.ca <MOC\_Senior\_Director@cpr.ca>; Tony Marquis <Tony\_Marquis@cpr.ca>; Tom Albanese <Tom\_Albanese@cpr.ca>; Tracy L Miller <Tracy\_L\_Miller@cpr.ca>  
 Subject: RE: Delay to Metra Peak Period Trains

Rich,

This is 143's train. Signal was put in at 0550 and Senior Director Gary Prince gave the ok to run it. 143 did not take the light at B12 until 0616.

143 arrived Schiller back on time.

We will interview the crew and determine what happened.

-----Original Message-----

From: Rich Oppenheim <ROppenheim@METRARR.COM>

Sent: Thursday, April 4, 2019 6:57 AM

To: Robert A Johnson <Robert\_Johnson@cpr.ca>; Nicholas C Walker <Nicholas\_C\_Walker@cpr.ca>; Joshua Bahruth <Joshua\_Bahruth@cpr.ca>; Matt Bailey <Matt\_Bailey@cpr.ca>; Brandon Billingsley <Brandon\_Billingsley@cpr.ca>; MOC Director East <MOC\_Director\_East@cpr.ca>; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; Steven Nettleton <Steven\_Nettleton@cpr.ca>  
 Cc: Bruce Marcheschi <BMarcheschi@METRARR.COM>; Marty Ryan <mryan@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>  
 Subject: Delay to Metra Peak Period Trains

his email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

---

This morning, a 9900 foot Q-165 was dispatched from Norpaul to Schiller Park across Tower B12 directly ahead of Metra 2201 and 2204. 2201 was already stopped at B12 before Q165 even showed up. 2201 delayed 23 minutes and 2204 delayed 14 minutes. 2204 is a Peak Period train. 2201 is not but turns for 2222 at Big Timber who is Peak Period and will be late. Late 2204 will ultimately affect Peak Period train 2220 out of Roselle

Sent from my iPhone

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast Ltd, an innovator in Software as a Service (SaaS) for business. Providing a safer and more useful place for your human generated data. Specializing in; Security, archiving and compliance. To find out more visit the Mimecast website.

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email transmission and any accompanying attachments contain confidential information intended only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete it and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer le présent courriel et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et son employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence du contenu du message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. ----- IMPORTANT NOTICE - AVIS IMPORTANT -----

**To:** Israel Gonzalez[I.Gonzalez@METRARR.COM]; Steven Nettleton[steven\_nettleton@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; Brandon Billingsley[brandon\_billingsley@cpr.ca]; Matt Bailey[Matt\_Bailey@cpr.ca]; nick\_walker@cpr.ca[nick\_walker@cpr.ca]

**Cc:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Carlo Santori[CSantori@METRARR.COM]; Charles Allen[CAllen@METRARR.COM]; Corinna Gallardo[cgallardo@metrarr.com]; Courtney Aubrecht[CAubrecht@METRARR.COM]; Daniel Parisi[DParisi@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; GPSAlerting[GPSAlerting@METRARR.COM]; Hilary Konczal[HKonczal@METRARR.COM]; Jacqueline Watkins[JWatkins@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Joe Bratta[JBratta@METRARR.COM]; Katie Dahlstrom[KDahlstrom@METRARR.COM]; Keith Georgeff[KGeorgeff@METRARR.COM]; Kurt Kroner[kkroner@METRARR.COM]; Marshall Beecher[MBeecher@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Matthew Koszulinski[MKoszulinski@METRARR.COM]; Meg Thomas-Reile[mtreile@metrarr.com]; Michael Gillis[mgillis@METRARR.COM]; Sergio Guerrero[SGuerrero@METRARR.COM]; Steve Hoyer[SHoyer@METRARR.COM]; Steven Cork[SCork@METRARR.COM]; Sylvia Ortiz-Cooper[Sortiz-Cooper@METRARR.COM]; Terron Haynes[THaynes@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Maurice King[MKing@METRARR.COM]

**From:** Rich Oppenheim

**Sent:** Sat 07/13/2019 7:24:27 PM UTC

**Subject:** Re: MW2707 Delay

**Received:** Sat 07/13/2019 7:24:29 PM UTC

[image001.png](#)

With #2 MT oos why was 281 not sent out of B12 behind 2708?

Sent from my iPhone

On Jul 13, 2019, at 10:47 AM, Israel Gonzalez <[I.Gonzalez@metrarr.com](mailto:I.Gonzalez@metrarr.com)> wrote:

Be advised that the above listed train will take a significant delay at CP Cicero West for a meet with MW2708. We have MT2 out of service for MOW and a CP 281 on MT3. MW 2707 will probably take a 15+ minute delay.

<image001.png>  
 Israel Gonzalez  
 Metra Chief Dispatcher  
 (312)597-1004  
[igonzalez@metrarr.com](mailto:igonzalez@metrarr.com)  
 Metra CCF  
 1501 S. Canal Street  
 Chicago, IL. 60607

*"You don't manage people; you manage things. You lead people."* Rear Admiral Grace Hopper



be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email transmission and any accompanying attachments contain confidential information intended only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete it and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer le présent courriel et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et son employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence du contenu du message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. -----  
**IMPORTANT NOTICE - AVIS IMPORTANT** -----

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast Ltd, an innovator in Software as a Service (SaaS) for business. Providing a safer and more useful place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

----- **IMPORTANT NOTICE - AVIS IMPORTANT** ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email transmission and any accompanying attachments contain confidential information intended only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete it and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer le présent courriel et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et son employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence du contenu du message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. -----  
**IMPORTANT NOTICE - AVIS IMPORTANT** -----

**To:** nick\_walker@cpr.ca[nick\_walker@cpr.ca]; Josh Bahruth[joshua\_bahruth@cpr.ca]; Brandon Billingsley[brandon\_billingsley@cpr.ca]; Matt Bailey[Matt\_Bailey@cpr.ca]; Steven Nettleton[steven\_nettleton@cpr.ca]; Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]; moc\_director\_east@cpr.ca.[moc\_director\_east@cpr.ca.]  
**Cc:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Thur 05/02/2019 11:03:01 AM UTC  
**Subject:** Metra Delays on Elgin Sub WED MAY 1, 2019  
**Received:** Thur 05/02/2019 11:03:02 AM UTC

[TOPS1501\\_BN.PDF](#)  
[ATT00001.htm](#)  
[TOPS1501\\_HCD.PDF](#)  
[ATT00002.htm](#)  
[TOPS1501\\_MEDML.PDF](#)  
[ATT00003.htm](#)  
[TOPS1501\\_MEDSC.PDF](#)  
[ATT00004.htm](#)  
[TOPS1501\\_MEDBI.PDF](#)  
[ATT00005.htm](#)  
[TOPS1501\\_MWDN.PDF](#)  
[ATT00006.htm](#)  
[TOPS1501\\_MWDW.PDF](#)  
[ATT00007.htm](#)  
[TOPS1501\\_NCS.PDF](#)  
[ATT00008.htm](#)  
[TOPS1501\\_RID.PDF](#)  
[ATT00009.htm](#)  
[TOPS1501\\_SWS.PDF](#)  
[ATT00010.htm](#)  
[TOPS1501\\_UPN.PDF](#)  
[ATT00011.htm](#)  
[TOPS1501\\_UPNW.PDF](#)  
[ATT00012.htm](#)  
[TOPS1501\\_UPW.PDF](#)  
[TT00013.htm](#)

Reference delays to Metra Milwaukee District West Line trains on attached sheet: On Wednesday, May 1, 2019, a lengthy CP-473 was dispatched from Bensenville with the intent of re-crewing the train at Randall Road. CP-473 stopped on #1 MT and due to train length completely blocked access to Metra's Big Timber Road depot and #1 main platform. metra 2221-2244 were sent up #2 MT to make their turn, however there is nothing at Big Timber on the #2 main side of the platform. Passengers were completely cut off from depot, parking lot, etc. passengers off 2221 had no place to go and passengers for 2244 could not get to train. Because of this, 2244 was held 17 minutes waiting for CP-473 to clear. In order to make flip at CUS to 2243, 2244 was expressed from River Grove to Chicago. 7452 was held on #1 MT at B12 to follow 2244 and handle shorts. Peak period train 2231 had to wait st B12 for #1 MT clear. This also affected Metra Peak Period trains 2233, 2235, and 2237

Moving forward, if necessary to re-crew trains at Randall Road they must stop to clear Big Timber Road station access or cut crosswalk. If necessary, depending on timing, freight could also run #2 MT from B35 to Randall Road leaving #1 MT open for passenger access. Thank you for your assistance.

Rich Oppenheim, Assistant Superintendent  
 Metra CUS District Operations  
 Office 312-322-8939  
 Cell 312-735-8576

Sent from my iPhone

Begin forwarded message:

**From:** Metra Mainframe Information Systems  
**Date:** May 2, 2019 at 4:47:26 AM CDT  
**To:** <[mainframe@metrarr.com](mailto:mainframe@metrarr.com)>, <[mainframe@metrarr.com](mailto:mainframe@metrarr.com)>

**Subject: TOPS Daily Incident Report**

This report is generated from Metra Information Systems



**To:** Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]; Moc\_Director\_East@cpr.ca[Moc\_Director\_East@cpr.ca]  
**Cc:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Fri 06/07/2019 11:46:51 AM UTC  
**Subject:** Metra 2141 delay THU JUNE 6, 2019  
**Received:** Fri 06/07/2019 11:46:53 AM UTC

[TOPS1501\\_BN.PDF](#)  
[ATT00001.htm](#)  
[TOPS1501\\_HCD.PDF](#)  
[ATT00002.htm](#)  
[TOPS1501\\_MEDML.PDF](#)  
[ATT00003.htm](#)  
[TOPS1501\\_MEDSC.PDF](#)  
[ATT00004.htm](#)  
[TOPS1501\\_MEDBI.PDF](#)  
[ATT00005.htm](#)  
[TOPS1501\\_MWDN.PDF](#)  
[ATT00006.htm](#)  
[TOPS1501\\_MWDW.PDF](#)  
[ATT00007.htm](#)  
[TOPS1501\\_NCS.PDF](#)  
[ATT00008.htm](#)  
[TOPS1501\\_RID.PDF](#)  
[ATT00009.htm](#)  
[TOPS1501\\_SWS.PDF](#)  
[ATT00010.htm](#)  
[TOPS1501\\_UPN.PDF](#)  
[ATT00011.htm](#)  
[TOPS1501\\_UPNW.PDF](#)  
[ATT00012.htm](#)  
[TOPS1501\\_UPW.PDF](#)  
[ATT00013.htm](#)

Please see delay to Metra 2141 at Rondout on attached Milwaukee North delay report. 2141 was held approximately 5 minutes for Amtrak 340 to go first. Regarding this please note that:

1. 2141 is scheduled to go through Rondout ahead of 340.
2. 340, as scheduled, catches up to and follows Metra 2152 in route to Chicago. Running 2141 first will not in any way affect 340's arrival into Chicago.

This is not the first time 2141 has been held for 2141. Please follow up with C&M Dispatcher.

Rich Oppenheim,  
Assistant Superintendent  
Chicago Union Station District  
Office 312-322-8839  
Cell 312-735-8576  
[Roppenheim@metrarr.com](mailto:Roppenheim@metrarr.com)

Sent from my iPhone

Begin forwarded message:

**From:** Metra Mainframe Information Systems  
**Date:** June 7, 2019 at 4:47:30 AM CDT  
**To:** <[mainframe@metrarr.com](mailto:mainframe@metrarr.com)>, <[mainframe@metrarr.com](mailto:mainframe@metrarr.com)>  
**Subject:** TOPS Daily Incident Report

This report is generated from Metra Information Systems

**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]  
**Cc:** brandon\_smith@cpr.ca[brandon\_smith@cpr.ca]; Michael Ugorek[Michael\_Ugorek@cpr.ca]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Thur 10/29/2020 9:34:21 PM UTC  
**Subject:** Trains yarding at Tower B17  
**Received:** Thur 10/29/2020 9:34:22 PM UTC

Jacob and Nicole:

I appreciate your taking the time to discuss our mutual Operations yesterday. As we discussed, lately one of the biggest sources of significant delay to our service involves the yarding of inbound CP traffic across Tower B17 which does not clear our scheduled train times. As a possible remedy to this chronic problem the following was suggested:

- When trains are released to go in the yard, and prior to having B17 line them up, Yardmaster (or other designated employee) should relay to the crew aboard the train the number of yard switches they will need to line on their way into the yard.
- Crew on train should then be informed of the time the next scheduled Metra train is due, and ask if they feel they will be able to clear the plant in that amount of time.
- Hopefully crew will respond honestly, and if they feel there is insufficient time, train will be held for next suitable window.

I understand that we just had this conversation yesterday, and procedures take time to be placed in operation. I do need to mention, however, that just now, a 9500 foot 286 was released to come into the yard directly ahead of Metra #2223 (due B17 1606) and Metra 2242 (due B17 1605). Both trains wound up being delayed 17 minutes. I sincerely hope that you will be able to move forward toward putting the procedures we discussed into operation. If I can assist in any way, please let me know. Thanks again for your help.

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**

To: jacob\_reynolds@cpr.ca[jacob\_reynolds@cpr.ca], Michael Ugorek[michael\_ugorek@cpr.ca];  
'aisha\_jackson@cpr.ca'[aisha\_jackson@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca];  
nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]  
Cc: David Rodriguez[DRodriguez@METRARR.COM]  
From: Rich Oppenheim  
Sent: Tue 08/04/2020 7:52:19 PM UTC  
Subject: Metra Delays - Recent  
Received: Tue 08/04/2020 7:52:22 PM UTC

FRIDAY, JULY 31, 2020

2248 18 minutes Tower B17 for inbound freight off C&M Sub going in yard

MONDAY, AUGUST 3, 2020

2248 13 minutes Tower B17 for inbound freight off C&M Sub going in yard.

TUESDAY, AUGUST 4, 2020

108 7 minutes Tower B12 for Q165 going into Schiller Park (108 is Peak Period train)  
2216 7 minutes Tower B12 for Q165 going into Schiller Park (2216 is Peak Period Train)  
2217 18 minutes for 286 going in yard  
2236 23 minutes for 286 going in yard and meeting 2217.

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**



To: Brandon Smith[Brandon\_Smith@cpr.ca]  
 Cc: Nicholas C Walker[Nicholas\_C\_Walker@cpr.ca]; Nicole Kurtenbach[Nicole\_Kurtenbach@cpr.ca]  
 From: Rich Oppenheim  
 Sent: Sun 08/16/2020 2:25:02 AM UTC  
 Subject: Re: CP 287 working in single track  
 Received: Sun 08/16/2020 2:25:10 AM UTC

Brandon

Thanks for your prompt response. I am grateful for any help you can give toward preventing any recurrences. If I can ever be of assistance to you, please let me know.

Rich

Sent from my iPhone

> On Aug 15, 2020, at 9:21 PM, Brandon Smith <Brandon\_Smith@cpr.ca> wrote:

>  
 > [CAUTION:] This email originated from outside of Metra. Do not click links, open attachments or forward unless you recognize the sender. If you do not know the content is safe. Suspicious email should be deleted or reported to the Metra Helpdesk at 312-322-6508.

> Good evening Rich,

> Hope all is well and I apologize for the inconvenient delays following this event. I will ensure proper playback and root cause investigation is completed, I will give you call to review the findings.

> In the interim, we will put escalation measures in place to prevent any further operational hindering.

> Regards,

> Brandon

> Sent from my iPhone

> On Aug 15, 2020, at 9:04 PM, Rich Oppenheim <ROppenheim@metrarr.com> wrote:

>> This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

>> =====  
 >> Today #1 MT was out of service between Tower B12 and Tower B17 for ongoing work on the B-1 Create project (for the record, Metra will pay for the work for CP at CP expense). @ 1030 hrs, it was learned that plans had been made to have CP 287 follow Metra 2707 out of Tower B12 and #2 MT at Tower B17 while cars would be set out and picked up in Bensenville Yard. Given that there would only be @ 1 hour between when CP 287 would get to B17 and when Metra 2714 would get to B17 it was inevitable that delays, potentially serious, would occur. CP 287 was released before 287 was even clear of Galewood, requests were made to have 287 brought into Bensenville Yard to do the work, or continue up to Mowbray and cut off Bensenville cars up there to be brought back on the other main. Requests were denied. Calls were then made to Metra to get Signal to start getting the workers off #1 MT and restore it to service. They did in fact begin the process of putting the track back in service because of the nature of the work, we were told it would take approximately 1 hour. 2714 stopped at B17 at 1240. At that point 287's head end was not even back on their train. Capital signal released 1 MT @ 1250 but at that point 286 had just been released to come in the yard, so 2714 had to sit. 2714 finally moved at 1315 after sitting for 35 minutes and arrived Chicago 40 minutes late. Metra 2709 was held at Tower B12 for 42 minutes and arrived Elgin 42 minutes late.

>> We have discussed many times over the years the problems associated with having CP freight trains occupying one of the Metra-owned tracks between B12 and B17 while engaged in yard-type activities such as picking up and setting out cars. It is bad enough when doing this on a single tracking for Metra's operation, but to do it on the only live track when the other one is out of service is just wrong. Not only did this practice cause extensive delays to our service, but progress on the B-1 project wound up getting set back yet another day. Moving forward, we would like to see a little more cooperation from CP in keeping both of our operations fluid.

>> Rich Oppenheim, Director  
 >> Metra CUS District Operations  
 >> Office: 312-322-8939  
 >> Cell: 312-735-8576

>> Sent from my iPhone

>> Disclaimer

>> The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and other persons authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in reliance on the information is strictly prohibited.

the contents of this information is strictly prohibited and may be unlawful.

>>

>> This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast Ltd, an innovator in SaaS for business. Providing a safer and more useful place for your human generated data. Specializing in: Security, archiving & compliance. To find out more visit the Mimecast website.

>----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for damage caused by any virus transmitted by this email. This email transmission and any accompanying attachments contain confidential information only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the content of this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete it and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer le courrier et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et son employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courrier. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence de ce message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. ----- IMPORTANT NOTICE - AVIS IMPORTANT -----

**To:** MDC Desk[MDC\_Illinois\_West\_Desk@cpr.ca]  
**Cc:** Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]; Nicole Kurtenbach CP AGM Minneapolis[nicole\_kurtenbach@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Mon 12/21/2020 1:58:06 PM UTC  
**Subject:** Fwd: Metra Alert MD-W - Train #2216, sched. to arrive Chicago Union Station at 8:10 AM - may be 15 to 25 minutes delayed, freight train interference  
**Received:** Mon 12/21/2020 1:58:07 PM UTC

What happened?

Sent from my iPhone

Begin forwarded message:

**From:** Metra <servicealerts@metramail.com>  
**Date:** December 21, 2020 at 7:15:18 AM CST  
**To:** Rich Oppenheim <ROppenheim@metrarr.com>  
**Subject:** Metra Alert MD-W - Train #2216, sched. to arrive Chicago Union Station at 8:10 AM - may be 15 to 25 minutes delayed, freight train interference

---

Train #2216, scheduled to arrive Chicago Union Station at 8:10 AM, may be operating 15 to 25 minute behind schedule due to freight train interference. Please listen to platform announcements for the local this train.

---

*This email was sent to: roppenheim@metrarr.com*

This email was sent by: Metra  
547 W. Jackson Boulevard  
Chicago, IL 60661-5717 USA

We respect your right to privacy [view our policy](#)  
[Unsubscribe](#) if you no longer want to receive Metra Alert Email Notifications.  
Please do not reply to this email as it was generated by an automated system.  
If you have questions or comments, you may contact <https://metrarrail.com/contact-us>



**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; brandon\_smith@cpr.ca[brandon\_smith@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas\_Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Metra CCF Dispatching[MetraCCFdispatch@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Tue 12/15/2020 11:06:17 PM UTC  
**Subject:** Milwaukee West Line Delays TUE DEC 15, 2021 - CP Freight Interference  
**Received:** Tue 12/15/2020 11:06:18 PM UTC

- 2232 @ 10 minutes at Tower B17 waiting for 2213 to clear #2 MT due to CP G57-287 occupying #1 MT between Franklin Park West and Tower B17. G57-287 was NOT doing any work today, but was held at B17 due to UP single tracking and EWD traffic coming first. Given the situation G57 should have been held to follow 2213 out of Tower B12 or Galewood. 2232 arrived CUS 6 minutes late.
- 2236 held @ 40 minutes between Itasca and Wooddale to allow IM-1 who came out of Schiller Park with a large train to take head room on #2 MT West of Tower B17 in order to shove into the West Yard working lead. This move, (which could easily been done behind 2217 and 2236 without delaying anyone) would have delayed 2236 at least 20 minutes no matter what, but as they tried to shove into West Yard working lead they discovered that the track they were shoving toward was already occupied, so they stopped on B17 plant to make a cut, then pull back west, and shove balance into connection to New Arrival. 2236 arrived CUS 1418 35 minutes late.

Rich Oppenheim,  
Director  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661

**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; Michael Ugorek[Michael\_Ugorek@cpr.ca];  
brandon\_smith@cpr.ca[brandon\_smith@cpr.ca]; Aisha Jackson[Aisha\_Jackson@cpr.ca];  
nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]  
**Cc:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; David  
Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Thur 10/01/2020 6:51:57 PM UTC  
**Subject:** Metra Delays - CP Freight at B17 and B12  
**Received:** Thur 10/01/2020 6:51:58 PM UTC

Metra 2230 this morning stopped at Tower B17 @ 10 minutes for a CP-199 13,500 feet first taking headroom in the plant, then waiting for UP line up at Bryn Mawr. 2230 again stopped at Tower B12 waiting for CP-281 to clear plant. Metra 2217 and Metra 2236 both delayed **30 minutes** at Tower B17. 2217 are due at B17 1303 and 1305 hrs respectively. A 9800 foot 286 was released to come in the yard @ 10 minutes before both Metra trains were due, then stopped at the Bridge waiting for another yard job to clear. Both Metra trains delayed 30 minutes. If they had waited for the two Metra trains to clear there would have been a 1 hour 5 minute window to bring 286 in. Why was 286 released when there was no clear route into the yard? A little help would be appreciated.

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**

**To:** Jacob Rinnels[[Jacob\\_Rinnels@cpr.ca](mailto:Jacob_Rinnels@cpr.ca)]; Michael Ugorek[[Michael\\_Ugorek@cpr.ca](mailto:Michael_Ugorek@cpr.ca)]; Brandon Smith[[Brandon\\_Smith@cpr.ca](mailto:Brandon_Smith@cpr.ca)]; Aisha Jackson[[Aisha\\_Jackson@cpr.ca](mailto:Aisha_Jackson@cpr.ca)]; Nicole Kurtenbach[[Nicole\\_Kurtenbach@cpr.ca](mailto:Nicole_Kurtenbach@cpr.ca)]; Lucas Lingenfelter[[Lucas\\_Lingenfelter@cpr.ca](mailto:Lucas_Lingenfelter@cpr.ca)]  
**Cc:** Bruce Marcheschi[[BMarcheschi@METRARR.COM](mailto:BMarcheschi@METRARR.COM)]; Victor Flores[[VFlores@METRARR.COM](mailto:VFlores@METRARR.COM)]; David Rodriguez[[DRodriguez@METRARR.COM](mailto:DRodriguez@METRARR.COM)]  
**From:** Rich Oppenheim  
**Sent:** Thur 10/01/2020 6:59:58 PM UTC  
**Subject:** RE: Metra Delays - CP Freight at B17 and B12  
**Received:** Thur 10/01/2020 7:00:00 PM UTC

Jacob –  
 I greatly appreciate your help with this. Thanks, again.

Rich

**From:** Jacob Rinnels <[Jacob\\_Rinnels@cpr.ca](mailto:Jacob_Rinnels@cpr.ca)>  
**Sent:** Thursday, October 1, 2020 1:58 PM  
**To:** Rich Oppenheim <[ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)>; Michael Ugorek <[Michael\\_Ugorek@cpr.ca](mailto:Michael_Ugorek@cpr.ca)>; Brandon Smith <[Brandon\\_Smith@cpr.ca](mailto:Brandon_Smith@cpr.ca)>; Aisha Jackson <[Aisha\\_Jackson@cpr.ca](mailto:Aisha_Jackson@cpr.ca)>; Nicole Kurtenbach <[Nicole\\_Kurtenbach@cpr.ca](mailto:Nicole_Kurtenbach@cpr.ca)>; Lucas Lingenfelter <[Lucas\\_Lingenfelter@cpr.ca](mailto:Lucas_Lingenfelter@cpr.ca)>  
**Cc:** Bruce Marcheschi <[BMarcheschi@METRARR.COM](mailto:BMarcheschi@METRARR.COM)>; Victor Flores <[VFlores@METRARR.COM](mailto:VFlores@METRARR.COM)>; David Rodriguez <[DRodriguez@METRARR.COM](mailto:DRodriguez@METRARR.COM)>  
**Subject:** RE: Metra Delays - CP Freight at B17 and B12

**[CAUTION:]** This email originated from outside of Metra. Do not click links, open attachments or forward unless you recognize the sender and know the content is safe. Suspicious email should be deleted or reported to the Metra Helpdesk at 312-322-6508.

This has been taken back to my TM and YM and they will be held accountable. They knew there were moves ahead to clear before 286 could come into the yard. As you stated, if we would have held 286 for 15 minutes, we would not be talking right now

Thanks in advance

**From:** Rich Oppenheim <[ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)>  
**Sent:** Thursday, October 1, 2020 1:52 PM  
**To:** Jacob Rinnels <[Jacob\\_Rinnels@cpr.ca](mailto:Jacob_Rinnels@cpr.ca)>; Michael Ugorek <[Michael\\_Ugorek@cpr.ca](mailto:Michael_Ugorek@cpr.ca)>; Brandon Smith <[Brandon\\_Smith@cpr.ca](mailto:Brandon_Smith@cpr.ca)>; Aisha Jackson <[Aisha\\_Jackson@cpr.ca](mailto:Aisha_Jackson@cpr.ca)>; Nicole Kurtenbach <[Nicole\\_Kurtenbach@cpr.ca](mailto:Nicole_Kurtenbach@cpr.ca)>; Lucas Lingenfelter <[Lucas\\_Lingenfelter@cpr.ca](mailto:Lucas_Lingenfelter@cpr.ca)>  
**Cc:** Bruce Marcheschi <[BMarcheschi@METRARR.COM](mailto:BMarcheschi@METRARR.COM)>; Victor Flores <[VFlores@METRARR.COM](mailto:VFlores@METRARR.COM)>; David Rodriguez <[DRodriguez@METRARR.COM](mailto:DRodriguez@METRARR.COM)>  
**Subject:** Metra Delays - CP Freight at B17 and B12

This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

Metra 2230 this morning stopped at Tower B17 @ 10 minutes for a CP-199 13,500 feet first taking headroom in the plant, then waiting for UP line up at Bryn Mawr. 2230 again stopped at Tower B12 waiting for CP-281 to clear plant. Metra 2217 and Metra 2236 both delayed **30 minutes** at Tower B17. 2217 are due at B17 1303 and 1305 hrs respectively. A 9800 foot 286 was released to come in the yard @ 10 minutes before both Metra trains were due, then stopped at the Bridge waiting for another yard job to clear. Both Metra trains delayed 30 minutes. If they had waited for the two Metra trains to clear there would have been a 1 hour 5 minute window to bring 286 in. Why was 286 released when there was no clear route into the yard? A little help would be appreciated.

**Rich Oppenheim,**  
 Director  
 Metra CUS District Operations  
 P: 312-322-8939 C: 312-735-8576 | [roppenheim@metra.com](mailto:roppenheim@metra.com)  
 547 W. Jackson Blvd., Chicago, IL 60661

Disclaimer



The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast Ltd, an innovator in Software as a Service (SaaS) for business. Providing a safer and more useful place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email transmission and any accompanying attachments contain confidential information intended only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete it and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer le présent courriel et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et son employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence du contenu du message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. -----  
IMPORTANT NOTICE - AVIS IMPORTANT -----

**To:** Jacob Reynolds[jacob\_reynolds@cpr.ca]; Michael Ugorek[michael\_ugorek@cpr.ca]; Aisha Jackson[aisha\_jackson@cpr.ca]; Nicole Kurtenbach CP AGM Minneapolis[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]; brandon\_smith@cpr.ca[brandon\_smith@cpr.ca]  
**Cc:** nick\_walker@cpr.ca[nick\_walker@cpr.ca]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Sun 08/16/2020 2:04:24 AM UTC  
**Subject:** CP 287 working in single track  
**Received:** Sun 08/16/2020 2:04:27 AM UTC

Today #1 MT was out of service between Tower B12 and Tower B17 for ongoing work on the B-1 Create project (for the record, Metra is to work for CP at CP expense). @ 1030 hrs. it was learned that plans had been made to have CP 287 follow Metra 2707 out of Tower B12 a MT at Tower B17 while cars would be set out and picked up in Bensenville Yard. Given that there would only be @ 1 hour between when get to B17 and when Metra 2714 would get to B17 it was inevitable that delays, potentially serious, would occur to Metra service. Before 287 was even clear of Galewood, requests were made to have 287 brought into Bensenville Yard to do the work, or continue up to Mawr and cut off Bensenville cars up there to be brought back on the other main. Requests were denied. Calls were then made to Metra Signal to start getting the workers off #1 MT and restore it to service. They did in fact begin the process of putting the track back in service because of the nature of the work, we were told it would take approximately 1 hour. 2714 stopped at B17 at 1240. At that point 287s head not even back on their train. Capital signal released 1 MT @ 1250 but at that point 286 had just been released to come in the yard, so 27 to sit. 2714 finally moved at 1315 after sitting for 35 minutes and arrived Chicago 40 minutes late. Metra 2709 was held at Tower B12 for arrived Elgin 42 minutes late.

We have discussed many times over the years the problems associated with having CP freight trains occupying one of the Metra-owned tracks between B12 and B17 while engaged in yard-type activities such as picking up and setting out cars. It is bad enough when doing this causing tracking for Metra's operation, but to do it on the only live track when the other one is out of service is just wrong. Not only did this practice cause extensive delays to our service, but progress on the B-1 project wound up getting set back yet another day. Moving forward, we would hope for a little more cooperation from CP in keeping both of our operations fluid.

Rich Oppenheim, Director  
Metra CUS District Operations  
Office. 312-322-8939  
Cell. 312-735-8576

Sent from my iPhone

To: jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]  
 From: Rich Oppenheim  
 Sent: Sun 08/16/2020 2:07:57 AM UTC  
 Subject: Fwd: CP 287 working in single track  
 Received: Sun 08/16/2020 2:08:06 AM UTC

Sent from my iPhone

Begin forwarded message:

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Date:** August 15, 2020 at 9:04:25 PM CDT  
**To:** Jacob Reynolds <jacob\_reynolds@cpr.ca>, Michael Ugorek <Michael\_Ugorek@cpr.ca>, Aisha Jackson <aisha\_jackson@cpr.ca>, Nicole Kurtenbach CP AGM Minneapolis <nicole\_kurtenbach@cpr.ca>, Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>, "brandon\_smith@cpr.ca" <brandon\_smith@cpr.ca>  
**Cc:** "nick\_walker@cpr.ca" <nick\_walker@cpr.ca>, Bruce Marcheschi <BMarcheschi@METRARR.COM>, Victor Flores <VFlores@METRARR.COM>, David Rodriguez <DRodriguez@METRARR.COM>  
**Subject:** CP 287 working in single track

Today #1 MT was out of service between Tower B12 and Tower B17 for ongoing work on the B-1 Create project (for the record, Metra is doing the work for CP at CP expense). @ 1030 hrs, it was learned that plans had been made to have CP 287 follow Metra 2707 out of Tower B12 and hold #2 MT at Tower B17 while cars would be set out and picked up in Bensenville Yard. Given that there would only be @ 1 hour between when 287 would get to B17 and when Metra 2714 would get to B17 it was inevitable that delays, potentially serious, would occur to Metra's scheduled service. Before 287 was even clear of Galewood, requests were made to have 287 brought into Bensenville Yard to do the work, or continue up to Bryn Mawr and cut off Bensenville cars up there to be brought back on the other main. Requests were denied. Calls were then made to Metra Capital Signal to start getting the workers off #1 MT and restore it to service. They did in fact begin the process of putting the track back in service but because of the nature of the work, we were told it would take approximately 1 hour. 2714 stopped at B17 at 1240. At that point 287's head end was not even back on their train. Capital signal released 1 MT @ 1250 but at that point 286 had just been released to come in the yard, so 2714 continued to sit. 2714 finally moved at 1315 after sitting for 35 minutes and arrived Chicago 41 minutes late. Metra 2709 was held at Tower B12 for 2714 and arrived Elgin 42 minutes late.

We have discussed many times over the years the problems associated with having CP freight trains occupying on of the Metra-owned Main Tracks between B12 and B17 while engaged in yard-type activities such as picking up and setting out cars. It is bad enough when doing this causes single tracking for Metra, but to do it on the only live track when the other one is out of service is just wrong. Not only did this practice cause extensive delays to our service, but progress on the B-1 project wound up getting set back yet another day. Moving forward, we would hope for a little more cooperation from CP in keeping both of our operations fluid

Rich Oppenheim, Director  
 Metra CUS District Operations  
 Office. 312-322-8939  
 Cell. 312-735-8576

Sent from my iPhone



**To:** Jacob Rinnels[jacob\_rinnels@cpr.ca]; Brandon Smith[brandon\_smith@cpr.ca]; Michael Ugorek[michael\_ugorek@cpr.ca]; Aisha Jackson[aisha\_jackson@cpr.ca]  
**Cc:** Nicole Kurtenbach CP AGM Minneapolis[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Mon 08/24/2020 11:09:16 PM UTC  
**Subject:** MW2227 and MW2244 stopped B17  
**Received:** Mon 08/24/2020 11:09:17 PM UTC

Metra peak period train 2227 Delayed at Tower B-17 22 minutes; inbound 2244 delayed 17 mins, both waiting for C to pull in the yard and clear.

Moving forward, would it be possible to implement a procedure before trains on the cut off are released to come in. Something like:

1. Determine how many switches the train will need to stop and line on the way in.
2. Communicate this information to the crew on the train, advise them when the next scheduled Metra train is due, crew if they will be able to line the switches and clear by that time. If the answer is wait for next window that's large enough.

We have done this sort of thing in the past and it worked well. Your assistance would be greatly appreciated.

Rich Oppenheim, Director  
 Metra CUS District Operations  
 Office: 312-322-8939  
 Cell: 312-735-8576  
 Roppenheim@metrarr.com

Sent from my iPhone

Begin forwarded message:

**From:** "Greg J.M. Godfrey" <GGodfrey@METRARR.COM>  
**Date:** August 24, 2020 at 5:40:26 PM CDT  
**To:** David Rodriguez <DRodriguez@METRARR.COM>  
**Cc:** Rich Oppenheim <ROppenheim@METRARR.COM>, Janet Carbonelli <JCarbonelli@METRARR.COM>, Victor Flores <VFlores@METRARR.COM>  
**Subject:** CP response?: MW2227 and MW2244 stopped B17

Dave What is CP saying?

Begin forwarded message:

**From:** Donald Pendleton <DPendleton@METRARR.COM>  
**Date:** August 24, 2020 at 17:29:56 CDT  
**To:** Carlos Del Toro <CDeIToro@METRARR.COM>, Cedric Smith <CSmith@METRARR.COM>, Christy Seibert <cseibert@METRARR.COM>, Daniel Marine llie <DMarine llie@METRARR.COM>, Danny Santiago <DSantiago@METRARR.COM>, Darrin Austin <DAustin@METRARR.COM>, David Cook <DCook@METRARR.COM>, David Rodriguez <DRodriguez@METRARR.COM>, Enrique Rosas <ERosas@METRARR.COM>, Ernesto Hernandez <EHernandez@METRARR.COM>, "Greg J.M. Godfrey" <GGodfrey@METRARR.COM>, Israel Gonzalez <IGonzalez@METRARR.COM>, Janet Carbonelli <JCarbonelli@METRARR.COM>, James Grogans <JGrogans@METRARR.COM>,

Joe Bratta <JBratta@METRARR.COM>, Keith Georgeff <KGeorgeff@METRARR.COM>, "Martin H. Yock" <MYock@METRARR.COM>, Matthew Koszulinski <MKoszulinski@METRARR.COM>, Rene Venegas <RVenegas@METRARR.COM>, Rich Oppenheim <ROppenheim@METRARR.COM>, Steve Hoye <SHoye@METRARR.COM>, Tim Tabisz <TTabisz@METRARR.COM>, Victor Flores <VFlores@METRARR.COM>, Adam Farence <AFarence@METRARR.COM>, Alyssa Battaglia <ABattaglia@METRARR.COM>, Carlo Santori <CSantori@METRARR.COM>, Corinna Gallardo <cgallardo@metrarr.com>, Courtney Aubrecht <CAubrecht@METRARR.COM>, GPSAlerting <GPSAlerting@METRARR.COM>, Katie Dahlstrom <KDahlstrom@METRARR.COM>, Kevin Lynch <KLynch@METRARR.COM>, Marshall Beecher <MBeecher@METRARR.COM>, Matt Bevers <mbevers@METRARR.COM>, Maurice King <MKing@METRARR.COM>, Meg Thomas-Reile <mtreile@metrarr.com>, Michael Gillis <mgillis@METRARR.COM>, Robert Tellin <RTellin@METRARR.COM>, Sergio Guerrero <SGuerrero@METRARR.COM>, Sylvia Ortiz-Cooper <Sortiz-Cooper@METRARR.COM>, Terron Haynes <THaynes@METRARR.COM>, Tom Miller <TMILLER@METRARR.COM>

**Subject: RE: MW2227 and MW2244 stopped B17**

Both trains are back on the move. 2227 is about 22m down.

**From:** Donald Pendleton

**Sent:** Monday, August 24, 2020 5:21 PM

**To:** Carlos Del Toro <CDelToro@METRARR.COM>; Cedric Smith <CSmith@METRARR.COM>; Christy Seibert <cseibert@METRARR.COM>; 'Daniel Marinellie' <DMarinellie@METRARR.COM>; Danny Santiago <DSantiago@METRARR.COM>; Darrin Austin <DAustin@METRARR.COM>; 'David Cook (dcook@metrarr.com)' <DCook@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Enrique Rosas <ERosas@METRARR.COM>; 'Ernesto Hernandez (ehernandez@metrarr.com)' <EHernandez@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; Israel Gonzalez <IGonzalez@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; 'jgrogans@metrarr.com' <jgrogans@metrarr.com>; Joe Bratta <JBratta@METRARR.COM>; Keith Georgeff <KGeorgeff@METRARR.COM>; 'Martin H. Yock (myock@metrarr.com)' <MYock@METRARR.COM>; Matthew Koszulinski <MKoszulinski@METRARR.COM>; Rene Venegas <RVenegas@METRARR.COM>; Rich Oppenheim <ROppenheim@METRARR.COM>; Steve Hoye <SHoye@METRARR.COM>; Tim Tabisz <TTabisz@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; Adam Farence <AFarence@METRARR.COM>; Alyssa Battaglia <ABattaglia@METRARR.COM>; Carlo Santori <CSantori@METRARR.COM>; Corinna Gallardo <cgallardo@metrarr.com>; Courtney Aubrecht <CAubrecht@METRARR.COM>; GPSAlerting <GPSAlerting@METRARR.COM>; Katie Dahlstrom <KDahlstrom@METRARR.COM>; Kevin Lynch <KLynch@METRARR.COM>; Marshall Beecher <MBeecher@METRARR.COM>; Matt Bevers <mbevers@METRARR.COM>; Maurice King <MKing@METRARR.COM>; Meg Thomas-Reile <mtreile@metrarr.com>; Michael Gillis <mgillis@METRARR.COM>; Robert Tellin <RTellin@METRARR.COM>; Sergio Guerrero <SGuerrero@METRARR.COM>; Sylvia Ortiz-Cooper <Sortiz-Cooper@METRARR.COM>; Terron Haynes <THaynes@METRARR.COM>; Tom Miller <TMILLER@METRARR.COM>

**Subject:** MW2227 and MW2244 stopped B17

MW2227 and MW2244 both stopped at B17 due to freight CP286 73 x 71 9871' going into the yard. MW2227 is about 10 min down.

**To:** nick\_walker@cpr.ca[nick\_walker@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; joshua\_bahruth@cpr.ca[joshua\_bahruth@cpr.ca]; Joshua Pennington[Joshua\_Pennington@cpr.ca]; Michael Ugorek[Michael\_Ugorek@cpr.ca]  
**Cc:** David Rodriguez[DRodriguez@METRARR.COM]; Marty Ryan[mryan@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Bruce Marcheschi[BMarcheschi@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Mon 02/03/2020 6:48:59 PM UTC  
**Subject:** Metra Delays - Bensenville area  
**Received:** Mon 02/03/2020 6:49:01 PM UTC

Following Metra delays were incurred due to handling of freight movements over the last few days:

FRIDAY JANUARY 31, 2020:

- An 11,800 foot CP-198 was stopped at B17. Train was started off CP-2 for New Arrival Track @ 1548 with no chance of clearing B17 plant ahead of 2242 due B17 1604 and 2223 due B17 1607. 2242 was held 12 minutes, 2223 8 minutes for 198 to clear into yard.

SATURDAY FEBRUARY 1, 2020:

- Metra 2706 was blocked at Tower B17 12 minutes for inbound CP freight 286? To clear plant going into yard.
- Metra 2717 was stopped at B17 35 minutes to meet Metra 2720 due to CP-681 who was dispatched directly ahead of 2717 having locomotive issues at Medinah.

MONDAY FEBRUARY 2, 2020:

- CP 581 (67X) and CP 2-287 were brought up #1 MT and stopped between Tower B12 and Tower B17 with "no place to go" while waiting for inbound CP trains 470, 286, and 198 utilizing both Mains between Tower B17 and Bryn Mawr to clear into yard. #1 MT between Tower B12 and Tower B17 was occupied by these two freight trains from 0913 to 1212. During this 3 hour period Metra trains were single tracking between B12 and B17 using #2 MT. Metra 2213 departed Chicago 7 minutes late due to a minor mechanical issue which was corrected prior to departure. Because of the single tracking, this minor delay created a stand-off between 2213 and 2232. To avoid two late trains, 2213 was held at Tower B12 an additional 8 minutes to meet 2232 resulting in an 18 minute late arrival at Big Timber Road for 2213. We have discussed previously the need for CP freight traffic utilizing the two Metra owned Main Tracks between Tower B12 and Tower B17 to be dispatched so that they keep moving, rather than tie up these tracks for extended periods of time.

Please review the circumstances surrounding these delays to our scheduled trains, all of which negatively impact our customers. Your cooperation in keeping our trains operating according to their published schedules would be greatly appreciated.

Rich Oppenheim,  
Assistant Superintendent  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661



**To:** 'Lucas Lingenfelter'[Lucas\_Lingenfelter@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Jacob Rinnels[Jacob\_Rinnels@cpr.ca]  
**Cc:** jasonM\_ross@cpr.ca[jasonM\_ross@cpr.ca]; Brandon Smith[Brandon\_Smith@cpr.ca]; Aisha Jackson[Aisha\_Jackson@cpr.ca]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Thur 12/24/2020 9:04:52 PM UTC  
**Subject:** CP Freight Interference - Metra Peak Period  
**Received:** Thur 12/24/2020 9:04:53 PM UTC

Metra continues to experience disturbing instances of direct freight train interference during our Peak Period operations in direct contradiction of the terms set forth in our operating agreement. This week:

MONDAY, DECEMBER 21<sup>st</sup>, 2020:

- CP-686 (off Chicago Sub for Bensenville) was released to depart Almora to proceed toward Bensenville with equipment train 7161 who protects Metra 2216's 0651 departure from Big Timber Road held in the Elgin coach yard for 686 to clear. By the time 686 cleared Elgin and 2216's equipment could be started up to Almora, a 19 minute delayed departure for 2216 resulted.
- With 2216 running late, the equipment for Metra 2222 also could not departure Elgin coach yard on time, and 2222 departed Big Timber Road 13 minutes late.

THURSDAY, DECEMBER 24<sup>th</sup>, 2020:

- CP Q-165 was lined across B12 to proceed from Norpaul to Schiller Park during the heart of the Metra Peak period. This resulted in a 15 minute delay to Metra 2206 as well as a 10 minute delay to Metra 2208 who got stopped behind 2206.

As discussed, Metra is currently operating a significantly reduced schedule during the COVID-19 Pandemic, and is desperately trying to rebuild our ridership. To have any hope of accomplishing this, it is imperative that our trains that are running be allowed to operate on schedule. It is particularly disturbing that CP continues to impede our ability to do this, particularly during our Peak Periods which are supposedly protected by our Operating Agreement.

As the New Year approaches, we again ask for CP's cooperation in keeping our trains operating on schedule. As always, if I can be of any assistance, do not hesitate to let me know.

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**

**To:** Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]; Nicole Kurtenbach CP AGM Minneapolis[nicole\_kurtenbach@cpr.ca]  
**Cc:** David Rodriguez[DRodriguez@METRARR.COM]; MDC Desk[MDC\_Illinois\_West\_Desk@cpr.ca]; Jacob Rinnels[jacob\_rinnels@cpr.ca]; Jason Ross[jasonM\_ross@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Sat 12/26/2020 5:45:49 PM UTC  
**Subject:** Fwd: MW2707 Delay  
**Received:** Sat 12/26/2020 5:45:50 PM UTC  
[image001.gif](#)

CP-281 ran East on #1 MT from Tower B12 to B6. 2707 was run #2 MT to Galewood East and held there 13 minutes to clear, then cross over to #1 MT. It appears 281 could have run East on #2 MT and 2707 West on #1 MT with delay to either train. Please advise why this excessive delay to 2707 occurred.

Sent from my iPhone

Begin forwarded message:

**From:** Judy Tovar <JTovar@metrarr.com>  
**Date:** December 26, 2020 at 11:16:20 AM CST  
**To:** Adam Farence <AFarence@metrarr.com>, Alfred Wade <AWade@metrarr.com>, Alyssa Battaglia <ABattaglia@metrarr.com>, Carlo Santori <CSantori@metrarr.com>, Carlos Del Toro <CDeToro@metrarr.com>, Chris Krakar <CKrakar@metrarr.com>, Christy Seibert <cseibert@metrarr.com>, Clifton Bates <CBates@metrarr.com>, Corinna Gallardo <cgallardo@metrarr.com>, Courtney Aubrecht <CAubrecht@metrarr.com>, Daniel Heer <DHeer@metrarr.com>, Danny Santiago <DSantiago@metrarr.com>, David Rodriguez <DRodriguez@metrarr.com>, Dennis Wokurka <DWokurka@metrarr.com>, GPS Alerting <GPSAlerting@metrarr.com>, "Greg J.M. Godfrey" <GGodfrey@metrarr.com>, Israel Gonzalez <IGonzalez@metrarr.com>, Jai Whitted <JWhitted@metrarr.com>, James Walsh <JWalsh@metrarr.com>, Janet Carbonelli <JCarbonelli@metrarr.com>, Joe Bratta <JBratta@metrarr.com>, Joel Winchester <JWinchester@metrarr.com>, Katie Dahlstrom <KDahlstrom@metrarr.com>, Keith Georgeff <KGeorgeff@metrarr.com>, Kevin Clifford <KClifford@metrarr.com>, Kevin Lynch <KLynch@metrarr.com>, Larry Powell <LPowell@metrarr.com>, Marshall Beecher <MBeecher@metrarr.com>, Matt Bevers <mbevers@metrarr.com>, Maurice King <MKing@metrarr.com>, Meg Thomas-Reile <mtreile@metrarr.com>, Metra CCF Dispatching <MetraCCFdispatch@metrarr.com>, Metra Train Assistance Center <MTACold@metrarr.com>, Michael Denk <MDenk@metrarr.com>, Michael Gillis <mgillis@metrarr.com>, Rich Oppenheim <ROppenheim@metrarr.com>, Robert Tellin <RTellin@metrarr.com>, Ryan Markmann <RMarkmann@metrarr.com>, Sergio Guerrero <SGuerrero@metrarr.com>, Sylvia Ortiz-Cooper <Sortiz-Cooper@metrarr.com>, Terron Haynes <THaynes@metrarr.com>, Tom Miller <TMILLER@metrarr.com>, Victor Flores <VFlores@metrarr.com>  
**Subject:** MW2707 Delay

**Train No. 2707 at Galewood East - Freight Interference**

No. 2707 delayed 10 minutes at Galewood East account freight CP281 (CP6231, 115 cars, 8,627ft).

**Delay: No. 2707 - 10 minutes Freight Interference at Galewood East**



Judy Tovar | Dispatcher

1501 South Canal Street, Chicago, IL, 60607

P: 312-322-2846 | E: [JTovar@METRARR.COM](mailto:JTovar@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metrarail.com](#)



**To:** tristan.jones@Wabtec.com[tristan.jones@Wabtec.com]; dmyer@Wabtec.com[dmyer@Wabtec.com]; alireza.edraki@Wabtec.com[alireza.edraki@Wabtec.com]; Kim Winiski[kim\_winiski@cpr.ca]; Greg J.M. Godfrey[GGodfrey@METRARR.COM]; 'Lucas Lingenfelter'[Lucas\_Lingenfelter@cpr.ca]; Petika, Kelly[kelly.petika@Wabtec.com]; Matthews-Patton, Josh[joshua.matthews-patton@Wabtec.com]; Mark Delaney[MDelaney@METRARR.COM]; redwards@adssafety.com[redwards@adssafety.com]; john.leonardo@cpr.ca[john.leonardo@cpr.ca]  
**Cc:** David Rodriguez[DRodriguez@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Bruce Marcheschi[BMarcheschi@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Thur 12/31/2020 4:18:11 PM UTC  
**Subject:** Sluggish Remote workstation - CP C&M Dispatcher  
**Received:** Thur 12/31/2020 4:18:12 PM UTC

The attempted fix did not cure the problem. If anything, the C&M Dispatchers work station was even farther behind this morning than it has been – to the extent that we are experiencing delays to our operation at an unacceptable level. The problem has occurred consistently every day this week (and for days previously) and seems to be particularly bad during the 0630-0830 time frame. Dispatchers' work station is at times 7 to 8 minutes behind reality. THIS MUST BE FIXED, and it must be done ASAP – certainly before our next morning rush on Monday Jan. 4<sup>th</sup>. Please advise what is being done to correct this problem.

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**

**To:** Greg J.M. Godfrey[GGodfrey@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**Cc:** Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM];  
 jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; brandon\_smith@cpr.ca[brandon\_smith@cpr.ca]; Michael  
 Ugorek[Michael\_Ugorek@cpr.ca]; 'aisha\_jackson@cpr.ca'[aisha\_jackson@cpr.ca]  
**From:** Rich Oppenheim  
**ent:** Thur 11/05/2020 10:27:09 PM UTC  
**Subject:** RE: Action Item for CP Call  
**Received:** Thur 11/05/2020 10:27:10 PM UTC

CP -675 is a Mannheim recrew. The outbound crew is called for 1600. G48 is the Progress Rail transfer with 1 engine and 10 cars going back to the Elk Grove facility. He was somehow allowed out of Bensenville, then shoved back on #1 MT for headroom in order to go toward Elk Grove Village but was then held East of B17 waiting for a lengthy 198 to yard. With G48 shoved back on #1, traffic is lined East toward B12 so we wound up with 2223 sitting at B12 and 2242 sitting at B17. 2223 delayed @ 17 minutes; 2242 just getting line up now, delayed @ 20 minutes.

For the record, 2223 and 2242 and scheduled to meet squarely between B12 and B17. 675 should never have been allowed to make a crew change and tie up one of the mains in a window where we have scheduled meets. G48 should not have been allowed out if everyone knew 198 needed to yard first. I did speak with Jacob Rinnels who is currently in quarantine, but he promised to dig into it and hopefully prevent a similar recurrence.

**From:** Greg J.M. Godfrey <GGodfrey@METRARR.COM>  
**Sent:** Thursday, November 5, 2020 4:17 PM  
**To:** David Rodriguez <DRodriguez@METRARR.COM>  
**Cc:** Rich Oppenheim <ROppenheim@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>  
**Subject:** Action Item for CP Call

Dave – A G48 and a risk taker move with now a dead in the water G675 around old rush hour time? I can't see that being freight mechanical.

**From:** Christy Seibert <cseibert@METRARR.COM>  
**Sent:** Thursday, November 5, 2020 4:15 PM  
**To:** Adam Farence <AFarence@METRARR.COM>; Alyssa Battaglia <ABattaglia@METRARR.COM>; Carlo Santori <CSantori@METRARR.COM>; Carlos Del Toro <CDelToro@METRARR.COM>; Corinna Gallardo <cgallardo@metrarr.com>; Courtney Aubrecht <CAubrecht@METRARR.COM>; Danny Santiago <DSantiago@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; GPSAlerting <GPSAlerting@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Joe Bratta <JBratta@METRARR.COM>; Katie Dahlstrom <KDahlstrom@METRARR.COM>; Keith Georgeff <KGeorgeff@METRARR.COM>; Kevin Lynch <KLynch@METRARR.COM>; Marshall Beecher <MBeecher@METRARR.COM>; Matt Bevers <mbevers@METRARR.COM>; Maurice King <MKing@METRARR.COM>; Meg Thomas-Reile <mtreile@metrarr.com>; Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; Michael Gillis <mgillis@METRARR.COM>; Rich Oppenheim <ROppenheim@METRARR.COM>; Robert Tellin <RTellin@METRARR.COM>; Sergio Guerrero <SGuerrero@METRARR.COM>; Steve Hoyer <SHoyer@METRARR.COM>; Sylvia Ortiz-Cooper <SOrtiz-Cooper@METRARR.COM>; Terron Haynes <THaynes@METRARR.COM>; Tom Miller <TMILLER@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>  
**Subject:** RE: MW2223 and MW2242

Also a G675 on track 2 between B12 and B17 Dead in the water. MW2223 on the move 15 min down. MW2242 still stopped.

**From:** Christy Seibert <cseibert@METRARR.COM>  
**Sent:** Thursday, November 5, 2020 4:13 PM  
**To:** Adam Farence <AFarence@METRARR.COM>; Alyssa Battaglia <ABattaglia@METRARR.COM>; Carlo Santori <CSantori@METRARR.COM>; Carlos Del Toro <CDelToro@METRARR.COM>; Christy Seibert <cseibert@METRARR.COM>; Corinna Gallardo <cgallardo@metrarr.com>; Courtney Aubrecht <CAubrecht@METRARR.COM>; Danny Santiago <DSantiago@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; GPSAlerting <GPSAlerting@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Joe Bratta <JBratta@METRARR.COM>; Katie Dahlstrom <KDahlstrom@METRARR.COM>; Keith Georgeff <KGeorgeff@METRARR.COM>; Kevin Lynch <KLynch@METRARR.COM>; Marshall Beecher <MBeecher@METRARR.COM>; Matt Bevers <mbevers@METRARR.COM>; Maurice King <MKing@METRARR.COM>; Meg Thomas-Reile <mtreile@metrarr.com>; Metra CCF Dispatching

<[MetraCCFdispatch@METRARR.COM](mailto:MetraCCFdispatch@METRARR.COM)>; Michael Gillis <[mgillis@METRARR.COM](mailto:mgillis@METRARR.COM)>; Rich Oppenheim <[ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)>; Robert Tellin <[RTellin@METRARR.COM](mailto:RTellin@METRARR.COM)>; Sergio Guerrero <[SGuerrero@METRARR.COM](mailto:SGuerrero@METRARR.COM)>; Steve Hoye <[SHoye@METRARR.COM](mailto:SHoye@METRARR.COM)>; Sylvia Ortiz-Cooper <[SOrtiz-Cooper@METRARR.COM](mailto:SOrtiz-Cooper@METRARR.COM)>; Terron Haynes <[THaynes@METRARR.COM](mailto:THaynes@METRARR.COM)>; Tom Miller <[TMILLER@METRARR.COM](mailto:TMILLER@METRARR.COM)>; Victor Flores <[VFlores@METRARR.COM](mailto:VFlores@METRARR.COM)>

**Subject:** MW2223 and MW2242

MW2223 just stopped at B12 following G48 with 14 cars, freight train 198 stretched out across B17. MW2242 approaching B17 and looks to also be delayed.



**Christy Seibert | Chief Dispatcher**

547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-6777 | E: [cseibert@METRARR.COM](mailto:cseibert@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metrarail.com](#)



**To:** Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Baker, Conrad[Conrad.Baker@amtrak.com]  
**From:** Rich Oppenheim  
**Sent:** Wed 09/09/2020 9:30:05 PM UTC  
**Subject:** Metra 2121 Delay at Rondout  
**Received:** Wed 09/09/2020 9:30:06 PM UTC

CP has an Engineering project taking place immediately West of Rondout. Each day the gang leaves a 10 MPH speed restriction on the portion of track they worked on that day, and CP then needs to run a certain amount of tonnage over it in order for it to be removed. Today, CP ran their 287 train out of Tower A20 on #2 MT with the intention of remaining on #2 MT and operating through the slow order West of Rondout. To accomplish this, they ran Metra 2140 on #1 MT from Rondout to Deerfield, and when 2140 cleared, Metra 2121 ran West on #1 MT to Rondout. The timing of this move was such that by the time 2121 got to Rondout, 287 was just starting through the plant and the 10 MPH restriction. 2121 had to wait 15 minutes for 287 to clear the plant. Amtrak 338 and 337 both took minor delays by the time all of this was done. The substantial delay to 2121 was totally unnecessary in that 2121 could have and should have gone through Rondout first, although this would have still caused delays to one or both Amtrak trains. The better move would have been to have 287 follow 337 out of Tower A20 in the first place, and let the scheduled Passenger trains protect their schedules. 287 would then have had plenty of time to operate through the speed restriction without causing delay to anyone.

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**

**To:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**Cc:** nick\_walker@cpr.ca[nick\_walker@cpr.ca]; joshua\_bahruth@cpr.ca[joshua\_bahruth@cpr.ca]; Michael Ugorek[Michael\_Ugorek@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Thur 06/11/2020 7:37:19 PM UTC  
**Subject:** CP Signal Violation - B17 North  
**Received:** Thur 06/11/2020 7:37:20 PM UTC

Approximately 1340 hrs, CP 287 pulling off New Arrival Track at Tower B17 was lined out CP-2 at Tower B17 as far as the signal at B17 North. CP-198 was on CP-2 on the other side of B17 North. Plan was for 287 to hold until 286 cleared B17 North on CP-1, then 287 would cross over to CP-1 and continue on toward Bryn Mawr. 287 wound up getting by the signal at B17 North while it was displaying stop.

CP is currently making arrangements for a crew on a CP Ballast train at Schiller Park to be transported from Schiller Park to b17 to get on 287 and back up, either to clear the plant back into the yard, or far enough to clear B17 North and then crossover. Asst Superintendent Ugorek is on the scene and has indicated that the investigation will be completed before anything moves. I inquired about possibly utilizing 198's crew who is right there to clear the plant but was told that they will wait for the crew from Schiller Park. 2219 is currently stopped at B17 since 1413 and it appears it will be a minimum of an additional 30 minutes waiting with the current plan. Delay to 2219 will also affect his turn to 2242.

Anything that can be done to expedite clearing of B17 plant would be appreciated.

Rich Oppenheim, Assistant Superintendent  
Metra CUS District Operations  
Office 312-322-8939  
Cell 312-735-8576

**To:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**Cc:** nick\_walker@cpr.ca[nick\_walker@cpr.ca]; joshua\_bahruth@cpr.ca[joshua\_bahruth@cpr.ca]; Michael Ugorek[Michael\_Ugorek@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Thur 06/11/2020 8:25:41 PM UTC  
**Subject:** RE: CP Signal Violation - B17 North  
**Received:** Thur 06/11/2020 8:25:45 PM UTC

CP 287 cleared Tower B17 at 1521

2219 delay @ 1 hr 8 minutes. Will let shorts off at Bensenville for 2221 who is directly behind. 2219 will express to Elgin and turn for 2242 at Elgin. 2242 will originate at Elgin. Big Timber passengers to be accommodated by 2244. 2221 delay @ 20 minutes, 2240 @ 20 minutes, 2242 will be @ 15-20 late out of Elgin.

**From:** Rich Oppenheim

**Sent:** Thursday, June 11, 2020 2:37 PM

**To:** Bruce Marcheschi <BMarcheschi@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>

**Cc:** 'nick\_walker@cpr.ca' <nick\_walker@cpr.ca>; 'joshua\_bahruth@cpr.ca' <joshua\_bahruth@cpr.ca>; 'Michael Ugorek' <Michael\_Ugorek@cpr.ca>; 'nicole\_kurtenbach@cpr.ca' <nicole\_kurtenbach@cpr.ca>; 'Lucas Lingenfelter' <Lucas\_Lingenfelter@cpr.ca>

**Subject:** CP Signal Violation - B17 North

Approximately 1340 hrs, CP 287 pulling off New Arrival Track at Tower B17 was lined out CP-2 at Tower B17 as far as the signal at B17 North. CP-198 was on CP-2 on the other side of B17 North. Plan was for 287 to hold until 286 cleared B17 North on CP-1, then 287 would cross over to CP-1 and continue on toward Bryn Mawr. 287 wound up getting by the signal at B17 North while it was displaying stop.

CP is currently making arrangements for a crew on a CP Ballast train at Schiller Park to be transported from Schiller Park to b17 to get on 287 and back up, either to clear the plant back into the yard, or far enough to clear B17 North and then crossover. Asst superintendent Ugorek is on the scene and has indicated that the investigation will be completed before anything moves. I inquired about possibly utilizing 198's crew who is right there to clear the plant but was told that they will wait for the crew from Schiller Park. 2219 is currently stopped at B17 since 1413 and it appears it will be a minimum of an additional 30 minutes waiting with the current plan. Delay to 2219 will also affect his turn to 2242.

Anything that can be done to expedite clearing of B17 plant would be appreciated.

Rich Oppenheim, Assistant Superintendent  
Metra CUS District Operations  
Office 312-322-8939  
Cell 312-735-8576



**To:** nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; brandon\_smith@cpr.ca[brandon\_smith@cpr.ca]; Michael Ugorek[Michael\_Ugorek@cpr.ca]; 'aisha\_jackson@cpr.ca'[aisha\_jackson@cpr.ca]  
**Cc:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Fri 09/18/2020 12:56:48 PM UTC  
**Subject:** Metra 2216 and Metra Peak Period interference  
**Received:** Fri 09/18/2020 12:56:50 PM UTC

Nicole –

We are seeing a sudden upswing in freight train interference during Metra's peak periods. Last night Metra 2235 was held 15-20 minutes at Tower B17 so that a 13,500 foot freight train (286) could be brought in the yard. This morning the equipment move that runs from Elgin to Big Timber Road to protect 2216 (7161) was held in Elgin Coach yard in order to run a 472 train which I understand had already been recrewed and had no time constraints. 2216 delayed at least 15 minutes departing Big Timber Road and then caught up to 472 again who stopped 4 times pulling into the yard. We are at a loss as to understand why a decision was made to move 472 in this manner during our Peak period. It would be appreciated if you could look into this and advise why there seems to be a sudden disregard for our schedules. Hopefully appropriate action can be taken to correct this situation. Please let me know if we can help at all from our end.

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**

**From:** Metra <servicealerts@metramail.com>  
**Sent:** Friday, September 18, 2020 7:10 AM  
**To:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Subject:** Metra Alert MD-W - Train #2216 departing Big Timber Rd at 6:51 AM - delayed departure, freight train interference

Train #2216, scheduled to depart Big Timber Rd at 6:51 AM and arrive Chicago Union Station at 8:10 AM, will be delayed in departure due to freight train interference. The duration of this delay in departure is unknown. Metra will provide updated information as it becomes available.

*This email was sent to: [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)*

This email was sent by: Metra  
547 W. Jackson Boulevard  
Chicago, IL 60661-5717 USA

We respect your right to privacy - [view our policy](#)

[Unsubscribe](#) if you no longer want to receive Metra Alert Email Notifications.

Please do not reply to this email as it was generated by an automated system.

If you have questions or comments, you may contact us at <https://metrarail.com/contact-us>

**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; brandon\_smith@cpr.ca[brandon\_smith@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas\_Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Metra CCF Dispatching[MetraCCFdispatch@METRARR.COM]  
**c:** jason\_ross@cpr.ca[jason\_ross@cpr.ca]  
**rom:** Rich Oppenheim  
**Sent:** Wed 12/16/2020 10:35:52 PM UTC  
**Subject:** WED DEC 16 - Milwaukee West Line Delays TUE DEC 15, 2021 - CP Freight Interference  
**Received:** Wed 12/16/2020 10:35:53 PM UTC

Contrary to agreed upon practices recently discussed, today CP G57-287 was again brought up #2 Main Track from Tower B12 to Tower B17 at the onset of the Metra Peak period operation. G57 was instructed to cut off a Milwaukee block of cars on the head end of their train and set them out in Bensenville yard to be added to 471 later on. After completing that, power is to go to another track and pick up some 30 or so cars for the West. Metra trains 2223 and 2242 are scheduled to meet between Franklin Park West and Tower B17, so 2242 was held @ 12 minutes to meet 2223 at Tower B17. A similar standoff exists between Metra 2244 and Metra 2227 so one of those trains will also need to wait 10 minutes or more for the opposing train. We have discussed this type of operation at length, and have repeatedly been assured that the Metra Main Tracks between Tower B12 and Tower B17 would not be used to accommodate yard type work such as picking up and setting out of cars. In spite of these assurances, the practice continues. What can be done to get this corrected?

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**

**From:** Rich Oppenheim  
**Sent:** Tuesday, December 15, 2020 5:06 PM  
**To:** 'jacob\_rinnels@cpr.ca' <jacob\_rinnels@cpr.ca>; 'brandon\_smith@cpr.ca' <brandon\_smith@cpr.ca>; 'nicole\_kurtenbach@cpr.ca' <nicole\_kurtenbach@cpr.ca>; 'Lucas\_Lingenfelter' <Lucas\_Lingenfelter@cpr.ca>; Bruce Marcheschi <BMarcheschi@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>  
**Subject:** Milwaukee West Line Delays TUE DEC 15, 2021 - CP Freight Interference

- 2232 @ 10 minutes at Tower B17 waiting for 2213 to clear #2 MT due to CP G57-287 occupying #1 MT between Franklin Park West and Tower B17. G57-287 was NOT doing any work today, but was held at B17 due to UP single tracking and EWD traffic coming first. Given the situation G57 should have been held to follow 2213 out of Tower B12 or Galewood. 2232 arrived CUS 6 minutes late.
- 2236 held @ 40 minutes between Itasca and Wooddale to allow IM-1 who came out of Schiller Park with a large train to take head room on #2 MT West of Tower B17 in order to shove into the West Yard working lead. This move, (which could easily been done behind 2217 and 2236 without delaying anyone) would have delayed 2236 at least 20 minutes no matter what, but as they tried to shove into West Yard working lead they discovered that the track they were shoving toward was already occupied, so they stopped on B17 plant to make a cut, then pull back west, and shove balance into connection to New Arrival. 2236 arrived CUS 1418 35 minutes late.

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**

**To:** MDC Illinois North Desk[MDC\_IllinoisNorthDesk@cpr.ca]  
**Cc:** 'Lucas Lingenfelter'[Lucas\_Lingenfelter@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Mon 06/15/2020 8:34:46 PM UTC  
**Subject:** 2121 delayed at A20 for 287  
**Received:** Mon 06/15/2020 8:34:53 PM UTC

2121 being delayed at A20 @ 20 minutes waiting for a CP-287 to come off the cut off and run ahead. Speed at Shermer was recently reduced from 25 MPH to 10 MPH which is no doubt a contributing factor (I don't think C&M knew?) but even so there was no way 287 could have run first without causing a delay.



**To:** MDC Illinois North Desk[MDC\_IllinoisNorthDesk@cpr.ca]  
**Cc:** 'Lucas Lingenfelter'[Lucas\_Lingenfelter@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Mon 06/15/2020 8:34:46 PM UTC  
**Subject:** 2121 delayed at A20 for 287  
**Received:** Mon 06/15/2020 8:34:53 PM UTC

2121 being delayed at A20 @ 20 minutes waiting for a CP-287 to come off the cut off and run ahead. Speed at Shermer was recently reduced from 25 MPH to 10 MPH which is no doubt a contributing factor (I don't think C&M knew?) but even so there was no way 287 could have run first without causing a delay.

**To:** 'Lucas Lingenfelter'[Lucas\_Lingenfelter@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; brandon\_smith@cpr.ca[brandon\_smith@cpr.ca]  
**Cc:** jasonM\_ross@cpr.ca[jasonM\_ross@cpr.ca]; David Rodriguez[DRodriguez@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Thur 12/31/2020 5:46:56 PM UTC  
**Subject:** CP-472 operating during Metra morning Peak Period  
**Received:** Thur 12/31/2020 5:46:57 PM UTC

It appears that a practice of bringing CP-472 from Almora to Tower B17 through the morning Metra Peak Period has begun occurring on a regular basis. Earlier this week we received minor delays to Metra 2206 waiting for 472 to clear Tower B35 so that 2206 could run around them between Tower B35 and Spaulding. 472 was held there for the entire morning waiting for a relief crew, requiring Metra trains to single track around them between Spaulding and Tower B35. Minor delays to Metra 2203 were incurred waiting for 2222 to clear the single track. Yesterday, 472 was run on #1 Main Track from Almora to B17 and cleared shortly before #2210 and #2203 were due. Apparently, this morning, the same operation of 472 took place again, this time with a 10,000 foot 472 who apparently stopped several times while pulling in the yard to line switches. 2203 and 2210 were both blocked at B17 while this took place. 22203 and 2210 were delayed 23 minutes and 24 minutes respectively while 472 pulled in. Both delays were contrary to the terms of our Operating Agreement which precludes interference with Peak period trains. Several hours later, Metra 2230 was held 15 minutes at Tower B17 waiting for CP-286 to clear the plant going into the yard.

We appreciate CP's recent commitment to protecting our schedules and Operation, but it appears that the message is apparently not getting through to some people directly involved in the Operation. Your help and assistance would be appreciated.

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**

**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; brandon\_smith@cpr.ca[brandon\_smith@cpr.ca]; Michael Ugorek[Michael\_Ugorek@cpr.ca]; 'aisha\_jackson@cpr.ca'[aisha\_jackson@cpr.ca]  
**Cc:** David Rodriguez[DRodriguez@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]  
**From:** Rich Oppenheim  
**ent:** Mon 08/31/2020 4:13:20 PM UTC  
**subject:** CP-65K changing power on #1 MT at Tower B17  
**Received:** Mon 08/31/2020 4:13:21 PM UTC

All -

FYI there is a CP-65K that followed 2209 up #1 MT to Tower B17 this morning @ 0915. They have been stopped on #1 MT changing power ever since. It looks like the power is just starting to go back on the train @ 1115. Meanwhile, #2213 was delayed @ 10 minutes for PTC issues, so the B17 meet with 2232 would no longer work. 2232 is going through first to avoid having to relieve the engineer for insufficient rest. 2213 will be running about 20 minutes late as a result. Can we again ask that power changes and other yard type activities be done in the yard and not on the main line? Your help would be most appreciated.

Rich

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**



**To:** Greg J.M. Godfrey[GGodfrey@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**Cc:** Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM];  
 jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; brandon\_smith@cpr.ca[brandon\_smith@cpr.ca]; Michael  
 Ugorek[Michael\_Ugorek@cpr.ca]; 'aisha\_jackson@cpr.ca'[aisha\_jackson@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Thur 11/05/2020 10:43:36 PM UTC  
**Subject:** RE: Action Item for CP Call  
**Received:** Thur 11/05/2020 10:43:39 PM UTC

One more factoid. Apparently CP is currently short of crews due to COVID, so the 1600 recrew for 675 is now pushed back to 1735. 2244 will have to wait at B17 for 2227 and 2235 will have to wait at B12 for 2244.

**From:** Rich Oppenheim  
**Sent:** Thursday, November 5, 2020 4:27 PM  
**To:** Greg J.M. Godfrey <GGodfrey@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>  
**Cc:** Janet Carbonelli <JCarbonelli@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; 'jacob\_rinnels@cpr.ca'  
 <jacob\_rinnels@cpr.ca>; 'brandon\_smith@cpr.ca' <brandon\_smith@cpr.ca>; 'Michael Ugorek' <Michael\_Ugorek@cpr.ca>;  
 'aisha\_jackson@cpr.ca' <aisha\_jackson@cpr.ca>  
**Subject:** RE: Action Item for CP Call

CP -675 is a Mannheim recrew. The outbound crew is called for 1600. G48 is the Progress Rail transfer with 1 engine and 10 cars going back to the Elk Grove facility. He was somehow allowed out of Bensenville, then shoved back on #1 MT for headroom in order to go toward Elk Grove Village but was then held East of B17 waiting for a lengthy 198 to yard. With G48 shoved back on #1, traffic is lined East toward B12 so we wound up with 2223 sitting at B12 and 2242 sitting at B17. 2223 delayed @ 17 minutes; 2242 just getting line up now, delayed @ 20 minutes.

For the record, 2223 and 2242 and scheduled to meet squarely between B12 and B17. 675 should never have been allowed to make a crew change and tie up one of the mains in a window where we have scheduled meets. G48 should not have been allowed out if everyone knew 198 needed to yard first. I did speak with Jacob Rinnels who is currently in quarantine, but he promised to dig into it and hopefully prevent a similar recurrence.

**From:** Greg J.M. Godfrey <GGodfrey@METRARR.COM>  
**Sent:** Thursday, November 5, 2020 4:17 PM  
**To:** David Rodriguez <DRodriguez@METRARR.COM>  
**Cc:** Rich Oppenheim <ROppenheim@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Victor Flores  
 <VFlores@METRARR.COM>  
**Subject:** Action Item for CP Call

Dave – A G48 and a risk taker move with now a dead in the water G675 around old rush hour time? I can't see that being freight mechanical.

**From:** Christy Seibert <cseibert@METRARR.COM>  
**Sent:** Thursday, November 5, 2020 4:15 PM  
**To:** Adam Farence <AFarence@METRARR.COM>; Alyssa Battaglia <ABattaglia@METRARR.COM>; Carlo Santori  
 <CSantori@METRARR.COM>; Carlos Del Toro <CDelToro@METRARR.COM>; Corinna Gallardo <cgallardo@metrarr.com>; Courtney  
 Aubrecht <CAubrecht@METRARR.COM>; Danny Santiago <DSantiago@METRARR.COM>; David Rodriguez  
 <DRodriguez@METRARR.COM>; GPSAlerting <GPSAlerting@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>;  
 Janet Carbonelli <JCarbonelli@METRARR.COM>; Joe Bratta <JBratta@METRARR.COM>; Katie Dahlstrom  
 <KDahlstrom@METRARR.COM>; Keith Georgeff <KGeorgeff@METRARR.COM>; Kevin Lynch <KLynch@METRARR.COM>; Marshall  
 Beecher <MBeecher@METRARR.COM>; Matt Bevers <mbevers@METRARR.COM>; Maurice King <MKing@METRARR.COM>; Meg  
 Thomas-Reile <mtreile@metrarr.com>; Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; Michael Gillis  
 <mgillis@METRARR.COM>; Rich Oppenheim <ROppenheim@METRARR.COM>; Robert Tellin <RTellin@METRARR.COM>; Sergio  
 Guerrero <SGuerrero@METRARR.COM>; Steve Hoyer <SHoyer@METRARR.COM>; Sylvia Ortiz-Cooper <Sortiz-  
 Cooper@METRARR.COM>; Terron Haynes <THaynes@METRARR.COM>; Tom Miller <TMILLER@METRARR.COM>; Victor Flores  
 <VFlores@METRARR.COM>  
**Subject:** RE: MW2223 and MW2242

Also a G675 on track 2 between B12 and B17 Dead in the water. MW2223 on the move 15 min down. MW2242 still stopped.

**From:** Christy Seibert <cseibert@METRARR.COM>  
**Sent:** Thursday, November 5, 2020 4:13 PM  
**To:** Adam Farence <AFarence@METRARR.COM>; Alyssa Battaglia <ABattaglia@METRARR.COM>; Carlo Santori <CSantori@METRARR.COM>; Carlos Del Toro <CDelToro@METRARR.COM>; Christy Seibert <cseibert@METRARR.COM>; Corinna Gallardo <cgallardo@metrarr.com>; Courtney Aubrecht <CAubrecht@METRARR.COM>; Danny Santiago <DSantiago@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; GPSAlerting <GPSAlerting@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Joe Bratta <JBratta@METRARR.COM>; Katie Dahlstrom <KDahlstrom@METRARR.COM>; Keith Georgeff <KGeorgeff@METRARR.COM>; Kevin Lynch <KLynch@METRARR.COM>; Marshall Beecher <MBeecher@METRARR.COM>; Matt Bevers <mbevers@METRARR.COM>; Maurice King <MKing@METRARR.COM>; Meg Thomas-Reile <mtreile@metrarr.com>; Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; Michael Gillis <mgillis@METRARR.COM>; Rich Oppenheim <ROppenheim@METRARR.COM>; Robert Tellin <RTellin@METRARR.COM>; Sergio Guerrero <SGuerrero@METRARR.COM>; Steve Hoyer <SHoyer@METRARR.COM>; Sylvia Ortiz-Cooper <SOrtiz-Cooper@METRARR.COM>; Terron Haynes <THaynes@METRARR.COM>; Tom Miller <TMILLER@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>  
**Subject:** MW2223 and MW2242

MW2223 just stopped at B12 following G48 with 14 cars, freight train 198 stretched out across B17. MW2242 approaching B17 and looks to also be delayed.



Christy Seibert | Chief Dispatcher

547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-6777 | E: [cseibert@METRARR.COM](mailto:cseibert@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metrarail.com](http://Metrarail.com)



**To:** MOC Director East[MOC\_Director\_East@cpr.ca]; 'Jesse Kottner'[Jesse\_Kottner@cpr.ca]; 'Joe Morris'[MorrisJo@amtrak.com]; 'MDC Illinois North Desk'[MDC\_IllinoisNorthDesk@cpr.ca]; 'MDC Illinois West Desk'[MDC\_Illinois\_West\_Desk@cpr.ca]; Victor Flores[VFlores@METRARR.COM]; 'Robert Lewis'[Robert.Lewis@nscorp.com]; 'Command Center'[command@belrailway.com]; 'psturgeon@belrailway.com'[psturgeon@belrailway.com]; 'rruiz@belrailway.com'[rruiz@belrailway.com]; jeremy.gaatz@amtrak.com[jeremy.gaatz@amtrak.com]; Awnyadda Tameria URNEY[tameria.burney@cn.ca]; AMTRAK tvanhaag[Thomas.VanHaag@amtrak.com]; Hlavaty, James[HlavatJ@amtrak.com]; .MTRAK cousley[Cedric.Ousley@amtrak.com]; Baker, Conrad[Conrad.Baker@amtrak.com]; Kos, Sayre[Sayre.Kos@amtrak.com]

**Cc:** 'Scott.Kuxmann@cn.ca'[Scott.Kuxmann@cn.ca]; 'Joe Whitt'[Joseph.Whitt@cn.ca]; ferguson@belrailway.com[ferguson@belrailway.com]; Weinel, Ray[wein2535@amtrak.com]; Rene Venegas[RVenegas@METRARR.COM]; chuck\_hubbard@cpr.ca[chuck\_hubbard@cpr.ca]; robert\_johnson@cpr.ca[robert\_johnson@cpr.ca]; ryan.ellis1@amtrak.com[ryan.ellis1@amtrak.com]; steven\_nettleton@cpr.ca[steven\_nettleton@cpr.ca]; arthur\_clark@cpr.ca[arthur\_clark@cpr.ca]; Dennis Anderson[dennis.anders17@cn.ca]; matthew.mcclar01@cn.ca[matthew.mcclar01@cn.ca]; Justin.Waldeck@cn.ca[Justin.Waldeck@cn.ca]; tom\_jared@cpr.ca[tom\_jared@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; hkirman@belrailway.com[hkirman@belrailway.com]; thartwig@belrailway.com[thartwig@belrailway.com]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Greg J.M. Godfrey[GGodfrey@METRARR.COM]; Rachel Klumpp[Rachel.Klumpp@cn.ca]

**From:** Rich Oppenheim

**Sent:** Tue 08/11/2020 1:04:53 PM UTC

**Subject:** Metra Morning On Time Performance Reports

**Received:** Tue 08/11/2020 1:05:04 PM UTC

[1400\\_DailyOnTimeReport.pdf](#)

[1501\\_All\\_District\\_Report.pdf](#)

[Amtrak\\_TOPS180-C\\_DailyOnTimePerformanceReport.pdf](#)

[Amtrak\\_TOPS181-C\\_DailyOnTimePerformanceReport.pdf](#)

[1400\\_DailyOnTimeReport.pdf](#)

[1501\\_All\\_District\\_Report.pdf](#)

[Amtrak\\_TOPS180-C\\_DailyOnTimePerformanceReport.pdf](#)

[Amtrak\\_TOPS181-C\\_DailyOnTimePerformanceReport.pdf](#)

[1400\\_DailyOnTimeReport.pdf](#)

[1501\\_All\\_District\\_Report.pdf](#)

[Amtrak\\_TOPS180-C\\_DailyOnTimePerformanceReport.pdf](#)

[Amtrak\\_TOPS181-C\\_DailyOnTimePerformanceReport.pdf](#)

[1400\\_DailyOnTimeReport.pdf](#)

[501\\_All\\_District\\_Report.pdf](#)

[.mtrak\\_TOPS180-C\\_DailyOnTimePerformanceReport.pdf](#)

[Amtrak\\_TOPS181-C\\_DailyOnTimePerformanceReport.pdf](#)

Reports from FRIDAY AUGUST 7<sup>th</sup>, SATURDAY AUGUST 8<sup>th</sup>, SUNDAY AUGUST 9<sup>th</sup>, and MONDAY AUGUST 10<sup>th</sup>, 2020 are all attached.

Attached please find two different reports outlining train performance for the Trains Operated on Metra's Chicago Union Station District. The first report is the **Daily On-Time Performance Report**. This report lists trains delayed for the entire Metra system by date and month-to-date. The second report is the **Daily Incident Detail Report**. This report indicates delays to specific trains by line, showing reasons and locations. The individual reports are listed as follows [**Note – under current format, individual delay reports for all Metra Lines are included in the 1501 All District Report**]:

- HCD – Heritage Corridor – Chicago to Joliet (CN Freeport and Joliet Subs).
- MWDN – Milwaukee North Line – Chicago to Fox Lake (CP C&M and Fox Lake Subs). MWDW –
- Milwaukee West Line – Chicago to Elgin/Big Timber Road (CP Elgin Sub).
- NCS – North Central Service – Chicago to Antioch (CP Elgin Sub, CN Waukesha Sub).
- SWS – SouthWest Service – Chicago to Orland Park and Manhattan (Metra SouthWest Sub District controlled partially by NS).

Also attached, for those concerned, are two reports which summarize Daily Amtrak performance on Metra trackage between Rondout and Chicago.



These reports are being offered for your review in an effort to hopefully reduce train delays. As always if there is anything we can do that would help your operations from our end, please let us know. Thank you for any assistance in the above matter.

**To:** MDC Illinois North Desk[MDC\_IllinoisNorthDesk@cpr.ca] **PUBLIC VERSION** **EXHIBIT B-2**  
**Cc:** 'Lucas Lingenfelter'[Lucas\_Lingenfelter@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Mon 06/15/2020 8:34:46 PM UTC  
**Subject:** 2121 delayed at A20 for 287  
**Received:** Mon 06/15/2020 8:34:53 PM UTC

2121 being delayed at A20 @ 20 minutes waiting for a CP-287 to come off the cut off and run ahead. Speed at Shermer was recently reduced from 25 MPH to 10 MPH which is no doubt a contributing factor (I don't think C&M knew?) but even so there was no way 287 could have run first without causing a delay.

**To:** 'Lucas Lingenfelter'[Lucas\_Lingenfelter@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; brandon\_smith@cpr.ca[brandon\_smith@cpr.ca]  
**Cc:** jasonM\_ross@cpr.ca[jasonM\_ross@cpr.ca]; David Rodriguez[DRodriguez@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Wed 12/30/2020 10:04:43 PM UTC  
**Subject:** Delay to Metra 2240 DEC 30 2020  
**Received:** Wed 12/30/2020 10:04:44 PM UTC

Metra 2240 today delayed 15 minutes closely following CP-472 from Almora to Tower B17, then blocked at Tower B17 waiting for 472 to clear up while lining switches in the yard. 2240 arrived CUS 10 minutes late (reportable).

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**



**To:** Ron Wesolowski[RWesolowski@METRARR.COM]; Jones, Tristan[tristan.jones@Wabtec.com]; Matthews-Patton, Josh[joshua.matthews-patton@Wabtec.com]; Bond, Barry[barry.bond@Wabtec.com]; 'Lundeen, David'[dlundeen@Wabtec.com]; Petika, Kelly[kelly.petika@Wabtec.com]; Edraki, Alireza (alireza.edraki@Wabtec.com)[alireza.edraki@Wabtec.com]; Steve Hoyer[SHoyer@METRARR.COM]

**Cc:** Greg J.M. Godfrey[GGodfrey@METRARR.COM]; Kim Winiski[Kim\_Winiski@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; Casey Sieronski[CSieronski@METRARR.COM]; Bernosky, David [David.Bernosky@parsons.com][David.Bernosky@parsons.com]; David Martinez[DMartinez@METRARR.COM]; Christy Seibert[cseibert@METRARR.COM]; Alfred Wade[AWade@METRARR.COM]; Ryan Markmann[RMarkmann@METRARR.COM]; Jai Whitted[JWhitted@METRARR.COM]; Daniel Heer[DHeer@METRARR.COM]; Adam Farence[AFarence@METRARR.COM]; Alyssa Battaglia[ABattaglia@METRARR.COM]; Carlos Del Toro[CDelToro@METRARR.COM]; Daniel Marinellie[DMarinellie@METRARR.COM]; Danny Santiago[DSantiago@METRARR.COM]; Kenneth Rice[KRice@METRARR.COM]; Kevin Lynch[KLynch@METRARR.COM]; Marshall Beecher[MBeecher@METRARR.COM]; Maurice King[MKing@METRARR.COM]; Robert Tellin[RTellin@METRARR.COM]; Tim Tabisz[TTabisz@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]

**From:** Rich Oppenheim

**Sent:** Fri 09/04/2020 2:08:17 PM UTC

**Subject:** RE: Anomalies identified in 008 CAD Build Metra 09\_03\_2020 UPDATE Train Delay

**Received:** Fri 09/04/2020 2:08:20 PM UTC

2128 this morning, 9-4, could not initialize for departure out of Fox Lake at 0845, supposedly because train was showing as not having been entered by CP on DOB. CP C&M says he thinks train had been put in system earlier in the morning. Can we check on this? Otherwise this is another example of a train's DOB disappearing after having been entered.

**From:** Ron Wesolowski <RWesolowski@METRARR.COM>

**Sent:** Thursday, September 3, 2020 1:54 PM

**To:** Jones, Tristan <tristan.jones@Wabtec.com>; Matthews-Patton, Josh <joshua.matthews-patton@Wabtec.com>; Bond, Barry <barry.bond@Wabtec.com>; 'Lundeen, David' <dlundeen@Wabtec.com>; Petika, Kelly <kelly.petika@Wabtec.com>; Edraki, Alireza (alireza.edraki@Wabtec.com) <alireza.edraki@Wabtec.com>; Rich Oppenheim <ROppenheim@METRARR.COM>; Steve Hoyer <SHoyer@METRARR.COM>

**Cc:** Greg J.M. Godfrey <GGodfrey@METRARR.COM>; Kim Winiski <Kim\_Winiski@cpr.ca>; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; Casey Sieronski <CSieronski@METRARR.COM>; Bernosky, David (David.Bernosky@parsons.com) <David.Bernosky@parsons.com>; David Martinez <DMartinez@METRARR.COM>; Christy Seibert <cseibert@METRARR.COM>; Alfred Wade <AWade@METRARR.COM>; Ryan Markmann <RMarkmann@METRARR.COM>; Jai Whitted <JWhitted@METRARR.COM>; Daniel Heer <DHeer@METRARR.COM>

**Subject:** RE: Anomalies identified in 008 CAD Build Metra 09\_03\_2020 UPDATE Train Delay

- DOB's disappearing from trains in train tab. PTC status will show typically show active on dispatcher CAD but typically shows N/A on CAD MGR's CAD, but DOB is missing from both. Wabtec Tristan notified.

This anomaly has caused a train delayed to Metra 2117 on C&M at Rondout, Dispatcher could not issue a PSS @Rich Oppenheim going forward dispatcher should just put blocks up and talk by signal. If train is running PTC the train will get a automatic pushbutton prompt on CDU no need to use CAD PSS feature @Steve Hoyer where we aware of this real time?

**From:** Ron Wesolowski

**Sent:** Thursday, September 3, 2020 7:25 AM

**To:** 'Jones, Tristan' <tristan.jones@Wabtec.com>; Matthews-Patton, Josh <joshua.matthews-patton@Wabtec.com>; 'Bond, Barry' <barry.bond@Wabtec.com>; Lundeen, David <dlundeen@Wabtec.com>; 'Petika, Kelly' <kelly.petika@Wabtec.com>; Edraki, Alireza (alireza.edraki@Wabtec.com) <alireza.edraki@Wabtec.com>

**Cc:** Gregory Godfrey (GGodfrey@METRARR.COM) <GGodfrey@METRARR.COM>; Steve Hoyer <SHoyer@METRARR.COM>; 'Kim Winiski' <Kim\_Winiski@cpr.ca>; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; Casey Sieronski <CSieronski@METRARR.COM>; Bernosky, David (David.Bernosky@parsons.com) <David.Bernosky@parsons.com>

**Subject:** Anomalies identified in 008 CAD Build Metra 09\_03\_2020

CAD Issues [workstation reboots, etc.]:

- \* NE South diap. ID's disappearing, duplicating, etc. randomly again.
- \* DOB's disappearing from trains in train tab. PTC status will show typically show active on dispatcher CAD but typically shows N/A on CAD MGR's CAD, but DOB is missing from both. Waiter Tristan notified.
- \* getting random alert "Train is currently PTC active. Cutout before cancelling DOB issuance" -Tristian notified



**Ron Wesolowski | CAD PTC Project Manager**

547 W. Jackson Blvd, Chicago, IL, 60661

P: 312 322 2847 | E: [RWesolowski@METRARR.COM](mailto:RWesolowski@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)



**To:** Steven Nettleton[steven\_netton@cpr.ca]  
**Cc:** nick\_walker@cpr.ca[nick\_walker@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Sun 07/21/2019 11:33:41 PM UTC  
**Subject:** Excessive Metra Delays due to CP freight interference  
**Received:** Sun 07/21/2019 11:33:42 PM UTC

[TOPS1501\\_BN.PDF](#)  
[ATT00001.htm](#)  
[TOPS1501\\_HCD.PDF](#)  
[ATT00002.htm](#)  
[TOPS1501\\_MEDML.PDF](#)  
[ATT00003.htm](#)  
[TOPS1501\\_MEDSC.PDF](#)  
[ATT00004.htm](#)  
[TOPS1501\\_MEDBI.PDF](#)  
[ATT00005.htm](#)  
[TOPS1501\\_MWDN.PDF](#)  
[ATT00006.htm](#)  
[TOPS1501\\_MWDW.PDF](#)  
[ATT00007.htm](#)  
[TOPS1501\\_NCS.PDF](#)  
[ATT00008.htm](#)  
[TOPS1501\\_RID.PDF](#)  
[ATT00009.htm](#)  
[TOPS1501\\_SWS.PDF](#)  
[ATT00010.htm](#)  
[TOPS1501\\_UPN.PDF](#)  
[ATT00011.htm](#)  
[TOPS1501\\_UPNW.PDF](#)  
[ATT00012.htm](#)  
[TOPS1501\\_UPW.PDF](#)  
[ATT00013.htm](#)

Steve -

rior to my leaving on vacation to attend an out of town event, you and I discussed my concerns regarding anecdotal information I had heard regarding instructions issued to C&M and Elgin Dispatchers from MOC Managers essentially telling them that freight traffic should not be held for Metra trains if “they are running late”. I believe you expressed concurrence with my feelings that if a Metra train was running, say, 15 minutes late, it made sense for CP to capitalize on the window, but not if doing so will cause the train to be delayed additionally beyond the original 15 minutes. I again reiterated my concerns that instructions had supposedly been issued that could be interpreted to mean that freight traffic was to be moved without regard to scheduled Metra traffic whenever a conflicting Metra train was “running late”, and that some Dispatchers, and of more concern some MOC managers, were taking a literal interpretation resulting in delays to our service and customers. You assured me that this was not the case and promised to clear up any misunderstandings with the Dispatchers and Managers.

While I have not been able to closely monitor operations this past week with the scrutiny that I normally would, the communications received from my Metra Transportation managers as well as the delay reports (Saturday’s is attached) indicate that we have suffered extensive delays due to freight operations, and at least two were due to poor Dispatching decisions in which a Manager instructed the Dispatcher to move freight traffic knowing that significant Metra delays would result.

I won’t be back in the office until Tuesday, but would greatly appreciate it if In the interim you would review any instructions that have been issued to C&M and Elgin Dispatchers in relation to Scheduled Metra traffic, and if possible send me a written copy. Minimally, if we are, in fact, in agreement that Metra traffic should not be significantly impacted by freight movements, Please make sure that all MOC managers and Dispatchers understand these important distinctions. Thanks again for your help.

Rich Oppenheim  
 Metra CUS District Operations  
 Office 312-322-8939  
 Cell. 312-735-8576



Sent from my iPhone

Begin forwarded message:

**From:** Metra Mainframe Information Systems  
**Date:** July 21, 2019 at 2:48:07 AM PDT  
**To:** <[mainframe@metrarr.com](mailto:mainframe@metrarr.com)>, <[mainframe@metrarr.com](mailto:mainframe@metrarr.com)>  
**Subject:** TOPS Daily Incident Report

This report is generated from Metra Information Systems

To: Steven Nettleton[steven\_nettleton@cpr.ca]  
 Cc: nick\_walker@cpr.ca[nick\_walker@cpr.ca]  
 From: Rich Oppenheim  
 Sent: Sun 07/21/2019 11:33:41 PM UTC  
 Subject: Excessive Metra Delays due to CP freight interference  
 Received: Sun 07/21/2019 11:33:43 PM UTC

TOPS1501\_BN.PDF  
ATT00001.htm  
TOPS1501\_HCD.PDF  
ATT00002.htm  
TOPS1501\_MEDML.PDF  
ATT00003.htm  
TOPS1501\_MEDSC.PDF  
ATT00004.htm  
TOPS1501\_MEDBI.PDF  
ATT00005.htm  
TOPS1501\_MWDN.PDF  
ATT00006.htm  
TOPS1501\_MWDW.PDF  
ATT00007.htm  
TOPS1501\_NCS.PDF  
ATT00008.htm  
TOPS1501\_RID.PDF  
ATT00009.htm  
TOPS1501\_SWS.PDF  
ATT00010.htm  
TOPS1501\_UPN.PDF  
ATT00011.htm  
TOPS1501\_UPNW.PDF  
ATT00012.htm  
TOPS1501\_UPW.PDF  
ATT00013.htm

Steve -  
 Prior to my leaving on vacation to attend an out of town event, you and I discussed my concerns regarding anecdotal information I had heard regarding instructions issued to C&M and Elgin Dispatchers from MOC Managers essentially telling them that freight traffic should not be held for Metra trains if “they are running late”. I believe you expressed concurrence with my feelings that if a Metra train was running, say, 15 minutes late, it made sense for CP to capitalize on the window, but not if doing so will cause the train to be delayed additionally beyond the original 15 minutes. I again reiterated my concerns that instructions had supposedly been issued that could be interpreted to mean that freight traffic was to be moved without regard to scheduled Metra traffic whenever a conflicting Metra train was “running late”, and that some Dispatchers, and of more concern some MOC managers, were taking a literal interpretation resulting in delays to our service and customers. You assured me that this was not the case and promised to clear up any misunderstandings with the Dispatchers and Managers.

While I have not been able to closely monitor operations this past week with the scrutiny that I normally would, the communications received from my Metra Transportation managers as well as the delay reports (Saturday’s is attached) indicate that we have suffered extensive delays due to freight operations, and at least two were due to poor Dispatching decisions in which a Manager instructed the Dispatcher to move freight traffic knowing that significant Metra delays would result.

I won’t be back in the office until Tuesday, but would greatly appreciate it if In the interim you would review any instructions that have been issued to C&M and Elgin Dispatchers in relation to Scheduled Metra traffic, and if possible send me a written copy. Minimally, if we are, in fact, in agreement that Metra traffic should not be significantly impacted by freight movements, Please make sure that all MOC managers and Dispatchers understand these important distinctions. Thanks again for your help.

Rich Oppenheim  
 Metra CUS District Operations  
 Office 312-322-8939  
 Cell. 312-735-8576

Sent from my iPhone

Begin forwarded message:

**From:** Metra Mainframe Information Systems  
**Date:** July 21, 2019 at 2:48:07 AM PDT  
**To:** <[mainframe@metrarr.com](mailto:mainframe@metrarr.com)>, <[mainframe@metrarr.com](mailto:mainframe@metrarr.com)>  
**Subject:** TOPS Daily Incident Report

This report is generated from Metra Information Systems



To: jasonM\_ross@cpr.ca[jasonM\_ross@cpr.ca]; brandon\_smith@cpr.ca[brandon\_smith@cpr.ca]; jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]  
Cc: Bruce Marcheschi[BMarcheschi@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
From: Rich Oppenheim  
Sent: Thur 01/28/2021 3:44:19 AM UTC  
Subject: Excessive Metra Delays due to CP Freight interference at Tower B17  
Received: Thur 01/28/2021 3:44:20 AM UTC  
B17 and B12 -- Freight windows.xls

Let me preface this by saying how much we appreciate CP's recent willingness to discuss our respective operational concerns and the need to work together to insure that our goals were met. I have taken the liberty to again attach our freight window spread sheet which spells out available windows that are available between scheduled Metra trains at both Tower B17 and Tower B12. It was also pointed out, when recently discussed, that during Metra's Contractual Peak period, when the bulk of Metra's customers count on us to get them home on time, the existing windows or moving freight trains are few and brief. We were lead to believe that CP concurred with this ideas, which is why the events of this evening were so disturbing. Here are the basics of what transpired:

- An 11,500 foot 286 was brought down to B17 for Bensenville yard even though it was known the train did not fit between Bryn Mawr and Tower B17, and there were no viable windows to move the train without causing significant delays to Metra's service. Identified windows were 1610-1635 (25 minutes), 1710-1735 (25 minutes) and 1817-1835 (18 minutes). All of these windows were probably too tight to move an 11,500 foot train, but at least had a chance of succeeding. None of these windows were respected. Instead 286 was moved in a 13 minute window between 2235 and 2237. 2237 was already stopped at B17 before 286 started into the plant with his head end. 2237 is due at Tower B17 at 1750 and 2246 at 1805.
- Now for the truly unbelievable part: About 1810, just as 286's rear end was starting through B17 North, we received word that CP was planning to bring an 11,000 foot 473 train out of the yard for Randall Road AHEAD of 2237 and 2246. 2237 had already been stopped at B17 for 25 minutes at that point. While 286's rear end was starting into the plant at B17 we could see 473 lined out, but the train was not even on the approach circuit for B17. I quickly called the Elgin Dispatcher and requested that they get 473 stopped before the train entered the plant and let 2237 and 2246 go. Both trains would have cleared B17 in less than two minutes. Elgin Dispatcher said that he could not stop 473 because he had been told by his Chief that 473 had to go first. I quickly called Ron Pierce. When he answered 473 was still not on the B17 approach. I then implored him to get 473 stopped and let 2237 and 2246 go first. He told me that he would not do that since Senior Management had instructed him to move 473 in preference. For the record, 286 cleared B17 at 1830. Had 2237 and 2246 been allowed to go at that point, 2237 would have been delayed @ 40 minutes, and 2246 @ 25 minutes. But apparently that wasn't enough. 473 cleared the plant at 1842 with 2246 clearing @ 1845, 40 minutes late (an additional 15 minutes on top of the original 25 minutes from 286). This would have been a 55 minute delay for 2237 but shortly after 473 cleared B17 they encountered some PTC anomalies and stopped. 2237 then had to wait for 2248 to clear #2 Main @ 1905 so that they could ultimately run around 473. 2237 cleared B17 1912, incurring a delay of 1 hour 22 minutes.

I have no doubt that there isn't anyone at CP who could say that the movement of freight traffic through B17 tonight was by any stretch of the imagination acceptable. As we have said repeatedly on our calls, we truly believe that CP's intentions are sincere in trying to protect Metra's schedules. Unfortunately, it does not appear that this message is getting through to the management level that actually makes the decisions on train movements. We request that the decisions and consequences of the decisions that were made tonight are reviewed and thoroughly discussed with all involved.

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661

**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; Lucas\_Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]  
**Cc:** Kevin McCann[KMcCann@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Georgette Geha[GGeha@METRARR.COM]; jasonM\_ross@cpr.ca[jasonM\_ross@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Tue 10/12/2021 6:26:20 PM UTC  
**Subject:** CP Freights occupying both Metra Main Tracks between Franklin Park West and Tower B17  
**Received:** Tue 10/12/2021 6:26:22 PM UTC

CP 287 (G57) holding #1 MT between Franklin Park West and Tower B17 from @ 1215 until 1305 for crew change.  
 CP 650-772 holding #2 MT between Tower B17 and Franklin Park West beginning about 1205. Waiting for crew from Elkhart, still holding #2 MT as of 1320.  
 With Metra 2217 and 2236 scheduled to meet in that block due at B17 1305, Metra incurred the following delays:

2217 7 minutes running on restricting signals due to CP 287 ahead and waiting for 287's rear end to clear Tower B17.  
 2236 13 minutes holding at Tower B17 waiting for 2217, then crossing over to run around 650-772. If trains cannot be moved promptly off Metra's main tracks, we again ask that they be brought into Bensenville Yard

**From:** Rich Oppenheim  
**Sent:** Tuesday, October 5, 2021 2:38 PM  
**To:** 'jacob\_rinnels@cpr.ca' <jacob\_rinnels@cpr.ca>; 'Lucas\_Lingenfelter' <Lucas\_Lingenfelter@cpr.ca>; 'nicole\_kurtenbach@cpr.ca' <nicole\_kurtenbach@cpr.ca>  
**Cc:** Kevin McCann <KMcCann@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; 'jasonM\_ross@cpr.ca' <jasonM\_ross@cpr.ca>  
**Subject:** CP Freight occupying Metra Main Tracks between Franklin Park West and Tower B17

CP 681 holding #1 MT for crew change for @ 2 hours this morning. Metra #2232 held at Tower B17 9 minutes to meet Metra #2213 running around 681.  
 CP 686-764 holding #2 MT for crew change 1400 until ? Outbound crew not called until 1445. 2240 will need to wait at Tower B17 for 2221. Why are we not bringing these trains into Bensenville Yard?

**Rich Oppenheim,**  
 Director  
 Metra CUS District Operations  
 P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
 547 W. Jackson Blvd., Chicago, IL 60661



**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca], jasonm\_ross@cpr.ca[jasonm\_ross@cpr.ca];  
nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]  
**Cc:** David Rodriguez[DRodriguez@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet  
Carbonelli[JCarbonelli@METRARR.COM]; Greg J.M. Godfrey[GGodfrey@METRARR.COM]  
**From:** Rich Oppenheim  
**Date:** Tue 08/03/2021 11:53:10 AM UTC  
**Subject:** CP 687-750 parked on #1 MT Tower B17 during Metra AM peak period  
**Received:** Tue 08/03/2021 11:53:11 AM UTC

In spite of many discussions regarding the parking of CP freight trains on Metra main tracks during peak period, and assurances that this would no longer be done, we once again this morning have a 687-70 on #1 MT at Tower B17 awaiting a crew change (crew on duty 0600). Train came off IHB and is headed West toward Randall Road and Chicago Sub. As result of this train parked on the Main, we now have a conflict with Metra Peak Period trains 2210, 2203, and 2212 which will result in an inevitable delay to at least one of them. Why couldn't train have been left on the IHB until there was a suitable window for moving it? Please advise.



**Rich Oppenheim | Director, Sub Oper CUS Dist**

547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)



**To:** Jacob Rinnels[jacob\_rinnels@cpr.ca]; Lucas Lingenfelter[lucas\_lingenfelter@cpr.ca]; Nicole Kurtenbach CP AGM Minneapolis[nicole\_kurtenbach@cpr.ca]; Aisha Jackson[aisha\_jackson@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Mon 07/19/2021 10:49:57 AM UTC  
**Subject:** Fwd: MW2202 delayed @B17 for a Freight  
**Received:** Mon 07/19/2021 10:49:58 AM UTC

13 minute delay to first train of the morning is not acceptable. Did anyone discuss with freight if it is able to clear in time? What is being done to protect Metra windows?

Sent from my iPhone

Begin forwarded message:

**From:** Joe Bratta <JBratta@metrarr.com>  
**Date:** July 19, 2021 at 5:41:13 AM CDT  
**To:** CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@metrarr.com>  
**Subject:** RE: MW2202 delayed @B17 for a Freight

On the move. -13m.

**From:** Joe Bratta <JBratta@METRARR.COM>  
**Sent:** Monday, July 19, 2021 5:34 AM  
**To:** CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** MW2202 delayed @B17 for a Freight

Will update when on the move and Freight info.



Joe Bratta | Chief Dispatcher

547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-2855 | E: [JBratta@METRARR.COM](mailto:JBratta@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metrarail.com](#)

**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]  
**Cc:** 'aisha\_jackson@cpr.ca'[aisha\_jackson@cpr.ca]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**ent:** Fri 07/02/2021 6:29:30 PM UTC  
**Subject:** Metra Train Delays due to trains parked between Tower B17 and Franklin Park West  
**Received:** Fri 07/02/2021 6:29:32 PM UTC

Incidents of freight trains stopped for lengthy periods of time on the Main tracks between Franklin Park West and Tower B17 seem to again be on the rise. Today CP 287-02 has been stopped on #1 MT East of Tower B17 (waiting for a 1250 crew) since @ 1215, and is still there. Had to force a meet with 2217-2236 which delayed 2236 13 minutes. Yesterday, a 581 was brought up #2 MT and held East of B17 for a crew change directly ahead of the 1500 hour scheduled meet between 2221 and 2240 delaying 2240 for 10 minutes.

As information, because of the Metra tie gang and other track projects, Metra's midday trains had been covered by a "construction schedule" which allowed an additional 10 minutes before the trains were identified as "reportably late". Today is the final day for the construction schedule, so Metra trains will again be considered to be reportably late if they are over 5 minutes behind schedule.

Over the last few weeks a sincere effort has been made to avoid interfering with Metra schedules while making crew changes. It would be appreciated if additional attention could be given to getting back to those goals. Thanks for your help.



**Rich Oppenheim | Director, Sub Oper CUS Dist**

547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

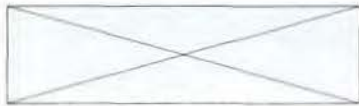
[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metrarail.com](#)

**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; jasonM\_ross@cpr.ca[jasonM\_ross@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas\_Lingenfelter[Lucas\_Lingenfelter@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Georgette Geha[GGeha@METRARR.COM]; Kevin McCann[KMcCann@METRARR.COM]; Greg J.M. Godfrey[GGodfrey@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Mon 09/13/2021 8:27:07 PM UTC  
**Subject:** Metra Delays - MON SEPT 13, 2021 due to CP Frt occupying mains East of B17  
**Received:** Mon 09/13/2021 8:27:39 PM UTC

As discussed, on all weekdays, Metra trains have scheduled meets between Franklin Park and Tower B17 at @ 0905, 1105, 1305, 1505, and 1605. CP G47-287 was on #1 MT for the 0900 meets; CP 680 was on #2 MT for the 1100 meets, and CP 681 was on #1 MT for the 1500 meets. As a result the following delays occurred:

- 2209 12 minutes waiting for 2228 at Franklin Park West
- 2213 9 minutes waiting for 2232 at Franklin Park West
- 2240 12 minutes waiting for 2221 at Tower B17

Please coordinate with Dispatching office and Yard Operations Managers to avoid this chronic problem.



**Rich Oppenheim | Director, Sub Oper CUS Dist**

547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)



**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; jasonm\_ross@cpr.ca[jasonm\_ross@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Mon 08/02/2021 4:53:23 PM UTC  
**Subject:** CP Freight Delays  
**Received:** Mon 08/02/2021 4:53:24 PM UTC

Please look into the following freight delays, all of which have occurred in the last 24 hours:

- 2627 (due Rondout 0126) held **17 minutes at Rondout** for EWD WSOR freight to clear.
- 2124 (rush hour train) due Tower A20 0817 delayed **16 minutes** for freight CP-341 to come off cut off from UP. Some of this delay was due to TMDS lag issues, but running 341 in that window was going to cause delay to 2124 regardless of lag. This also delayed **21267 minutes** behind 2124. There is a large window behind 2126 in which freight train could have been moved without impacting Metra.
- 2213 and 2232 both delayed 10 + minutes at Tower B17 for CP-286 going into yard. There is an almost 2 hour window available after 2213 and 2232 have cleared.

As information, Metra On Time performance for July 2021 was 91.31% for the North Line and 94.29% for the West Line, both below our acceptable level of 95%. Moving forward, we ask that Dispatchers who handle Metra traffic use good judgement when moving freight traffic, and rely upon established and "safe" windows. Please discourage taking unnecessary chances that can potentially impact Metra's performance and customers.

Thanks, for your assistance.



Rich Oppenheim | Director, Sub Oper CUS Dist

547 W. Jackson Blvd, Chicago, IL, 60661

P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**To:** Brandon Smith[brandon\_smith@cpr.ca]; jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]  
**Cc:** Nicole Kurtenbach CP AGM Minneapolis[nicole\_kurtenbach@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Wed 02/17/2021 1:58:15 PM UTC  
**Subject:** Fwd: MW2216 stopped B17  
**Received:** Wed 02/17/2021 1:58:17 PM UTC

2216 is a peak period train. When will this stop?

Sent from my iPhone

Begin forwarded message:

**From:** Joe Bratta <JBratta@metrarr.com>  
**Date:** February 17, 2021 at 7:53:44 AM CST  
**To:** Adam Farence <AFarence@metrarr.com>, Alyssa Battaglia <ABattaglia@metrarr.com>, Carlo Santori <CSantori@metrarr.com>, Carlos Del Toro <CDeIToro@metrarr.com>, Chris Krakar <CKrakar@metrarr.com>, Christy Seibert <cseibert@metrarr.com>, Clifton Bates <CBates@metrarr.com>, Corinna Gallardo <cgallardo@metrarr.com>, Courtney Aubrecht <CAubrecht@metrarr.com>, Daniel Miodonski <DMiodonski@metrarr.com>, Danny Santiago <DSantiago@metrarr.com>, David Rodriguez <DRodriguez@metrarr.com>, Dennis Wokurka <DWokurka@metrarr.com>, GPSAlerting <GPSAlerting@metrarr.com>, "Greg J.M. Godfrey" <GGodfrey@metrarr.com>, James Walsh <JWalsh@metrarr.com>, Janet Carbonelli <JCarbonelli@metrarr.com>, Joel Winchester <JWinchester@metrarr.com>, Jonathan Leppert <JLeppert@metrarr.com>, Keith Georgeff <KGeorgeff@metrarr.com>, Kevin Lynch <KLynch@metrarr.com>, Larry Powell <LPowell@metrarr.com>, Marshall Beecher <MBeecher@metrarr.com>, Matt Bevers <mbevers@metrarr.com>, Maurice King <MKing@metrarr.com>, Meg Thomas-Reile <mtreile@metrarr.com>, Metra CCF Dispatching <MetraCCFdispatch@metrarr.com>, Michael Denk <MDenk@metrarr.com>, Michael Gillis <mgillis@metrarr.com>, Rich Oppenheim <ROppenheim@metrarr.com>, Robert Tellin <RTellin@metrarr.com>, Sergio Guerrero <SGuerrero@metrarr.com>, Steven Cork <SCork@metrarr.com>, Sylvia Ortiz-Cooper <Sortiz-Cooper@metrarr.com>, Terron Haynes <THaynes@metrarr.com>, Tom Miller <TMILLER@metrarr.com>, Victor Flores <VFlores@metrarr.com>  
**Subject:** RE: MW2216 stopped B17

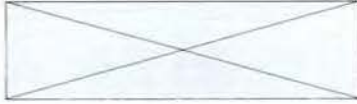
On the move -16m delay B17.

**From:** Joe Bratta <JBratta@METRARR.COM>  
**Sent:** Wednesday, February 17, 2021 7:44 AM  
**To:** Adam Farence <AFarence@METRARR.COM>; Alyssa Battaglia <ABattaglia@METRARR.COM>; Carlo Santori <CSantori@METRARR.COM>; Carlos Del Toro <CDeIToro@METRARR.COM>; Chris Krakar <CKrakar@METRARR.COM>; Christy Seibert <cseibert@METRARR.COM>; Clifton Bates <CBates@METRARR.COM>; Corinna Gallardo <cgallardo@metrarr.com>; Courtney Aubrecht <CAubrecht@METRARR.COM>; Daniel Miodonski <DMiodonski@METRARR.COM>; Danny Santiago <DSantiago@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Dennis Wokurka <DWokurka@METRARR.COM>; GPSAlerting <GPSAlerting@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; James Walsh <JWalsh@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Joe Bratta <JBratta@METRARR.COM>; Joel Winchester <JWinchester@METRARR.COM>; Jonathan Leppert <JLeppert@METRARR.COM>; Keith Georgeff <KGeorgeff@METRARR.COM>; Kevin Lynch <KLynch@METRARR.COM>; Larry Powell <LPowell@METRARR.COM>; Marshall Beecher <MBeecher@METRARR.COM>; Matt Bevers <mbevers@METRARR.COM>; Maurice King <MKing@METRARR.COM>; Meg Thomas-Reile <mtreile@metrarr.com>; Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; Michael Denk <MDenk@METRARR.COM>; Michael Gillis <mgillis@METRARR.COM>; Rich Oppenheim <ROppenheim@METRARR.COM>; Robert Tellin <RTellin@METRARR.COM>; Sergio Guerrero <SGuerrero@METRARR.COM>; Steven Cork <SCork@METRARR.COM>; Sylvia Ortiz-Cooper <Sortiz-Cooper@METRARR.COM>; Terron Haynes <THaynes@METRARR.COM>; Tom Miller

<TMILLER@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>

Subject: MW2216 stopped B17

MW2216 stopped B17 for CP-288. Will update.



Joe Bratta | Chief Dispatcher

547 W. Jackson Blvd, Chicago, IL, 60661

P: 312-322-2855 | E: [JBratta@METRARR.COM](mailto:JBratta@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metrarail.com](#)



**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; Michael Ugorek[Michael\_Ugorek@cpr.ca]; 'aisha\_jackson@cpr.ca'[aisha\_jackson@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]  
**Cc:** jasonM\_ross@cpr.ca[jasonM\_ross@cpr.ca]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Georgette Geha[GGeha@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Wed 04/21/2021 7:25:50 PM UTC  
**Subject:** RE: Blocking Metra Main Tracks between Franklin Park West and Tower B17  
**Received:** Wed 04/21/2021 7:25:51 PM UTC

Not any better today. Had a 472 come out of Almora ahead of Metra 2228 and crew apparently died for time on the plant at Tower B17 (crossings and depot in Bensenville blocked). 2228 had to run #1 Main Track from Roselle East to Franklin Park West to get around 472 and Metra 2209 had to hold at Franklin Park West to meet 2228 @ 12 minutes.

G57-287 was parked on #1 MT between Franklin Park West and Tower B17 for 3 hours making crew change and holding for inbound trains off C&M. Forced meet between 2217-2236 at Tower B17 causing 10 minute delay to 2236. They are now bringing a 687 up off the IHB to make a crew change at Mannheim on #2 Main which will undoubtedly again force us to meet our scheduled trains 2221-2240 at B17.

CP had this situation well under control in recent days, but we seem to be back to square one. Your help would be appreciated.

**From:** Rich Oppenheim  
**Sent:** Tuesday, April 20, 2021 1:03 PM  
**To:** 'jacob\_rinnels@cpr.ca' <jacob\_rinnels@cpr.ca>; 'Michael Ugorek' <Michael\_Ugorek@cpr.ca>; 'aisha\_jackson@cpr.ca' <aisha\_jackson@cpr.ca>; 'Lucas Lingenfelter' <Lucas\_Lingenfelter@cpr.ca>; 'nicole\_kurtenbach@cpr.ca' <nicole\_kurtenbach@cpr.ca>  
**Cc:** 'jasonM\_ross@cpr.ca' <jasonM\_ross@cpr.ca>; Bruce Marcheschi <BMarcheschi@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>  
**Subject:** Blocking Metra Main Tracks between Franklin Park West and Tower B17

Yesterday, MONDAY APRIL 19, 2021 we had first a CP 686 and then a CP 380 making extended (not one crew off one crew on) crew changes at Mannheim using #2 MT between Tower B17 and Franklin Park West. #2 MT was occupied from @ 0845 until 1215.

This created a conflict between Metra trains 2128-2109 as well as between Metra trains 2113-2132 who are scheduled to meet in this location.

Today, TUESDAY APRIL 20, 2021 we had first a CP-287 and then a CP 67X both occupying #1 MT. 67X not only blocked #1 MT, but also blocked Franklin Park depot as well as all of the road crossings in Franklin Park for over 30 minutes. Again, conflicts were created between scheduled Metra trains 2132-2113 as well as between 2136-2117.

In our discussions, we have talked at length about tying up the Metra mains for freight operations. Utilizing the tracks between Tower B17 and Bryn Mawr, Galewood Yard or Bensenville Yard are all options that do not impact Metra's operations. It would be appreciated if you could remind all concerned to once again respect Metra's scheduled operations and adhere to the guidelines we have agreed to. Thanks for your help.

Rich Oppenheim,  
 Director  
 Metra CUS District Operations  
 P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
 547 W. Jackson Blvd., Chicago, IL 60661

**PUBLIC VERSION**

**EXHIBIT B-2**

**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; Michael Ugorek[Michael\_Ugorek@cpr.ca];  
'aisha\_jackson@cpr.ca'[aisha\_jackson@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca];  
nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]  
**Cc:** jasonM\_ross@cpr.ca[jasonM\_ross@cpr.ca]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Victor  
Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Georgette Geha[GGeha@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Mon 03/15/2021 9:54:17 PM UTC  
**Subject:** Metra Peak Period 2225 delay at B17 - CP 286  
**Received:** Mon 03/15/2021 9:54:18 PM UTC

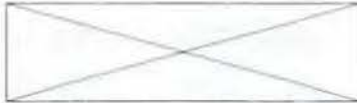
Metra Peak Period Train 2225 held at Tower B17 12 minutes for 11,000 foot CP 286 to clear in yard.

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**

**To:** "Lucas Lingenfelter"[Lucas\_Lingenfelter@cpr.ca], nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca], jasonM\_ross@cpr.ca[jasonM\_ross@cpr.ca]; jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]  
**Cc:** Georgette Geha[GGeha@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Kevin McCann[KMcCann@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Wed 09/08/2021 4:39:07 PM UTC  
**Subject:** Metra Delays - Tower B17 - WED SEPT 8, 2021  
**Received:** Wed 09/08/2021 4:39:07 PM UTC

The following incurred today due to freight train interference at Tower B17:

- Metra #2222 7 minutes. 2222 is a PEAK PERIOD TRAIN which is supposed to run as a non-stop express from Roselle to Western Avenue. On paper, there is a 19 minute gap between #2216 and #2222 and Dispatchers/Yardmasters are constantly trying to squeeze trains out of Bensenville Yard in this narrow window. Doing this inevitably results in a delay to #2222 whose operation as a Peak Period Train should not be interfered with. If instead of trying to squeeze trains in this narrow window, waiting until #2226 clears B17 at 0809 results in a window of almost an hour. Pushing the trains out earlier not only delays 2222, but generally winds up with the freight train waiting for a window at Deval on the UP anyway.
- Metra #2213 delayed 15 minutes at Franklin Park West meeting #2232 account CP G57/287 holding #1 MT at Tower B17 to set out cars. We have been told repeatedly that when G57/287 needs to pick up or set out locomotives or cars, the work would be done in Bensenville yard instead of tying up one of the two Main Tracks. Why was this not done today?



Rich Oppenheim | Director, Sub Oper CUS Dist

547 W. Jackson Blvd, Chicago, IL, 60661

P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)



**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; brandon\_smith@cpr.ca[brandon\_smith@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]  
**Cc:** jasonM\_ross@cpr.ca[jasonM\_ross@cpr.ca]; David Rodriguez[DRodriguez@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Thur 01/14/2021 10:54:45 PM UTC  
**Subject:** Metra 2225 delayed by 286 yarding Bensenville  
**Received:** Thur 01/14/2021 10:54:47 PM UTC

Bensenville is bringing in an 11,500 foot 286 train that had 3 switches to line. Peak Period Metra Train 2225 has now been stopped at Tower B17 for 12 minutes, and there is no end of 286 in site. While we have discussed on our bi-weekly calls about having B17 find out how many switches trains will need to line coming in the yard and then notifying the crew on the train, asking if they have sufficient time to clear in the given window, no one is doing this. It looks like at least a 20 minute delay to this Peak Period train which supposedly is not supposed to be interfered with. Please follow up with all concerned and see what can be done to mitigate these clearly avoidable delays.

Rich Oppenheim,  
Director  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661

**To:** Brandon Smith[Brandon\_Smith@cpr.ca]  
**Cc:** Jacob Rinnels[Jacob\_Rinnels@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; Nicole Kurtenbach[Nicole\_Kurtenbach@cpr.ca]; Jason M Ross[JasonM\_Ross@cpr.ca]; David Rodriguez[DRodriguez@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]  
**From:** Rich Oppenheim  
**ent:** Fri 01/15/2021 2:25:43 AM UTC  
**Subject:** Re: Metra 2225 delayed by 286 yarding Bensenville  
**Received:** Fri 01/15/2021 2:25:45 AM UTC

Brandon -

Thanks for the response and the very pleasant prospect of improvements in the foreseeable future. It is extremely heartening to know that you are working on Operational solutions to address these chronic problems. If I can be of any assistance as you and your team work through this, please do not hesitate to let me know. Thanks again!

Rich.

Sent from my iPhone

> On Jan 14, 2021, at 7:46 PM, Brandon Smith <Brandon\_Smith@cpr.ca> wrote:

>  
 > [CAUTION:] This email originated from outside of Metra. Do not click links, open attachments or forward unless you recognize the sender. We do not know the content is safe. Suspicious email should be deleted or reported to the Metra Helpdesk at 312-322-6508.

>  
 > Good evening Rich,

>  
 > Mitigating these delays is a matter of priority for us, to the point that we held 286 out of the yard to protect your movements (delaying for more than 44 minutes). We will continue to be diligent and create as minimal delays as possible.

>  
 > In addition, the Chicago Team with Jacobs Leadership is working on a new yard plan at Bensenville that includes quicker transitions to B17 given our commitment to the matter. This is a consideration to your increased passenger service that started Monday.

>  
 > We appreciate your patience as we work through getting back to normal volumes with both of our businesses. We have plans to roll it out over the next 14 days.

>  
 > Brandon

> Sent from my iPhone

>  
 > On Jan 14, 2021, at 4:54 PM, Rich Oppenheim <ROppenheim@metrarr.com> wrote:

>  
 > This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

>  
 > Bensenville is bringing in an 11,500 foot 286 train that had 3 switches to line. Peak Period Metra Train 2225 has now been stopped at Bensenville for 12 minutes, and there is no end of 286 in site. While we have discussed on our bi-weekly calls about having B17 find out how many switches trains will need to line coming in the yard and then notifying the crew on the train, asking if they have sufficient time to clear in the given window, no one is doing this. It looks like at least a 20 minute delay to this Peak Period train which supposedly is not supposed to be interfered with. We will follow up with all concerned and see what can be done to mitigate these clearly avoidable delays.

>  
 > Rich Oppenheim,

> Director

> Metra CUS District Operations

> P: 312-322-8939 C: 312-735-8576 | roppenheim@metrarr.com<mailto:roppenheim@metrarr.com>

> 547 W. Jackson Blvd., Chicago, IL 60661

>

>

>

>

> Disclaimer

>

> The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation to the content of this information is strictly prohibited and may be unlawful.

>

> This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast Ltd, an innovator in Software as a Service (SaaS) for business. Providing a safer and more useful place for your human generated data. Specializing in: Security, archiving and compliance. To find out more Click Here<<https://protect-us.mimecast.com/s/59NCCNk5rzsNOW8gHmOMSv>>.

>

> ----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email

**PUBLIC VERSION**

**EXHIBIT B-2**

Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email transmission and any accompanying attachments contain confidential information only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the content of this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete it and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer son ordinateur et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et son employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence de ce message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. ----- IMPORTANT NOTICE - AVIS IMPORTANT -----

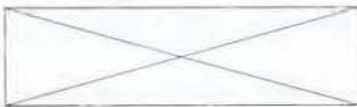


**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; 'aisha\_jackson@cpr.ca'[aisha\_jackson@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas\_Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; jasonM\_ross@cpr.ca[jasonM\_ross@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Tue 08/10/2021 4:38:52 PM UTC  
**Subject:** CP 686-784 parked on #2 MT B17-Franklin Park West  
**Received:** Tue 08/10/2021 4:38:53 PM UTC

Same scenario today as yesterday, except train on #2 MT is 686-784 and today came from Randall Road (Chicago Sub) instead of off C&M. Train could easily been held at Randall/Almora to follow Metra 2232 and been in proper position for relief crew at Mannheim on duty 1010 without having to create the stand off single track situation between 2213 and 2232.

**From:** Rich Oppenheim  
**Sent:** Monday, August 9, 2021 11:44 AM  
**To:** 'jacob\_rinnels@cpr.ca' <jacob\_rinnels@cpr.ca>; 'aisha\_jackson@cpr.ca' <aisha\_jackson@cpr.ca>; 'nicole\_kurtenbach@cpr.ca' <nicole\_kurtenbach@cpr.ca>; 'Lucas\_Lingenfelter' <Lucas\_Lingenfelter@cpr.ca>; 'jasonM\_ross@cpr.ca' <jasonM\_ross@cpr.ca>  
**Subject:** CP 686-622 parked on #2 MT B17-Franklin Park West going on 3 hours

686-622 was brought out of Tower B17 on #2 MT @ 0915 this morning. Train is destined to IHB. My understanding is that IHB was not ready for train when it was brought down the main, and was subsequently blocked by 281 doubling up. It will be well after 1200 when route to IHB opens again. Why was train brought out of Tower B17 when there was no place for it to go? Metra 2213 delayed approximately 15 minutes holding at Franklin Park West for Metra 2232 to run around 686.



Rich Oppenheim | Director, Sub Oper CUS Dist

547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; Michael Ugorek[Michael\_Ugorek@cpr.ca];  
 'aisha\_jackson@cpr.ca'[aisha\_jackson@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca];  
 nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]  
**Cc:** jasonM\_ross@cpr.ca[jasonM\_ross@cpr.ca]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Victor  
 Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Georgette Geha[GGeha@METRARR.COM];  
 David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Thur 05/06/2021 1:50:18 PM UTC  
**Subject:** Excessive Metra Peak Period Delay - WED MAY 5, 2021  
**Received:** Thur 05/06/2021 1:50:19 PM UTC

On Wednesday, May 5, 2021, as the afternoon Metra Peak period was starting to begin (1545-1600 hrs), an unrealistic freight train scenario began to unfold:

- CP 687, 12,500 feet came off IHB and was brought up #2 MT to Tower B17 for a crew change to.
- CP 473, 8000 feet was in Bensenville Yard getting ready to go.
- CP 650 coming off Chicago Sub was due Randall Road @ 1645.

473 wound up departing @ 1600 with Metra 2223 following, and 687 following 2223. With 687 holding #2 MT at B17, 2223 had to wait @ 10 minutes at Franklin Park West for Metra 2242.

On a positive note, although 650 was going to the BRC and needed to make a crew change at Bensenville, it was agreed to bring them into the yard at Bensenville to make the crew change rather than tie up #2 Main between B17 and Franklin Park West at a key time during the peak period. This was most helpful and appreciated.

The main stumbling block with this scenario is that at Big Timber Road depot, there is no physical access to the #2 MT platform except by using the crosswalk from the #1 MT side – there is literally no way to access the #2 platform with a train blocking #1 MT. There is only slightly over 1 mile from the Big Timber Road depot to the West end of Double Track at Pingree Grove, so there really was no place for Metra 2225 to go until 687 cleared. With 473 ahead of 687 waiting at Pingree Grove for 650 687 wound up causing a 26 minute delay to peak period train 2225 who was waiting behind 687.

In retrospect, I think it was fairly unrealistic to bring 687 off the IHB during the Metra peak period. Doing so resulted in delays to both 2223 and 2225. Handling a 12,500 foot train during this time period with both 473 and 650 in the picture was inevitably going to result in Metra delays.

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**

**To:** nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; 'aisha\_jackson@cpr.ca'[aisha\_jackson@cpr.ca]; jasonM\_ross@cpr.ca[jasonM\_ross@cpr.ca]  
**Cc:** Greg J.M. Godfrey[GGodfrey@METRARR.COM]; Ron Wesolowski[RWesolowski@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Fri 08/20/2021 4:46:17 PM UTC  
**Subject:** Metra Delays due to CP 281 and CP 686-905  
**Received:** Fri 08/20/2021 4:46:18 PM UTC

Today CP 686-905 which came off the cut-off from C&M at Tower B17 and destined for IHB was allowed to pull down #2 MT between Tower B17 and Franklin Park West ahead of the scheduled Metra meets between #2213 and #2232 which occur every day between 1105-1110. At this time there was absolutely nothing behind 686-905 that would have prevented their holding at Tower B17 until after the Metra meets took place. While this was going on 281 was allowed to take head room out of the East end of the Yard and was lined over to #2 MT at Tower B12. 281 in this position also blocked 686's access to the IHB. With 686 out on #2 MT, Metra 2232 ran #1 MT Tower B17 to Franklin Park West, then crossed back to #2 MT where they were then blocked at Tower B12 with 281 in the plant. 2213 waited 12 minutes at Franklin Park West waiting for 2232 to clear #1 MT; 2232 then waited 14 minutes at Tower B12 for 281 to get moving and clear up B12. This could all have been avoided if 686-905 had been held at B17 until after the Metra meets (2232 would have then had a route through B12 by crossing over to #1 MT at Franklin Park West and running #1 MT to Galewood).



Rich Oppenheim | Director, Sub Oper CUS Dist

547 W. Jackson Blvd, Chicago, IL, 60661

P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)



**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; 'aisha\_jackson@cpr.ca'[aisha\_jackson@cpr.ca]  
**Cc:** David Rodriguez[DRodriguez@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Tue 03/09/2021 5:26:14 PM UTC  
**Subject:** CP 686 crew change delaying Metra 2232  
**Received:** Tue 03/09/2021 5:26:15 PM UTC

CP 686 today was brought down #2 MT for a crew change at Mannheim 20 minutes ahead of Metra 2232 who then was forced to wait at Tower B17 for 2213. 2232 will now be a reportable delay. The outbound crew for 686 was not on duty until 1025 and there is no other freight activity going on between Tower B17 and Bryn Mawr. Why wasn't 686 held to pull down after the two Metra trains cleared B17?

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**

**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; 'aisha\_jackson@cpr.ca'[aisha\_jackson@cpr.ca]  
**Cc:** David Rodriguez[DRodriguez@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Tue 03/09/2021 5:57:12 PM UTC  
**Subject:** RE: CP 686 crew change delaying Metra 2232  
**Received:** Tue 03/09/2021 5:57:13 PM UTC

I see now where 686 came off D&I instead of C&M, so the B17 scenario was not an option. However, following 2232 out of Almore would have been a good option if the crew had enough time to work.

**From:** Rich Oppenheim  
**Sent:** Tuesday, March 9, 2021 11:26 AM  
**To:** 'jacob\_rinnels@cpr.ca' <jacob\_rinnels@cpr.ca>; 'nicole\_kurtenbach@cpr.ca' <nicole\_kurtenbach@cpr.ca>; 'Lucas Lingenfelter' <Lucas\_Lingenfelter@cpr.ca>; 'aisha\_jackson@cpr.ca' <aisha\_jackson@cpr.ca>  
**Cc:** David Rodriguez <DRodriguez@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>  
**Subject:** CP 686 crew change delaying Metra 2232

CP 686 today was brought down #2 MT for a crew change at Mannheim 20 minutes ahead of Metra 2232 who then was forced to wait at Tower B17 for 2213. 2232 will now be a reportable delay. The outbound crew for 686 was not on duty until 1025 and there is no other freight activity going on between Tower B17 and Bryn Mawr. Why wasn't 686 held to pull down *after* the two Metra trains cleared B17?

Rich Oppenheim,  
Director  
Metra CUS District Operations  
P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)  
547 W. Jackson Blvd., Chicago, IL 60661

**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; jasonM\_ross@cpr.ca[jasonM\_ross@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Georgette Geha[GGeha@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Wed 08/25/2021 1:58:02 PM UTC  
**Subject:** CP-199 vs Metra 2222 Tower B17  
**Received:** Wed 08/25/2021 1:58:03 PM UTC

Metra Peak Period Train 2222 was delayed at Tower B17 10 minutes this morning waiting for CP-199 to pull out of the yard. As information, 2222 runs non-stop from Roselle to Western Avenue. The 10 minute delay at Tower B17 caused an arrival at CUS at 0833, 6 minutes late and a reportable delay.

It is not uncommon for 199 to be squeezed out of Bensenville in the tight window between 2216 and 2222. The thing is that by doing this, 199 winds up at Tower A20 waiting for Amtrak 331 to go anyway. If instead of trying to push this lengthy train out of Bensenville in a tight window that may or may not work, if instead you waited for 2226 to go by at 8:09 AM, there is almost an hour with no Metra traffic at Tower B17, and 199 would show up at Tower A20 when there was a slot to run them.



**Rich Oppenheim | Director, Sub Oper CUS Dist**

547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)



**To:** Rich Oppenheim[ROppenheim@METRARR.COM]; jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; jasonm\_ross@cpr.ca[jasonm\_ross@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Georgette Geha[GGeha@METRARR.COM]; Kevin McCann[KMcCann@METRARR.COM]; Greg J.M. Godfrey[GGodfrey@METRARR.COM]; Ron Wesolowski[RWesolowski@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Thur 09/30/2021 6:35:47 PM UTC  
**Subject:** Metra Delays - CP 286 12,245 feet  
**Received:** Thur 09/30/2021 6:35:49 PM UTC

CP 286 today, 12,245 feet in length was allowed to start in to Bensenville Yard @ 15 minutes ahead of Metra 2236 and 2217's scheduled times at Tower B17. By the time 286 cleared the plant, 2217 was delayed 12 minutes and 2236 14 minutes.



Rich Oppenheim | Director, Sub Oper CUS Dist

547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**To:** Kevin McCann[KMcCann@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Daniel Miodonski[DMiodonski@METRARR.COM]  
**Cc:** Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Thur 09/02/2021 3:23:57 PM UTC  
**Subject:** 2157 delay on WED SEPT 1, 2021 for Suicidal individual report  
**Received:** Thur 09/02/2021 3:23:58 PM UTC

CP C&M Dispatcher working today relayed to me what the 3<sup>rd</sup> shift Dispatcher told him regarding this incident. As far as we can determine so far, there is nothing in writing regarding this. 3<sup>rd</sup> Shift Dispatcher told Day Dispatcher in turnover that the call came to him directly from the Fox Lake Police Department. The call included a request to stop all trains. Conductor on 2157 indicated a 28 minute delay, initially held at Grayslake, then at Ingleside. 3<sup>rd</sup> shift Dispatcher indicated that after receiving the call from the Fox Lake police department, he then called Metra Police at 2800. Metra police were apparently unaware of the situation.

Lucas/Nicole – Would there be any written record of this exchange. We're interested in where the call came from and what was said. If there is no written record, would it be possible to obtain the phone tapes? We are planning to work with Metra Police to minimize the impact of these types of situations on train operations when they occur. Any additional details that you could provide would be helpful. Thanks for your assistance.

Rich



Rich Oppenheim | Director, Sub Oper CUS Dist

547 W. Jackson Blvd, Chicago, IL, 60661

P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]  
**Cc:** Bruce Marcheschi[BMarcheschi@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**ent:** Tue 04/13/2021 1:45:19 PM UTC  
**Subject:** Metra Trains delayed for Freight moves B12-Galewood on MON APR 12, 2021  
**Received:** Tue 04/13/2021 1:45:20 PM UTC

On MONDAY APRIL 12, 2021, the following EWD Metra trains were delayed by freight movements going in Galewood Yard:

- Metra 2244 by B12 1713 hrs followed CP G52 who was by B12 at 1706 hrs. G52 pulled into Galewood Yard at Galewood East and did not clear Galewood East until 1740 hrs. This delayed 2244 @ 20 minutes.
- Metra 2252 by B12 2111 hrs on #3 MT. 2252 delayed @ 16 minutes at Galewood East waiting for CP 580 (Loco CP 8783) crossing from #2 MT into Galewood Yard to clear the Galewood East control point.

Please follow up with those involved. Thanks for your assistance.

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**



**To:** brandon\_smith@cpr.ca[brandon\_smith@cpr.ca]; jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; jasonM\_ross@cpr.ca[jasonM\_ross@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]  
**Cc:** David Rodriguez[DRodriguez@METRARR.COM]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Fri 02/12/2021 2:52:06 PM UTC  
**Subject:** Metra Peak Period delays - CP Freight interference  
**Received:** Fri 02/12/2021 2:52:07 PM UTC

THURSDAY, FEBRUARY 11, 2021

Metra 2116 arrived at CUS 7 minutes late, NCS 108 arrived CUS 16 minutes late. Both blocked at Tower B12 by CP Q165 running from Norpaul to Schiller Park.

FRIDAY, FEBRUARY 12, 2021

Metra 2222 arrived CUS 9 minutes late. Blocked at Tower B17 by CP 198 pulling in yard – stopped to line switches.

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**

**To:** jasonM\_ross@cpr.ca[jasonM\_ross@cpr.ca]; jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; brandon\_smith@cpr.ca[brandon\_smith@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]  
**Cc:** David Rodriguez[DRodriguez@METRARR.COM]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Fri 01/08/2021 1:55:00 PM UTC  
**Subject:** FW: Delays - MW2216 and MW2222  
**Received:** Fri 01/08/2021 1:55:01 PM UTC  
[image001.gif](#)

Once again, someone at CP made the decision to move a 472 from Randall Road to Tower B17 through the morning Metra Peak Period. 2216's equipment was held in Elgin Coach yard until 472 cleared before running up the hill to Big Timber Road resulting in a 16 minute delay to 2216. The equipment for 2222 was then held in Elgin coach yard for 2216 to go resulting in a 13 minute delay to 2222. This move had been tried before and IT DOES NOT WORK. 2216 and 2222 are not only Peak Period trains, which according to the terms of the CP-Metra Operating agreement are not to be interfered with, but are also our most popular and heavily used commuter trains on our West Line.

We respectfully implore CP to stop this practice of forcing a freight train through our morning Peak Period operation where it clearly does not belong.

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**

**From:** Judy Tovar <JTovar@METRARR.COM>  
**Sent:** Friday, January 8, 2021 7:44 AM  
**To:** Adam Farence <AFarence@METRARR.COM>; Alfred Wade <AWade@METRARR.COM>; Alyssa Battaglia <ABattaglia@METRARR.COM>; Carlo Santori <CSantori@METRARR.COM>; Carlos Del Toro <CDelToro@METRARR.COM>; Chris Krakar <CKrakar@METRARR.COM>; Christy Seibert <cseibert@METRARR.COM>; Clifton Bates <CBates@METRARR.COM>; Corinna Gallardo <cgallardo@metrarr.com>; Courtney Aubrecht <CAubrecht@METRARR.COM>; Daniel Heer <DHeer@METRARR.COM>; Danny Santiago <DSantiago@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Dennis Wokurka <DWokurka@METRARR.COM>; GPSAlerting <GPSAlerting@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; Israel Gonzalez <IGonzalez@METRARR.COM>; Jai Whitted <JWhitted@METRARR.COM>; James Walsh <JWalsh@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Joe Bratta <JBratta@METRARR.COM>; Joel Winchester <JWinchester@METRARR.COM>; Katie Dahlstrom <KDahlstrom@METRARR.COM>; Keith Georgeff <KGeorgeff@METRARR.COM>; Kevin Clifford <KClifford@METRARR.COM>; Kevin Lynch <KLynch@METRARR.COM>; Larry Powell <LPowell@METRARR.COM>; Marshall Beecher <MBeecher@METRARR.COM>; Matt Bevers <mbevers@METRARR.COM>; Maurice King <MKing@METRARR.COM>; Meg Thomas-Reile <mtreile@metrarr.com>; Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; Metra Train Assistance Center <MTACold@METRARR.COM>; Michael Denk <MDenk@METRARR.COM>; Michael Gillis <mgillis@METRARR.COM>; Rich Oppenheim <ROppenheim@METRARR.COM>; Robert Tellin <RTellin@METRARR.COM>; Ryan Markmann <RMarkmann@METRARR.COM>; Sergio Guerrero <SGuerrero@METRARR.COM>; Sylvia Ortiz-Cooper <SOrtiz-Cooper@METRARR.COM>; Terron Haynes <THaynes@METRARR.COM>; Tom Miller <TMILLER@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>  
**Subject:** Delays - MW2216 and MW2222

MW2216 is 16 minutes late and MW2222 is 13 minutes late. Reason unknown.



Judy Tovar | Dispatcher

547 W. Jackson Blvd, Chicago, IL, 60661

P: 312-322-6777 | E: [JTovar@METRARR.COM](mailto:JTovar@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metrarail.com](#)



**To:** Rich Oppenheim[ROppenheim@METRARR.COM]; jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; jasonm\_ross@cpr.ca[jasonm\_ross@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Georgette Geha[GGeha@METRARR.COM]; Kevin McCann[KMcCann@METRARR.COM]; Greg J.M. Godfrey[GGodfrey@METRARR.COM]; Ron Wesolowski[RWesolowski@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Mon 09/27/2021 8:18:21 PM UTC  
**Subject:** CPG57-287 holding #1 MT at Tower B17 over 3 hours  
**Received:** Mon 09/27/2021 8:18:21 PM UTC

G57-287 holding #1 MT between Franklin Park West and Tower B17 going on 3 and ½ hours while setting out DPU and repositioning it. Why is this not being done in the yard? Metra Delays so far:

- 2217 13 minutes waiting for 2236.
- 2221 11 minutes waiting for 2240.

**From:** Rich Oppenheim <ROppenheim@metrarr.com>  
**Sent:** Sunday, September 26, 2021 1:19 PM  
**To:** jacob\_rinnels@cpr.ca; jasonm\_ross@cpr.ca; nicole\_kurtenbach@cpr.ca; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>  
**Cc:** Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Kevin McCann <KMcCann@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>  
**Subject:** Excessive Metra Delays due to freight- SAT-SUN SEPT 25-26, 2021

SATURDAY SEPT 25, 2021

Metra 2717 held B17 11 minutes waiting for 198-21 to clear into yard.  
 Metra 2720 delayed 14 mins following 686-757 Elgin to Tower B12.

SUNDAY SEPT 26, 2021

Metra 2714 delayed 26 minutes at Tower B17 waiting for 286 to clear plant going into yard.

With Metra trains running essentially every 2 hours, why is it so difficult to identify windows where freight can operate without causing delays?

Sent from my iPhone

On Sep 23, 2021, at 2:21 PM, Rich Oppenheim <ROppenheim@metrarr.com> wrote:

- C&M Dispatcher ran a 9000 foot 686 train out of Rondout minutes ahead of 2128. 686 cleared Deerfield 0923; 2128 is due at Deerfield 0926. UP Desk P342 Omaha allegedly told CP C&M they would handle 686 right away, but when 686 approached Shermer, UP had a Track Permit out on UP-2 and a CP 651 coming West on UP-1. 686 stopped at Shermer with the rear of the train blocking the plant at A20 awaiting Track Permit to get released. 2128 had to meet 2109 at Deerfield, then use #1 MT from Deerfield to Morton Grove. Passengers at Deerfield, Lake Cook Road, Northbrook, North Glenview, Glenview, Golf, and Morton Grove all had to cross tracks to board. The ones at the first 3 stations also had to dodge the freight train in order to get over there. 2128 was 9 minutes late at CUS.
- CP brought G57-287 off BRC up #1 MT to Tower B17 for a crew change. Outbound crew was called for 1000. Crews NEVER get out to the train, initialize PTC, and get train moving in less than an hour -- usually closer to an hour and a half. As a result 2232 had to wait at Tower B17 7 minutes to meet 2213 who ran #2 MT from Franklin Park West to Tower B17 around 287.

It should have been a no-brainer to hold 686 at Rondout to follow 2128 regardless of whether or not UP promised to take them. A 3 minute lead is unacceptable. It also tempts passengers for 2128 to run across crosswalks in front of the freight thinking that the approaching headlight is their train. There was also no reason why CP Elgin couldn't have

held G57 on the BRC to follow 2213 which would have given them ample time to get the outbound crew properly in place before the train pulled up. There is a two hour gap between 2213 and the next Metra Train 2217.



Rich Oppenheim | Director, Sub Oper CUS Dist

547 W. Jackson Blvd, Chicago, IL, 60661

P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

**From:** Rich Oppenheim

**Sent:** Monday, September 13, 2021 3:27 PM

**To:** 'jacob\_rinnels@cpr.ca' <[jacob\\_rinnels@cpr.ca](mailto:jacob_rinnels@cpr.ca)>; 'jasonM\_ross@cpr.ca' <[jasonM\\_ross@cpr.ca](mailto:jasonM_ross@cpr.ca)>;

'nicole\_kurtenbach@cpr.ca' <[nicole\\_kurtenbach@cpr.ca](mailto:nicole_kurtenbach@cpr.ca)>; 'Lucas Lingenfelter' <[Lucas\\_Lingenfelter@cpr.ca](mailto:Lucas_Lingenfelter@cpr.ca)>

**Cc:** Victor Flores <[VFlores@METRARR.COM](mailto:VFlores@METRARR.COM)>; Janet Carbonelli <[JCarbonelli@METRARR.COM](mailto:JCarbonelli@METRARR.COM)>; Dave Rodriguez

<[droduguez@metrarr.com](mailto:droduguez@metrarr.com)>; Georgette Geha <[GGeha@METRARR.COM](mailto:GGeha@METRARR.COM)>; Kevin McCann

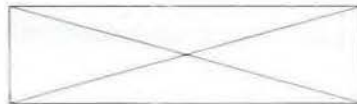
<[KMcCann@METRARR.COM](mailto:KMcCann@METRARR.COM)>; Greg J.M. Godfrey <[GGodfrey@METRARR.COM](mailto:GGodfrey@METRARR.COM)>

**Subject:** Metra Delays - MON SEPT 13, 2021 due to CP Frt occupying mains East of B17

As discussed, on all weekdays, Metra trains have scheduled meets between Franklin Park and Tower B17 at @ 0905, 1105, 1305, 1505, and 1605. CP G47-287 was on #1 MT for the 0900 meets; CP 680 was on #2 MT for the 1100 meets, and CP 681 was on #1 MT for the 1500 meets. As a result the following delays occurred:

- 2209 12 minutes waiting for 2228 at Franklin Park West
- 2213 9 minutes waiting for 2232 at Franklin Park West
- 2240 12 minutes waiting for 2221 at Tower B17

Please coordinate with Dispatching office and Yard Operations Managers to avoid this chronic problem.



Rich Oppenheim | Director, Sub Oper CUS Dist

547 W. Jackson Blvd, Chicago, IL, 60661

P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; jasonM\_ross@cpr.ca[jasonM\_ross@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Georgette Geha[GGeha@METRARR.COM]; Kevin McCann[KMcCann@METRARR.COM]; Greg J.M. Godfrey[GGodfrey@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Thur 09/23/2021 7:21:59 PM UTC  
**Subject:** Metra Delays due to freight train interference - THU SEPT 23, 2021  
**Received:** Thur 09/23/2021 7:22:02 PM UTC

- C&M Dispatcher ran a 9000 foot 686 train out of Rondout minutes ahead of 2128. 686 cleared Deerfield 0923; 2128 is due at Deerfield 0926. UP Desk P342 Omaha allegedly told CP C&M they would handle 686 right away, but when 686 approached Shermer, UP had a Track Permit out on UP-2 and a CP 651 coming West on UP-1. 686 stopped at Shermer with the rear of the train blocking the plant at A20 awaiting Track Permit to get released. 2128 had to meet 2109 at Deerfield, then use #1 MT from Deerfield to Morton Grove. Passengers at Deerfield, Lake Cook Road, Northbrook, North Glenview, Glenview, Golf, and Morton Grove all had to cross tracks to board. The ones at the first 3 stations also had to dodge the freight train in order to get over there. 2128 was 9 minutes late at CUS.
- CP brought G57-287 off BRC up #1 MT to Tower B17 for a crew change. Outbound crew was called for 1000. Crews NEVER get out to the train, initialize PTC, and get train moving in less than an hour -- usually closer to an hour and a half. As a result 2232 had to wait at Tower B17 7 minutes to meet 2213 who ran #2 MT from Franklin Park West to Tower B17 around 287.

It should have been a no-brainer to hold 686 at Rondout to follow 2128 regardless of whether or not UP promised to take them. A 3 minute lead is unacceptable. It also tempts passengers for 2128 to run across crosswalks in front of the freight thinking that the approaching headlight is their train. There was also no reason why CP Elgin couldn't have held G57 on the BRC to follow 2213 which would have given them ample time to get the outbound crew properly in place before the train pulled up. There is a two hour gap between 2213 and the next Metra Train 2217.



Rich Oppenheim | Director, Sub Oper CUS Dist

547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

**From:** Rich Oppenheim  
**Sent:** Monday, September 13, 2021 3:27 PM  
**To:** 'jacob\_rinnels@cpr.ca' <jacob\_rinnels@cpr.ca>; 'jasonM\_ross@cpr.ca' <jasonM\_ross@cpr.ca>; 'nicole\_kurtenbach@cpr.ca' <nicole\_kurtenbach@cpr.ca>; 'Lucas Lingenfelter' <Lucas\_Lingenfelter@cpr.ca>  
**Cc:** Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Dave Rodriguez <droduguez@metrarr.com>; Georgette Geha <GGeha@METRARR.COM>; Kevin McCann <KMcCann@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>  
**Subject:** Metra Delays - MON SEPT 13, 2021 due to CP Frt occupying mains East of B17

As discussed, on all weekdays, Metra trains have scheduled meets between Franklin Park and Tower B17 at @ 0905, 1105, 1305, 1505, and 1605. CP G47-287 was on #1 MT for the 0900 meets; CP 680 was on #2 MT for the 1100 meets, and CP 681 was on #1 MT for the 1500 meets. As a result the following delays occurred:

- 2209 12 minutes waiting for 2228 at Franklin Park West
- 2213 9 minutes waiting for 2232 at Franklin Park West
- 2240 12 minutes waiting for 2221 at Tower B17

Please coordinate with Dispatching office and Yard Operations Managers to avoid this chronic problem.





Rich Oppenheim | Director, Sub Oper CUS Dist

547 W. Jackson Blvd, Chicago, IL, 60661

T: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; jasonm\_ross@cpr.ca[jasonm\_ross@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Georgette Geha[GGeha@METRARR.COM]; Kevin McCann[KMcCann@METRARR.COM]; Greg J.M. Godfrey[GGodfrey@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Sun 09/26/2021 6:18:45 PM UTC  
**Subject:** Excessive Metra Delays due to freight- SAT-SUN SEPT 25-26, 2021  
**Received:** Sun 09/26/2021 6:18:46 PM UTC

SATURDAY SEPT 25, 2021

Metra 2717 held B17 11 minutes waiting for 198-21 to clear into yard.  
 Metra 2720 delayed 14 mins following 686-757 Elgin to Tower B12.

SUNDAY SEPT 26, 2021

Metra 2714 delayed 26 minutes at Tower B17 waiting for 286 to clear plant going into yard.

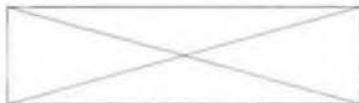
With Metra trains running essentially every 2 hours, why is it so difficult to identify windows where freight can operate without causing delays?

Sent from my iPhone

On Sep 23, 2021, at 2:21 PM, Rich Oppenheim <ROppenheim@metrarr.com> wrote:

- C&M Dispatcher ran a 9000 foot 686 train out of Rondout minutes ahead of 2128. 686 cleared Deerfield 0923; 2128 is due at Deerfield 0926. UP Desk P342 Omaha allegedly told CP C&M they would handle 686 right away, but when 686 approached Shermer, UP had a Track Permit out on UP-2 and a CP 651 coming West on UP-1. 686 stopped at Shermer with the rear of the train blocking the plant at A20 awaiting Track Permit to get released. 2128 had to meet 2109 at Deerfield, then use #1 MT from Deerfield to Morton Grove. Passengers at Deerfield, Lake Cook Road, Northbrook, North Glenview, Glenview, Golf, and Morton Grove all had to cross tracks to board. The ones at the first 3 stations also had to dodge the freight train in order to get over there. 2128 was 9 minutes late at CUS.
- CP brought G57-287 off BRC up #1 MT to Tower B17 for a crew change. Outbound crew was called for 1000. Crews NEVER get out to the train, initialize PTC, and get train moving in less than an hour -- usually closer to an hour and a half. As a result 2232 had to wait at Tower B17 7 minutes to meet 2213 who ran #2 MT from Franklin Park West to Tower B17 around 287.

It should have been a no-brainer to hold 686 at Rondout to follow 2128 regardless of whether or not UP promised to take them. A 3 minute lead is unacceptable. It also tempts passengers for 2128 to run across crosswalks in front of the freight thinking that the approaching headlight is their train. There was also no reason why CP Elgin couldn't have held G57 on the BRC to follow 2213 which would have given them ample time to get the outbound crew properly in place before the train pulled up. There is a two hour gap between 2213 and the next Metra Train 2217.



Rich Oppenheim | Director, Sub Oper CUS Dist

547 W. Jackson Blvd, Chicago, IL, 60661

P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

**From:** Rich Oppenheim

**Sent:** Monday, September 13, 2021 3:27 PM

To: 'jacob\_rinnels@cpr.ca' <jacob\_rinnels@cpr.ca>; 'jasonM\_ross@cpr.ca' <jasonM\_ross@cpr.ca>;  
 'nicole\_kurtenbach@cpr.ca' <nicole\_kurtenbach@cpr.ca>; 'Lucas Lingenfelter' <Lucas\_Lingenfelter@cpr.ca>  
 Cc: Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Dave Rodriguez  
 <drodurodriguez@metrarr.com>; Georgette Geha <GGeha@METRARR.COM>; Kevin McCann  
 <KMcCann@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>  
 Subject: Metra Delays - MON SEPT 13, 2021 due to CP Frt occupying mains East of B17

As discussed, on all weekdays, Metra trains have scheduled meets between Franklin Park and Tower B17 at @ 0905, 1105, 1305, 1505, and 1605. CP G47-287 was on #1 MT for the 0900 meets; CP 680 was on #2 MT for the 1100 meets, and CP 681 was on #1 MT for the 1500 meets. As a result the following delays occurred:

- 2209 12 minutes waiting for 2228 at Franklin Park West
- 2213 9 minutes waiting for 2232 at Franklin Park West
- 2240 12 minutes waiting for 2221 at Tower B17

Please coordinate with Dispatching office and Yard Operations Managers to avoid this chronic problem.



**Rich Oppenheim | Director, Sub Oper CUS Dist**

547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)



**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]  
**Cc:** Kevin McCann[KMcCann@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Georgette Geha[GGeha@METRARR.COM]; jasonM\_ross@cpr.ca[jasonM\_ross@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Fri 08/06/2021 2:51:51 PM UTC  
**Subject:** Delays to Metra Peak Period Trains - B17 FRI AUG 6, 2021  
**Received:** Fri 08/06/2021 2:51:52 PM UTC

This morning, CP 199, 11,042 feet, was allowed to depart Bensenville yard during the height of Metra's Peak period operation. Metra Train 2222, who is scheduled to run non-stop from Roselle to Western Avenue, was stopped at Tower B17 12 minutes for 199 to depart. Metra Train 2226 was also stopped behind 2222 for about 5 minutes. Please advise why decision was made to attempt moving this very lengthy train where interference with Metra's Peak Period operation was inevitable.

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**

**To:** Rich Oppenheim[ROppenheim@METRARR.COM]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; jasonm\_ross@cpr.ca[jasonm\_ross@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Georgette Geha[GGeha@METRARR.COM]; Kevin McCann[KMcCann@METRARR.COM]; Greg J.M. Godfrey[GGodfrey@METRARR.COM]; Ron Wesolowski[RWesolowski@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Fri 10/01/2021 11:53:21 AM UTC  
**Subject:** Excessive delay to Metra 2204 Tower B12  
**Received:** Fri 10/01/2021 11:53:23 AM UTC

Metra Peak Period train 2204 delayed 25 minutes for CP Q165 coming off IHB for Schiller Park. This will also affect Peak Period trains NCS-100 who followed 2204 from B12 and 2206 who followed NCS-100. To make matters worse there is a CP 141-29 on #3 MT East of B12 to come in the yard. 141 blocked passengers at Grove from boarding NC-100. Metra 2208 who makes all the local stops will need to go down #2 main and load/unload passengers on crosswalks and road crossings at Elmwood Park, Mont Clare, Mars and Galewood.

Major interference with Metra Peak Period trains by CP freight this morning.

Sent from my iPhone

On Sep 30, 2021, at 1:35 PM, Rich Oppenheim <ROppenheim@metrarr.com> wrote:

CP 286 today, 12,245 feet in length was allowed to start in to Bensenville Yard @ 15 minutes ahead of Metra 2236 and 2217's scheduled times at Tower B17. By the time 286 cleared the plant, 2217 was delayed 12 minutes and 2236 14 minutes.



Rich Oppenheim | Director, Sub Oper CUS Dist

547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)



**To:** nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; jasonm\_ross@cpr.ca[jasonm\_ross@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]  
**Cc:** Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Georgette Geha[GGeha@METRARR.COM]; Kevin McCann[KMcCann@METRARR.COM]; Greg J.M. Godfrey[GGodfrey@METRARR.COM]; Ron Wesolowski[RWesolowski@METRARR.COM]; UP dridder[DRRIDDER@up.com]  
**From:** Rich Oppenheim  
**Sent:** Fri 10/01/2021 9:08:15 PM UTC  
**Subject:** Delay to Metra 2136 Oct 1, 2021  
**Received:** Fri 10/01/2021 9:08:16 PM UTC

CP C&M released CP-198 8000 feet from Rondout @ 1220 based on UP Desk P342 Omaha allegedly agreeing to take train. 198 stopped at Shermer @ 1240 due to UP Desk P342 now running a WWD UP freight against the current of traffic between Bryn Mawr and Shermer. UP WWD was just starting out at Bryn Mawr when 198 stopped. UP Desk P342 refused to wrong-main 198 even though it appeared the WWD Track was open. 198 sat at Shermer until @ 1345. Techny Road Crossing in Northbrook was blocked the entire time. Because Tower A20 was blocked by 198's rear end, Metra 2136 had to hold @ 10 minutes at Deerfield to meet Metra 2117, then ran #1 Main to Morton Grove. 2136 arrived CUS at 1434, 12 minutes late.

**From:** Rich Oppenheim  
**Sent:** Friday, October 1, 2021 10:54 AM  
**To:** nicole\_kurtenbach@cpr.ca; jacob\_rinnels@cpr.ca; jasonm\_ross@cpr.ca; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>  
**Cc:** Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Kevin McCann <KMcCann@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; Ron Wesolowski <RWesolowski@METRARR.COM>  
**Subject:** Delay to Metra 2230 Oct 1, 2021

Today, Oct 1, 2021, CP-199 8000 feet called ready to depart Bensenville at 0955, 10 minutes before Metra 2230 was due at 1005. The problem was that there was a Track circuit out on CP-1 just beyond the B17 North Control point and Track and Time in effect on CP-2. All parties were aware of the track circuit out. Nevertheless, knowing that 199 was going to have to stop at B17 North and then have the Conductor get off and walk in front of the movement through the Control Point, CP-199 was allowed to depart first, even though waiting for 2230 would only have taken 10 minutes, and there was an almost 1 hour window behind 2230. 2230 wound up taking a 14 minute delay waiting for 199 to clear.

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Friday, October 1, 2021 6:53 AM  
**To:** Rich Oppenheim <ROppenheim@METRARR.COM>; nicole\_kurtenbach@cpr.ca; Rich Oppenheim <ROppenheim@METRARR.COM>; jacob\_rinnels@cpr.ca; jasonm\_ross@cpr.ca; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>  
**Cc:** Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Kevin McCann <KMcCann@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; Ron Wesolowski <RWesolowski@METRARR.COM>  
**Subject:** Excessive delay to Metra 2204 Tower B12

Metra Peak Period train 2204 delayed 25 minutes for CP Q165 coming off IHB for Schiller Park. This will also affect Peak Period trains NCS-100 who followed 2204 from B12 and 2206 who followed NCS-100.

To make matters worse there is a CP 141-29 on #3 MT East of B12 to come in the yard. 141 blocked passengers at River Grove from boarding NC-100. Metra 2208 who makes all the local stops will need to go down #2 main and load/unload passengers on crosswalks and road crossings at Elmwood Park, Mont Clare, Mars and Galewood.

Major interference with Metra Peak Period trains by CP freight this morning.

Sent from my iPhone

On Sep 30, 2021, at 1:35 PM, Rich Oppenheim <ROppenheim@metrarr.com> wrote:

CP 286 today, 12,245 feet in length was allowed to start in to Bensenville Yard @ 15 minutes ahead of



Metra 2236 and 2217's scheduled times at Tower B17. By the time 286 cleared the plant, 2217 was delayed 12 minutes and 2236 14 minutes.



**Rich Oppenheim | Director, Sub Oper CUS Dist**

547 W. Jackson Blvd, Chicago, IL, 60661

P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; brandon\_smith@cpr.ca[brandon\_smith@cpr.ca]; jasonM\_ross@cpr.ca[jasonM\_ross@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]  
**Cc:** David Rodriguez[DRodriguez@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Greg J.M. Godfrey[GGodfrey@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Thur 02/04/2021 3:08:45 PM UTC  
**Subject:** CP-686 occupying #2 MT B12-Franklin Park West 2-3-21  
**Received:** Thur 02/04/2021 3:08:52 PM UTC

On Wednesday Feb 3, 2021, CP 686 Loco CSX 996 with 98 loads came off Chicago Sub and was taken East on Elgin Sub and East of Tower B17 on #2 MT @ 1430 for a Mannheim crew change. Train remained on #2 MT through the entire evening Metra Peak Period operation, and did not clear Tower B12 until 2122 hrs. It was my understanding that after the relief crew finally got on board, the IHB would not take the train due to CSX refusing to handle it? By leaving the train on #2 MT it was necessary to single track the Metra Peak period rush on #1 MT between Franklin Park West and Tower B17. Several Metra delays were incurred, most were fortunately minor, however, Train 2227 waited 14 minutes at Franklin Park West for #2244 to clear. With 686 occupying Metra #2 MT for over 6 hours, what would have been other available options for clearing Metra's main track? Could train have been backed into the yard or up the cutoff between Tower B17 and Bryn Mawr? Is there any way the IHB could have been prevailed upon to take the train pending CSX release? Please advise.

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**

**PUBLIC VERSION**

**EXHIBIT B-2**

**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; 'aisha\_jackson@cpr.ca'[aisha\_jackson@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; jasonM\_ross@cpr.ca[jasonM\_ross@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Mon 08/09/2021 4:44:23 PM UTC  
**Subject:** CP 686-622 parked on #2 MT B17-Franklin Park West going on 3 hours  
**Received:** Mon 08/09/2021 4:44:25 PM UTC

686-622 was brought out of Tower B17 on #2 MT @ 0915 this morning. Train is destined to IHB. My understanding is that IHB was not ready for train when it was brought down the main, and was subsequently blocked by 281 doubling up. It will be well after 1200 when route to IHB opens again. Why was train brought out of Tower B17 when there was no place for it to go? Metra 2213 delayed approximately 15 minutes holding at Franklin Park West for Metra 2232 to run around 686.



**Rich Oppenheim | Director, Sub Oper CUS Dist**

547 W. Jackson Blvd, Chicago, IL, 60661

P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)



**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]  
**Cc:** Kevin McCann[KMcCann@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Georgette Geha[GGeha@METRARR.COM]; jasonM\_ross@cpr.ca[jasonM\_ross@cpr.ca]  
**From:** Rich Oppenheim  
**Sent:** Wed 10/13/2021 2:53:27 PM UTC  
**Subject:** CP 472 WED OCT 13, 2021 - changing crews ahead of Metra 2228  
**Received:** Wed 10/13/2021 2:53:29 PM UTC

Metra 2228 WED OCT 13, 2021 delayed 17 minutes due to CP 472 ahead at Wooddale. CP 472 was dispatched ahead of Metra 2228 knowing that crew would expire on Hours of Service at 0845. Although there was a relief crew sent out from Bensenville to meet 472 at Wooddale, the process still resulted in 2228 waiting 15 to 17 minutes behind 472 until they started to move and then pull into the yard to clear Tower B17.

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**

**PUBLIC VERSION**

**EXHIBIT B-2**

**To:** jacob\_rinnels@cpr.ca[jacob\_rinnels@cpr.ca]; Michael Ugorek[Michael\_Ugorek@cpr.ca]; 'aisha\_jackson@cpr.ca'[aisha\_jackson@cpr.ca]; Lucas Lingenfelter[Lucas\_Lingenfelter@cpr.ca]; nicole\_kurtenbach@cpr.ca[nicole\_kurtenbach@cpr.ca]  
**Cc:** jasonM\_ross@cpr.ca[jasonM\_ross@cpr.ca]; Bruce Marcheschi[BMarcheschi@METRARR.COM]; Victor Flores[VFlores@METRARR.COM]; Janet Carbonelli[JCarbonelli@METRARR.COM]; Georgette Geha[GGeha@METRARR.COM]; David Rodriguez[DRodriguez@METRARR.COM]  
**From:** Rich Oppenheim  
**Sent:** Mon 04/19/2021 2:36:30 PM UTC  
**Subject:** Delays to Metra Peak Period trains 2227 and 2244 FRI APR 16, 2021  
**Received:** Mon 04/19/2021 2:36:31 PM UTC  
[B17 and B12 -- Freight windows-A.xls](#)

On FRIDAY APR 16, 2021, Metra Peak Period Trains 2227 and 2244 were both delayed at Tower B17 for a CP 473 departing the yard.

- 2244 held 11 minutes at Tower B17 waiting for 473 to clear the plant, arrived Chicago 11 minutes late.
- 2227 held 9 minutes at Tower B17 for 473 to depart, then lost additional time following 473 in route, arrived Big Timber Road 12 minutes late.

For reference, I am again attaching spread sheet showing agreed upon freight windows. Note that there is a short window behind 2227 and 2244 but not in front of them. Please keep this in mind moving forward.

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**

**Deanna Ortiz**

---

**From:** Rich Oppenheim  
**Sent:** Wednesday, October 13, 2021 11:59 AM  
**To:** Deanna Ortiz  
**Subject:** FW: CP Freights occupying both Metra Main Tracks between Franklin Park West and Tower B17

---

**From:** Rich Oppenheim  
**Sent:** Tuesday, October 12, 2021 1:26 PM  
**To:** 'jacob\_rinnels@cpr.ca' <jacob\_rinnels@cpr.ca>; 'Lucas Lingenfelter' <Lucas\_Lingenfelter@cpr.ca>; 'nicole\_kurtenbach@cpr.ca' <nicole\_kurtenbach@cpr.ca>  
**Cc:** Kevin McCann <KMcCann@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; 'jasonM\_ross@cpr.ca' <jasonM\_ross@cpr.ca>  
**Subject:** CP Freights occupying both Metra Main Tracks between Franklin Park West and Tower B17

CP 287 (G57) holding #1 MT between Franklin Park West and Tower B17 from @ 1215 until 1305 for crew change.  
CP 650-772 holding #2 MT between Tower B17 and Franklin Park West beginning about 1205. Waiting for crew from Elkhart, still holding #2 MT as of 1320.

With Metra 2217 and 2236 scheduled to meet in that block due at B17 1305, Metra incurred the following delays:

2217 7 minutes running on restricting signals due to CP 287 ahead and waiting for 287's rear end to clear Tower B17.  
2236 13 minutes holding at Tower B17 waiting for 2217, then crossing over to run around 650-772. If trains cannot be moved promptly off Metra's main tracks, we again ask that they be brought into Bensenville Yard

---

**From:** Rich Oppenheim  
**Sent:** Tuesday, October 5, 2021 2:38 PM  
**To:** 'jacob\_rinnels@cpr.ca' <jacob\_rinnels@cpr.ca>; 'Lucas Lingenfelter' <Lucas\_Lingenfelter@cpr.ca>; 'nicole\_kurtenbach@cpr.ca' <nicole\_kurtenbach@cpr.ca>  
**Cc:** Kevin McCann <KMcCann@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; 'jasonM\_ross@cpr.ca' <jasonM\_ross@cpr.ca>  
**Subject:** CP Freight occupying Metra Main Tracks between Franklin Park West and Tower B17

CP 681 holding #1 MT for crew change for @ 2 hours this morning. Metra #2232 held at Tower B17 9 minutes to meet Metra #2213 running around 681.

CP 686-764 holding #2 MT for crew change 1400 until ? Outbound crew not called until 1445. 2240 will need to wait at Tower B17 for 2221. Why are we not bringing these trains into Bensenville Yard?

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**



**Deanna Ortiz**

---

**From:** Rich Oppenheim  
**Sent:** Wednesday, October 13, 2021 11:58 AM  
**To:** jacob\_rinnels@cpr.ca; Lucas Lingenfelter; nicole\_kurtenbach@cpr.ca  
**Cc:** Kevin McCann; David Rodriguez; Victor Flores; Janet Carbonelli; Georgette Geha; jasonM\_ross@cpr.ca; Deanna Ortiz  
**Subject:** Delay to Metra 2213 due to CP-287 parked on #1 MT Tower B17

Metra 2213 date delayed approximately 15 minutes at Franklin Park West, held to meet inbound Metra 2232 due to CP 287 being held on Metra #1 MT between Franklin Park West and Tower B17. CP-287 pulled up to Tower B17 @ 0920. Although crew was on board and ready to go @ 1000, CP elected to hold them on Metra #1 MT so that both tracks between Bryn Mawr and Tower B17 could be committed to inbound CP 286 who used CP-1 and CP 198 who used CP-2 could come in first side-by-side. This was apparently more important than opening the two Metra mains between Franklin Park West and Tower B17 so that Metra 2213 and Metra 2232 could make their scheduled meet between Franklin Park West and Tower B17.

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**

**Deanna Ortiz**

---

**From:** Rich Oppenheim  
**Sent:** Wednesday, October 13, 2021 11:59 AM  
**To:** Deanna Ortiz  
**Subject:** FW: CP 472 WED OCT 13, 2021 - changing crews ahead of Metra 2228

---

**From:** Rich Oppenheim  
**Sent:** Wednesday, October 13, 2021 9:53 AM  
**To:** 'jacob\_rinnels@cpr.ca' <jacob\_rinnels@cpr.ca>; 'Lucas Lingenfelter' <Lucas\_Lingenfelter@cpr.ca>; 'nicole\_kurtenbach@cpr.ca' <nicole\_kurtenbach@cpr.ca>  
**Cc:** Kevin McCann <KMcCann@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; 'jasonM\_ross@cpr.ca' <jasonM\_ross@cpr.ca>  
**Subject:** CP 472 WED OCT 13, 2021 - changing crews ahead of Metra 2228

Metra 2228 WED OCT 13, 2021 delayed 17 minutes due to CP 472 ahead at Wooddale. CP 472 was dispatched ahead of Metra 2228 knowing that crew would expire on Hours of Service at 0845. Although there was a relief crew sent out from Bensenville to meet 472 at Wooddale, the process still resulted in 2228 waiting 15 to 17 minutes behind 472 until they started to move and then pull into the yard to clear Tower B17.

**Rich Oppenheim,**  
**Director**  
**Metra CUS District Operations**  
**P: 312-322-8939 C: 312-735-8576 | [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)**  
**547 W. Jackson Blvd., Chicago, IL 60661**

**Deanna Ortiz**

---

**From:** Rich Oppenheim  
**Sent:** Tuesday, November 2, 2021 12:28 PM  
**To:** jacob\_rinnels@cpr.ca; Lucas Lingenfelter; nicole\_kurtenbach@cpr.ca  
**Cc:** Kevin McCann; David Rodriguez; Victor Flores; Janet Carbonelli; Georgette Geha; jasonM\_ross@cpr.ca; Deanna Ortiz; Ron Wesolowski  
**Subject:** Delays to Metra Peak Period Train by CP Freight - TUES NOV 2, 2021

This morning, TUESDAY NOV 2, 2021, CP Dispatched a Q-165-01 Loco CP 8730 with 102 cars, 9953 feet, from IHB Norpaul to Schiller Park during Metra's morning Peak Period. Movement of this train interfered with operation of Metra North Central Service Train 101 through Tower B12 who was delayed 17 minutes, Metra North Central Service Train 108 at Tower B12 who was delayed 18 minutes, Metra Milwaukee West Line Train 2216 who was delayed at Tower B12 5 minutes. Given the length of this train, the route that it needed to negotiate, and the size of the window between scheduled Metra trains at that time, there is no way that this train could have operated at that time without causing significant interference to Metra's Peak Period operation.



547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)



**Deanna Ortiz**

---

**From:** Rich Oppenheim  
**Sent:** Tuesday, November 2, 2021 2:23 PM  
**To:** jacob\_rinnels@cpr.ca; Lucas Lingenfelter; nicole\_kurtenbach@cpr.ca  
**Cc:** Kevin McCann; David Rodriguez; Victor Flores; Janet Carbonelli; Georgette Geha; jasonM\_ross@cpr.ca; Deanna Ortiz; Ron Wesolowski  
**Subject:** Extensive delays to Metra 2117 and 2136 by CP-287

Today, TUESDAY NOV 2, 2021, CP-287 was dispatched out of Tower A20 on #2 MT to run to Deerfield and Cross back over to #1 MT at Deerfield West directly ahead of Metra #2117 and #2136 who are both due at Deerfield 1:26 PM. CP-287 cleared Tower A20 @ 1:18 PM which under normal running time would have had train clearing Deerfield at 1:25 PM, barely 1 minute before the two opposing Metra trains were due. Upon taking Signal 4L at Deerfield to make the crossover move, PTC apparently put 287 in emergency. Metra CAD Manager contacted Engineer on CP-287 and arrangements were made for 287 to "un-map". 2117 and 2136 sat and waited until 287 could again get moving and clear the Deerfield West Control point. This resulted in a 30 minute delay to 2117 and a 32 minute delay to 2136. This will also cause residual delays for Amtrak 335 and Amtrak 336. 2117 turns to 2140 at Fox Lake who will likely also be late.

Metra Engineering have sent signal testmen to Deerfield West to try and determine what may have been responsible for giving 287 the penalty application. That being said, we need to question the necessity of running a freight train essentially on the time of a scheduled Metra train (or in this case, two Metra trains). To my knowledge, there was no Hours of Service issue with the freight crew, there was nothing "hot" about that particular train, and I believe it was actually running well ahead of its schedule. I sincerely doubt that if 287 had waited 10 or 15 minutes and followed 2117, there would have been any discernable affect on the freight's performance. Conversely, the affect on Metra's customers, who were counting on 2136 and 2117 to get them to their destinations on a scheduled time, was highly significant. How many of the people that we are desperately trying to entice back to using our service during the pandemic will elect to ride the train in the future when they need to be somewhere on schedule?

Moving forward, we ask that more judicious thought be given to Dispatching decisions. The cooperation of CP's Dispatchers is essential to our ability to sustain our service. Thanks for your assistance in this matter.

547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**From:** Rich Oppenheim

**Sent:** Tuesday, November 2, 2021 12:28 PM



**To:** 'jacob\_rinnels@cpr.ca' <jacob\_rinnels@cpr.ca>; 'Lucas Lingenfelter' <Lucas\_Lingenfelter@cpr.ca>; 'nicole\_kurtenbach@cpr.ca' <nicole\_kurtenbach@cpr.ca>

**Cc:** Kevin McCann <KMcCann@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; 'jasonM\_ross@cpr.ca' <jasonM\_ross@cpr.ca>; Deanna Ortiz <DOrtiz@METRARR.COM>; Ron Wesolowski <RWesolowski@METRARR.COM>

**Subject:** Delays to Metra Peak Period Train by CP Freight - TUES NOV 2, 2021

This morning, TUESDAY NOV 2, 2021, CP Dispatched a Q-165-01 Loco CP 8730 with 102 cars, 9953 feet, from IHB Norpaul to Schiller Park during Metra's morning Peak Period. Movement of this train interfered with operation of Metra North Central Service Train 101 through Tower B12 who was delayed 17 minutes, Metra North Central Service Train 108 at Tower B12 who was delayed 18 minutes, Metra Milwaukee West Line Train 2216 who was delayed at Tower B12 5 minutes. Given the length of this train, the route that it needed to negotiate, and the size of the window between scheduled Metra trains at that time, there is no way that this train could have operated at that time without causing significant interference to Metra's Peak Period operation.

547 W. Jackson Blvd, Chicago, IL, 60661

P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)



**Deanna Ortiz**

---

**From:** Rich Oppenheim  
**Sent:** Friday, November 5, 2021 9:01 AM  
**To:** jacob\_rinnels@cpr.ca; Lucas Lingenfelter; nicole\_kurtenbach@cpr.ca  
**Cc:** Kevin McCann; David Rodriguez; Victor Flores; Janet Carbonelli; Georgette Geha; jasonM\_ross@cpr.ca; Deanna Ortiz; Ron Wesolowski  
**Subject:** Delay to Metra Peak Period Train 2225 THU NOV 4, 2021

Metra Peak Period Train 2225 on THURSDAY, NOVEMBER 4, 2021 was stopped at Tower B17 for 9 minutes waiting for CP-470 to clear into yard.

547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)





**Bill Trull**

---

**From:** Charlie Harrison <CHarrison@METRARR.COM>  
**Sent:** Thursday, December 9, 2021 1:11 PM  
**To:** Charles A. Spitulnik; Christian L. Alexander  
**Cc:** Deanna Ortiz  
**Subject:** FW: Grade Crossing Item 1 to Item 2 upgrades

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 9, 2021 1:44 PM  
**To:** jacob\_rinnels@cpr.ca; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; nicole\_kurtenbach@cpr.ca; jasonM\_ross@cpr.ca; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>; Sue-Ann Rosen <srosen@METRARR.COM>; Charlie Harrison <CHarrison@METRARR.COM>  
**Cc:** Greg J.M. Godfrey <GGodfrey@METRARR.COM>; Ron Wesolowski <RWesolowski@METRARR.COM>; Thomas Swoyer <Tswoyer@METRARR.COM>; Alonzo D. Smith <adsmith@METRARR.COM>; James Narbone <Janarbone@METRARR.COM>; Lisa Welling <LWelling@METRARR.COM>  
**Subject:** Grade Crossing Item 1 to Item 2 upgrades

Please be advised that this morning's inbound commuter Peak Period was severely disrupted due to a track circuit that went out on #2 Main Track in the Morton Grove to Mayfair block that appeared behind #2110. In addition to causing red signals between Morton Grove and Forest Glen, the circuit caused crossing gates to stay down at Devon Avenue and Caldwell Avenue. Because call to report gates down came from a private citizen, Dispatcher issued an Item '1'. With crews having to go out and flag 2 busy crossings, the delays were extensive:

- 2110 24 minutes
- 2116 14 minutes
- 2118 12 minutes
- 2120 11 minutes
- 2124 10 minutes
- 2126 12 minutes

Particularly troublesome was that after the signal maintainer arrived on the scene and confirmed that the problem was in fact gates stuck down (false activation) and not some other random problem, he attempted to get the Item '1' upgraded to an Item '2'. Doing this would have eliminated a need for a crew member to walk ahead and flag 2 crossings, probably saving 10 to 15 minutes per train. The train Dispatcher refused to upgrade to an Item '1' claiming that, "the system would not allow it".

In researching this situation further, I discovered the following:

- A recent CAD software upgrade provided the ability for Dispatchers to upgrade from Item '1' to Item '2' through the system. This capability was added to software for the Metra Dispatched lines (RID, MED, SWS) but was NOT added for the CP Dispatched Milwaukee lines. Upon inquiring as to the reason for this, I was told that CP was offered the opportunity to also have this improvement, but at the time, indicated that they "were not interested", hence the addition of this improvement to all of the lines except for the CP dispatched ones.
- Even without this embellishment, the CP Dispatcher did, in fact, have the ability to cancel the Track Bulletin that contained the Item '1' and issue a new one containing the item '2'. When asked, the Dispatcher refused to do this.

Moving forward, I am requesting that anyone at CP who works with Metra's PTC and CAD systems agree to have the upgrade capability installed on the next earliest CAD update possible. On a time sensitive Operation such as Metra's, the difference between a momentary delay of slowing down to 15 MPH at a crossing for an Item '2' vs. sending a crew member out to walk ahead and flag a road crossing (or in this case two) is substantial, and when not necessary, is inexcusable. Complying with an Item '1' also presents a potential safety issue for the trainman who has to walk ahead on often uneven footing and then stand in the middle of a busy thoroughfare trying to get traffic stopped without behind struck by a vehicle. We cannot afford to pass up the opportunity to upgrade from an Item '1' to an Item '2'. If CP does in fact have some reason to object to having the upgrade capability installed, please let me know.



547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.



**Bill Trull**

---

**From:** Charlie Harrison <CHarrison@METRARR.COM>  
**Sent:** Thursday, December 9, 2021 1:23 PM  
**To:** Charles A. Spitulnik; Christian L. Alexander  
**Cc:** Deanna Ortiz  
**Subject:** FW: Metra Hot Line Phone  
**Attachments:** CP Hot Line Dispr phones.doc

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 9, 2021 2:01 PM  
**To:** jacob\_rinnels@cpr.ca; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; nicole\_kurtenbach@cpr.ca; jasonM\_ross@cpr.ca; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>; Sue-Ann Rosen <srosen@METRARR.COM>; Charlie Harrison <CHarrison@METRARR.COM>  
**Cc:** Greg J.M. Godfrey <GGodfrey@METRARR.COM>; Ron Wesolowski <RWesolowski@METRARR.COM>; Thomas Swoyer <TSwoyer@METRARR.COM>; Alonzo D. Smith <adsmith@METRARR.COM>; James Narbone <Janarbone@METRARR.COM>; Lisa Welling <LWelling@METRARR.COM>  
**Subject:** Metra Hot Line Phone

In December 2008, CP agreed to install dedicated "hot line" phones in both the C&M and Elgin Dispatchers offices. These phones were to be used exclusively by key Metra Operations personnel when the need to contact the Dispatcher immediately for Operations purposes became necessary, and waiting in the phone queue is not practicable. Note that the original agreement included our Track 19 Yardmasters in those who had access to this line, but they have since been removed since too many people were being given the number. Also, I'm pretty sure the Elgin hot line has not been operational for some time. While we would like to see it restored, the bigger issue is that of late, on numerous occasions, the Hot Line phone in the C&M office is either being unplugged or ignored. In the midst of the signal problems this morning, I attempted to contact C&M in order to get Metra 2118 and 2124 crossed over to #1 MT at Morton Grove East after #2105 cleared in order to take advantage of the clear signals on #1 MT. I let the Hot line ring for at least 20 minutes while I was also on hold on the other line in the queue, and the Hot Line was never answered.

Please reiterate to the C&M Dispatchers that the hot line phone must NOT be unplugged, and must be answered promptly. Also, please see if we can also get the Hotline to the Elgin Dispatcher reactivated.



547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)



**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.

**Bill Trull**

---

**From:** Sue-Ann Rosen <srosen@METRARR.COM>  
**Sent:** Friday, December 10, 2021 3:10 PM  
**To:** Charles A. Spitulnik; Christian L. Alexander  
**Cc:** Charlie Harrison  
**Subject:** FW: Delays to Metra 2221 and 2240 at B17 for CP 286

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Friday, December 10, 2021 3:50 PM  
**To:** Sue-Ann Rosen <srosen@METRARR.COM>; Charlie Harrison <CHarrison@METRARR.COM>  
**Subject:** RE: Delays to Metra 2221 and 2240 at B17 for CP 286

3:05 PM to 3:25 PM today.

---

**From:** Sue-Ann Rosen <srosen@METRARR.COM>  
**Sent:** Friday, December 10, 2021 3:37 PM  
**To:** Rich Oppenheim <ROppenheim@METRARR.COM>; Charlie Harrison <CHarrison@METRARR.COM>  
**Subject:** RE: Delays to Metra 2221 and 2240 at B17 for CP 286

Rich  
What time did this happen?

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Friday, December 10, 2021 3:35 PM  
**To:** Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>; Charlie Harrison <CHarrison@METRARR.COM>; Sue-Ann Rosen <srosen@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>  
**Subject:** RE: Delays to Metra 2221 and 2240 at B17 for CP 286

Worth mentioning that Bensenville Terminal Superintendent saw the problem with 12,000 foot 286 showing up at same time as 13,000 foot 241 and knew there would be a problem. He says he called Dispatching office in Minneapolis and requested 286 be held back. He was overruled and train was lined up to run through and go in the yard knowing that delays would be caused.

---

**From:** Rich Oppenheim  
**Sent:** Friday, December 10, 2021 3:29 PM  
**To:** jacob\_rinnels@cpr.ca; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; nicole\_kurtenbach@cpr.ca; jasonM\_ross@cpr.ca; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>  
**Subject:** Delays to Metra 2221 and 2240 at B17 for CP 286

Metra 2221 and 2240 today FRI DEC 10, 2021 held approximately 20 minutes each for 12,000 + foot 286 going into yard at Bensenville.

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.



**Bill Trull**

---

**From:** Charlie Harrison <CHarrison@METRARR.COM>  
**Sent:** Friday, December 10, 2021 12:12 PM  
**To:** Charles A. Spitulnik; Christian L. Alexander  
**Cc:** Deanna Ortiz  
**Subject:** FW: Installation of TMDS CAD 5.7

**From:** Greg J.M. Godfrey <GGodfrey@METRARR.COM>  
**Sent:** Friday, December 10, 2021 11:12 AM  
**To:** Charlie Harrison <CHarrison@METRARR.COM>; Sue-Ann Rosen <srosen@METRARR.COM>; Aruj Chaudhry <AChaudhry@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>  
**Subject:** FW: Installation of TMDS CAD 5.7

Something for the CP File on why our timetable, rule book, etc. and protocols and decision making should govern.

**From:** Ryan Markmann <RMarkmann@METRARR.COM>  
**Sent:** Friday, December 10, 2021 10:05 AM  
**To:** Paul Larsen <PLarsen@METRARR.COM>; 'Kim Winiski' <Kim\_Winiski@cpr.ca>; Ron Wesolowski <RWesolowski@METRARR.COM>; David Martinez <DMartinez@METRARR.COM>; Mark Delaney <MDelaney@METRARR.COM>; 'Lundeen, David' <dlundeen@Wabtec.com>; 'Edraki, Alireza' <alireza.edraki@Wabtec.com>; 'Lehner, Gregory' <glehner@Wabtec.com>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; Christy Seibert <cseibert@METRARR.COM>; 'Lucas\_Lingenfelter@cpr.ca' <Lucas\_Lingenfelter@cpr.ca>; 'Mark Camara' <Mark\_Camara@cpr.ca>; 'Petika, Kelly' <kelly.petika@Wabtec.com>; 'Gerry\_Semeniuk@cpr.ca' <Gerry\_Semeniuk@cpr.ca>; Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; Metra Train Assistance Center <MTAC@metrarr.com>; Stephen Uthuppan <Suthuppan@METRARR.COM>; Jose V. Martinez <jvmartinez@METRARR.COM>; 'Matthews-Patton, Josh' <joshua.matthews-patton@Wabtec.com>; 'Jones, Tristan' <tristan.jones@Wabtec.com>; CMTeam <CMTeam@METRARR.COM>; PTC Notification <PTCNotification@METRARR.COM>  
**Subject:** RE: Installation of TMDS CAD 5.7

With the aim to prevent possible issues, including the transition to forms functionality, A5 and B12 desks will remain with CAD 5.6 until the CP is ready to update.

**From:** Paul Larsen <PLarsen@METRARR.COM>  
**Sent:** Thursday, December 9, 2021 10:36 PM  
**To:** 'Kim Winiski' <Kim\_Winiski@cpr.ca>; Ron Wesolowski <RWesolowski@METRARR.COM>; David Martinez <DMartinez@METRARR.COM>; Mark Delaney <MDelaney@METRARR.COM>; 'Lundeen, David' <dlundeen@Wabtec.com>; 'Edraki, Alireza' <alireza.edraki@Wabtec.com>; 'Lehner, Gregory' <glehner@Wabtec.com>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; Christy Seibert <cseibert@METRARR.COM>; 'Lucas\_Lingenfelter@cpr.ca' <Lucas\_Lingenfelter@cpr.ca>; 'Mark Camara' <Mark\_Camara@cpr.ca>; 'Petika, Kelly' <kelly.petika@Wabtec.com>; 'Gerry\_Semeniuk@cpr.ca' <Gerry\_Semeniuk@cpr.ca>; Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; Metra Train Assistance Center <MTAC@metrarr.com>; Stephen Uthuppan <Suthuppan@METRARR.COM>; Jose V. Martinez <jvmartinez@METRARR.COM>; 'Matthews-Patton, Josh' <joshua.matthews-patton@Wabtec.com>; 'Jones, Tristan' <tristan.jones@Wabtec.com>; CMTeam

<CMTeam@METRARR.COM>; PTC Notification <PTCNotification@METRARR.COM>

**Subject:** Installation of TMDS CAD 5.7

All,

We will be installing TMDS CAD 5.7 on the Metra Desks tomorrow, 12/10, starting at about 10 AM. CP Desks will be updated next Wednesday, 12/15.

Thank you,

**Paul Larsen** | Metra | Manager, Back Office Systems | Office: 312-322-2824 | Cell: 312-907-2052

## Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.



**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 9:23 AM  
**To:** Christian L. Alexander  
**Subject:** FW: Metra Delays - WED DEC 29, 2021 DUE TO CP FREIGHT MAKING CREW CHANGES AT TOWER B17

**From:** Rich Oppenheim  
**Sent:** Thursday, December 30, 2021 10:22 AM  
**To:** jacob\_rinnels@cpr.ca; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; nicole\_kurtenbach@cpr.ca; jasonM\_ross@cpr.ca; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; Ron Wesolowski <RWesolowski@METRARR.COM>; Charlie Harrison <CHarrison@METRARR.COM>; Sue-Ann Rosen <srosen@METRARR.COM>  
**Subject:** Metra Delays - WED DEC 29, 2021 DUE TO CP FREIGHT MAKING CREW CHANGES AT TOWER B17

The following Metra train delays were incurred on WED DEC 29, 2021 due to single tracking around CP Freight trains making crew changes on Metra Main Track(s) at Tower B17:

- Metra 2232 held 8 minutes at Tower B17 to meet Metra 2213, due to CP 67X on #2 MT at Tower B17 changing crews.
- Metra 2221 held 8 minutes at Franklin Park West to meet Metra 2236 due to CP-681 on #1 MT at Tower B17 changing crews.



547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).



This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.

**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 9:23 AM  
**To:** Christian L. Alexander  
**Subject:** FW: CP Interference with Metra Peak Period operation - WED DEC 29, 2021

**From:** Rich Oppenheim  
**Sent:** Thursday, December 30, 2021 10:14 AM  
**To:** jacob\_rinnels@cpr.ca; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; nicole\_kurtenbach@cpr.ca; jasonM\_ross@cpr.ca; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; Ron Wesolowski <RWesolowski@METRARR.COM>; Charlie Harrison <CHarrison@METRARR.COM>; Sue-Ann Rosen <srosen@METRARR.COM>  
**Subject:** CP Interference with Metra Peak Period operation - WED DEC 29, 2021

On Wednesday, December 29, 2021, CP intentionally pushed a CP I65 train, 12,198 from the IHB into Schiller Park across Tower B12 during the morning Metra Peak Period. The following Metra Peak Period trains were delayed significantly as shown below:

NCS101 27 min late  
 NCS108 20 min late  
 MW2216 15 min late



547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

Regarding the movement of CP I65 during Metra's Peak period Operation yesterday, please see the following from Metra Chief Dispatcher Christy Seibert:

Due to I65 CP 9358 47/25 12,198 L traveling IHB to CN3.

I contacted the CP Elgin Dispatcher who said the move was set up by his predecessor on night shift. And was approved by the CP Director. The reason for running the train during the rush was that the crew was short on time and when arrange with CN Dispatcher, the CN was to line the train up immediately when B12 did, that did not happen. When I contacted the CP Director who is working from home, she also said the train was short on time and that was why it was moved during the rush hour.



**Christy Seibert | Chief Dispatcher**  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-2841 | E: [cseibert@METRARR.COM](mailto:cseibert@METRARR.COM)  
C: 312-206-9721

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

### Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.



**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 11:12 AM  
**To:** Charles A. Spitulnik; Christian L. Alexander  
**Subject:** FW: MW2228 (Metra on other than normal track due to freight on Metra's normal track)

---

**From:** Charles Allen <CAllen@METRARR.COM>  
**Sent:** Wednesday, December 29, 2021 9:10 AM  
**To:** Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** MW2228

MW2228 had to re-route 1MT B12 to Galewood East due to (17V NS4532 17 X 109 7956') on 3MT.



**Charles Allen | Dispatcher**  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-6777 | E: [CAllen@METRARR.COM](mailto:CAllen@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.

**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 11:12 AM  
**To:** Charles A. Spitulnik; Christian L. Alexander  
**Subject:** FW: MW2232 (Metra on other than normal track due to freight on Metra's normal track)

---

**From:** Charles Allen <CAllen@METRARR.COM>  
**Sent:** Tuesday, December 28, 2021 11:08 AM  
**To:** Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** MW2232

MW2232 had to re-route 1MT B12 to Galewood East due to (281 CP 8769 56 X 127 12,900') on 3MT.



**Charles Allen | Dispatcher**  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-6777 | E: [CAllen@METRARR.COM](mailto:CAllen@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.

**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 11:14 AM  
**To:** Charles A. Spitulnik; Christian L. Alexander  
**Subject:** FW: MW2208

---

**From:** Charles Allen <CAllen@METRARR.COM>  
**Sent:** Monday, December 27, 2021 6:45 AM  
**To:** Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** MW2208

MW2208 had to re-route down 2MT B12 to Galewood East due to (17V NS8057 21 X 99 7601") on 3MT.



**Charles Allen | Dispatcher**  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-6777 | E: [CAllen@METRARR.COM](mailto:CAllen@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.



**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 11:15 AM  
**To:** Christian L. Alexander; Charles A. Spitulnik  
**Subject:** FW: MW2226 (Metra on other than normal track due to freight on Metra's normal track)

---

**From:** Charles Allen <CAllen@METRARR.COM>  
**Sent:** Tuesday, December 21, 2021 8:15 AM  
**To:** Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** MW2226

MW2226 had to re-route 1MT B12 to Galewood East due to (17V NS1103 7 X 158 10,100') on 3MT.



**Charles Allen | Dispatcher**  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-6777 | E: [CAllen@METRARR.COM](mailto:CAllen@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.

**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 11:18 AM  
**To:** Charles A. Spitulnik; Christian L. Alexander  
**Subject:** FW: MW2212 (Metra train on other than normal track due to freight on Metra's normal track)

---

**From:** Charles Allen <CAllen@METRARR.COM>  
**Sent:** Monday, December 20, 2021 8:01 AM  
**To:** Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** MW2212

MW2212 had to re-route 1MT at Galewood East to B6.



**Charles Allen | Dispatcher**  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-6777 | E: [CAllen@METRARR.COM](mailto:CAllen@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.

**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 11:20 AM  
**To:** Christian L. Alexander; Charles A. Spitulnik  
**Subject:** FW: MW2232 (metra train on other than normal track due to freight on Metra's normal track)

---

**From:** Charles Allen <CAllen@METRARR.COM>  
**Sent:** Friday, December 17, 2021 11:17 AM  
**To:** Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** MW2232

MW2232 had to re-route 1MT B12 to B6 due to (281 BN7947 55X163 13973') on 3MT.



**Charles Allen | Dispatcher**  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-6777 | E: [CAllen@METRARR.COM](mailto:CAllen@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.



**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 11:20 AM  
**To:** Charles A. Spitulnik; Christian L. Alexander  
**Subject:** FW: MW2230 (metra train on other than normal track due to freight on Metra's normal track)

---

**From:** Charles Allen <CAllen@METRARR.COM>  
**Sent:** Thursday, December 16, 2021 10:09 AM  
**To:** Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** MW2230

MW2230 had to re-route 1MT at B12 to Galewood due to (17V NS9690 39X123 10239) on 3MT.



**Charles Allen | Dispatcher**  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-6777 | E: [CAllen@METRARR.COM](mailto:CAllen@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.

**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 11:21 AM  
**To:** Christian L. Alexander; Charles A. Spitulnik  
**Subject:** FW: MW2202 (metra train on other than normal track due to freight on Metra's normal track)

---

**From:** Charles Allen <CAllen@METRARR.COM>  
**Sent:** Monday, December 13, 2021 5:29 AM  
**To:** Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** MW2202

MW2202 had to re-route 1MT at B12 to Cicero West due to (17V NS9542 18 X 73 5910) on 3MT.



**Charles Allen | Dispatcher**  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-6777 | E: [CAllen@METRARR.COM](mailto:CAllen@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.

**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 11:21 AM  
**To:** Charles A. Spitulnik; Christian L. Alexander  
**Subject:** FW: MW2228 re-route (metra train on other than normal track due to freight on Metra's normal track)

---

**From:** Charles Allen <CAllen@METRARR.COM>  
**Sent:** Tuesday, December 7, 2021 9:12 AM  
**To:** Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** MW2228 re-route

MW2228 had to re-route 2MT to 1MT at B12 due to (17V NS9972 29 X 131 10,300') on 3MT.



**Charles Allen | Dispatcher**  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-6777 | E: [CAllen@METRARR.COM](mailto:CAllen@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.



**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 11:22 AM  
**To:** Christian L. Alexander; Charles A. Spitulnik  
**Subject:** FW: MW2204

---

**From:** Charles Allen <CAllen@METRARR.COM>  
**Sent:** Tuesday, December 7, 2021 6:35 AM  
**To:** Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** MW2204

MW2204 was 11 minutes late by B12 due to 472 going into the yard at B17.



**Charles Allen | Dispatcher**  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-6777 | E: [CAllen@METRARR.COM](mailto:CAllen@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.

**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 11:22 AM  
**To:** Charles A. Spitulnik; Christian L. Alexander  
**Subject:** FW: MW2232 delayed

---

**From:** Charles Allen <CAllen@METRARR.COM>  
**Sent:** Monday, December 6, 2021 11:19 AM  
**To:** Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** MW2232 delayed

MW2232 was 7m late by B12 due to (281 KCS5010 79 X 61 11,054') departing 5L to 2MT.



**Charles Allen | Dispatcher**  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-6777 | E: [CAllen@METRARR.COM](mailto:CAllen@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.

**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 11:23 AM  
**To:** Christian L. Alexander; Charles A. Spitulnik  
**Subject:** FW: MW2226 (metra train on other than normal track due to freight on Metra's normal track)

---

**From:** Charles Allen <CAllen@METRARR.COM>  
**Sent:** Friday, December 3, 2021 8:15 AM  
**To:** Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** MW2226

MW2226 had to re-route 2MT to 1MT at B12 due to (17V NS7675 23 X 105 8458) on 3MT.



**Charles Allen | Dispatcher**  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-6777 | E: [CAllen@METRARR.COM](mailto:CAllen@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.



**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 11:23 AM  
**To:** Christian L. Alexander; Charles A. Spitulnik  
**Subject:** FW: MW2202 and MW2204 (metra train on other than normal track due to freight on Metra's normal track)

---

**From:** Charles Allen <CAllen@METRARR.COM>  
**Sent:** Thursday, December 2, 2021 6:15 AM  
**To:** Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** MW2202 and MW2204

MW2202 and MW2204 had to reroute down 1MT due to (288 NS1171 90X12 6103) was on 2MT. Also (141 CP8794 78X46 8320) was 3MT.



**Charles Allen | Dispatcher**  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-6777 | E: [CAllen@METRARR.COM](mailto:CAllen@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.

**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 11:24 AM  
**To:** Christian L. Alexander; Charles A. Spitulnik  
**Subject:** FW: MW2217 re-route (metra train on other than normal track due to freight on Metra's normal track)

---

**From:** Charles Allen <CAllen@METRARR.COM>  
**Sent:** Tuesday, November 16, 2021 12:28 PM  
**To:** Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** MW2217 re-route

MW2217 will run 3MT Cicero West to B12 due to (287 CP8931 85 X 86 10160) recrewing on 1MT.



**Charles Allen | Dispatcher**  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-6777 | E: [CAllen@METRARR.COM](mailto:CAllen@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.

**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 11:24 AM  
**To:** Charles A. Spitulnik; Christian L. Alexander  
**Subject:** FW: MW2230 re-route (metra train on other than normal track due to freight on Metra's normal track)

---

**From:** Charles Allen <CAllen@METRARR.COM>  
**Sent:** Monday, November 15, 2021 10:13 AM  
**To:** Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** MW2230 re-route

MW2230 had to re-route down 1MT at B12 to Galewood due to (281 CP8957 49 X 145 12708') on 3MT.



**Charles Allen | Dispatcher**  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-6777 | E: [CAllen@METRARR.COM](mailto:CAllen@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.



**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 11:25 AM  
**To:** Christian L. Alexander; Charles A. Spitulnik  
**Subject:** FW: MW2206 and MW2208 re-route (metra train on other than normal track due to freight on Metra's normal track)

---

**From:** Charles Allen <CAllen@METRARR.COM>  
**Sent:** Monday, November 15, 2021 6:43 AM  
**To:** Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** MW2206 and MW2208 re-route

MW2206 and MW2208 had to re-route down 2MT due to (651 CP8022 35 X 147 11248) on 3MT.



**Charles Allen | Dispatcher**  
 547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-6777 | E: [CAllen@METRARR.COM](mailto:CAllen@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.

**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 11:25 AM  
**To:** Charles A. Spitulnik; Christian L. Alexander  
**Subject:** FW: MW2213 delay

---

**From:** Charles Allen <CAllen@METRARR.COM>  
**Sent:** Friday, November 12, 2021 11:21 AM  
**To:** Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** MW2213 delay

MW2213 was held 16m at Franklin Park West for MW2232 due to (K446 CSXT3240 2 X 96 5985') on 2MT.



**Charles Allen | Dispatcher**  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-6777 | E: [CAllen@METRARR.COM](mailto:CAllen@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.

**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 11:25 AM  
**To:** Christian L. Alexander; Charles A. Spitulnik  
**Subject:** FW: MW2210 delay

---

**From:** Charles Allen <CAllen@METRARR.COM>  
**Sent:** Friday, November 12, 2021 7:11 AM  
**To:** Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** MW2210 delay

MW2210 delayed at B17 due to cross traffic (470 CP8912) 8m late by B12.



**Charles Allen | Dispatcher**  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-6777 | E: [CAllen@METRARR.COM](mailto:CAllen@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.



**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 11:20 AM  
**To:** Charles A. Spitulnik; Christian L. Alexander  
**Subject:** FW: B12 Delay Report  
**Attachments:** B12 Delay Report.doc

---

**From:** Charles Allen <CAllen@METRARR.COM>  
**Sent:** Thursday, December 16, 2021 8:07 AM  
**To:** Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** B12 Delay Report

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

# **Tower B-12 Delay Report**

Thursday, December 16, 2021

---

NCS100 10m late by B12 3m due to (I65 CP8781 26 X 60 10,084) going from the IHB to CN3.

**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 11:26 AM  
**To:** Christian L. Alexander; Charles A. Spitulnik  
**Subject:** FW: MW2226 re-route (metra train on other than normal track due to freight on Metra's normal track)

---

**From:** Charles Allen <CAllen@METRARR.COM>  
**Sent:** Wednesday, November 10, 2021 8:15 AM  
**To:** Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** MW2226 re-route

MW2226 had to re-route 1MT River Grove to Galewood due to (17V NS7539 59 X 119 11590) on 3MT.



**Charles Allen | Dispatcher**  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-6777 | E: [CAllen@METRARR.COM](mailto:CAllen@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.



**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 11:27 AM  
**To:** Charles A. Spitulnik; Christian L. Alexander  
**Subject:** FW: MW2724 delayed

---

**From:** Charles Allen <CAllen@METRARR.COM>  
**Sent:** Sunday, October 31, 2021 11:59 PM  
**To:** Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** MW2724 delayed

Mw2724 stopped 15 m because (288 Cp8915 6805) on 2MT going to Belt 2 and behind him on 3MT going to Belt 2 was the (140 CP8576 12,277) which was blocking Galewood East preventing the MW2724 to crossover to 2MT.



**Charles Allen | Dispatcher**  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-6777 | E: [CAllen@METRARR.COM](mailto:CAllen@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.

**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 11:29 AM  
**To:** Christian L. Alexander; Charles A. Spitulnik  
**Subject:** FW: MW2704 Galewood delay

---

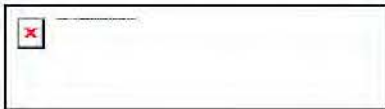
**From:** Christy Seibert <cseibert@METRARR.COM>  
**Sent:** Sunday, December 12, 2021 10:00 AM  
**To:** CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** FW: MW2704 Galewood delay

---

**From:** Chad Looby <CLooby@METRARR.COM>  
**Sent:** Sunday, December 12, 2021 9:03 AM  
**To:** Christy Seibert <cseibert@METRARR.COM>  
**Cc:** Joe Bratta <JBratta@METRARR.COM>; Keith Georgeff <KGeorgeff@METRARR.COM>; Ron Wesolowski <RWesolowski@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>  
**Subject:** MW2704 Galewood delay

Good morning,

As info, MW2704 was stopped 5m @ Galewood waiting on freight 17V-11 to clear. The 17V-11 was 28x128, 7594 tons, and a length of 9633 ft. It was coming out of 4L @ Galewood for tk 2 heading towards B12.



**Chad Looby | Dispatcher**  
 547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-6777 | E: [CLooby@METRARR.COM](mailto:CLooby@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.

**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Thursday, December 30, 2021 11:32 AM  
**To:** Christian L. Alexander; Charles A. Spitulnik  
**Subject:** FW: MW2249 delayed at B12 acct freight Milwaukee District.

---

**From:** Keith Georgeff <KGeorgeff@METRARR.COM>  
**Sent:** Friday, December 17, 2021 8:40 PM  
**To:** CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Cc:** Angela Young <AYoung@METRARR.COM>  
**Subject:** MW2249 delayed at B12 acct freight Milwaukee District.

MW2249 delayed 17m at B12 for Freight headend move from CN3 to Track 2 east. CP Dispatcher asked if they can clear in 20m which crew on Freight IM-2, CP 8648 stated Yes. Freight took signal at 746pm and Cleared at 825pm. MW2249 by B12 at 827pm. 17m Late.



**Keith Georgeff | Chief Dispatcher**  
 547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-2864 | E: [KGeorgeff@METRARR.COM](mailto:KGeorgeff@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.



**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Friday, December 31, 2021 12:15 PM  
**To:** Sue-Ann Rosen; Christian L. Alexander  
**Subject:** Fwd: MW2700 and MW2710

Get [Outlook for iOS](#)

---

**From:** Charles Allen <CAllen@METRARR.COM>  
**Sent:** Friday, December 31, 2021 11:41:39 AM  
**To:** Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** MW2700 and MW2710

MW2700 had to re-route 1MT B12 to Galewood East due to (G52 CP8030 86 X 3 6504') on 3MT.  
MW2710 had to re-route 1MT B12 to Galewood East due to (17V CSXT5472 46 X 87 8686') on 3MT.



**Charles Allen | Dispatcher**  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-6777 | E: [CAllen@METRARR.COM](mailto:CAllen@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.

RESERVED

RESERVED



**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Friday, January 7, 2022 9:11 AM  
**To:** Christian L. Alexander; Charles A. Spitulnik; Charlie Harrison; Sue-Ann Rosen  
**Subject:** FW: Delays to Metra Peak Period Trains - THU JAN 6 and FRI JAN 7, 2021

---

**From:** Rich Oppenheim  
**Sent:** Friday, January 7, 2022 10:10 AM  
**To:** jacob\_rinnels@cpr.ca; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; nicole\_kurtenbach@cpr.ca; jasonM\_ross@cpr.ca; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>  
**Subject:** Delays to Metra Peak Period Trains - THU JAN 6 and FRI JAN 7, 2021

THURSDAY – JANUARY 6, 2021: Following from Trainmaster Marshall Beecher was received:

**2227 (Peak Period Train) Delayed 16 mins at B17 for CP286-05 with 11k' of train moving from CP2 to the Outbound. Allegedly this decision to move was made by a Bensenville trainmaster on protest of the CP Elgin Dispatcher.**

**MW2244 got a few mins as well on the other side.**

As information, move with 286 affected Metra Peak Period trains;

- 2227
- 2229
- 2233

FRIDAY – JANUARY 7, 2021

**2204 and NCS-100 (both peak period trains) were stopped at Tower B12 waiting for CP freight I65 (8643 feet) coming from the IHB to Schiller Park Yard.**

2204 was stopped 12 minutes, arrived Chicago 12 minutes late.

100 was stopped 5 minutes, arrived Chicago 4 minutes late.



**Rich Oppenheim | Director, Sub Oper CUS Dist**  
 547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

---

**From:** Rich Oppenheim <[ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)>  
**Sent:** Monday, November 22, 2021 11:05 AM

To: [jacob\\_rinnels@cpr.ca](mailto:jacob_rinnels@cpr.ca); Lucas Lingenfelter <[Lucas\\_Lingenfelter@cpr.ca](mailto:Lucas_Lingenfelter@cpr.ca)>; [nicole\\_kurtenbach@cpr.ca](mailto:nicole_kurtenbach@cpr.ca); [jasonM\\_ross@cpr.ca](mailto:jasonM_ross@cpr.ca); Victor Flores <[VFlores@METRARR.COM](mailto:VFlores@METRARR.COM)>; Janet Carbonelli <[JCarbonelli@METRARR.COM](mailto:JCarbonelli@METRARR.COM)>; David Rodriguez <[DRodriguez@METRARR.COM](mailto:DRodriguez@METRARR.COM)>; Georgette Geha <[GGeha@METRARR.COM](mailto:GGeha@METRARR.COM)>; Deanna Ortiz <[DOrtiz@METRARR.COM](mailto:DOrtiz@METRARR.COM)>

**Subject:** Delay to Metra Peak Period Train 2222 B17 Mon Nov 22, 2021

Metra Peak Period train 2222 held 13 minutes at Tower B17 for CP 680 moving off cut off from Bryn Mayr toward yard.

Get [Outlook for iOS](#)

---

**From:** [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com) <[roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)>

**Sent:** Sunday, November 14, 2021 7:26:53 PM

To: [jacob\\_rinnels@cpr.ca](mailto:jacob_rinnels@cpr.ca) <[jacob\\_rinnels@cpr.ca](mailto:jacob_rinnels@cpr.ca)>; Lucas Lingenfelter <[Lucas\\_Lingenfelter@cpr.ca](mailto:Lucas_Lingenfelter@cpr.ca)>; [nicole\\_kurtenbach@cpr.ca](mailto:nicole_kurtenbach@cpr.ca) <[nicole\\_kurtenbach@cpr.ca](mailto:nicole_kurtenbach@cpr.ca)>; [jasonM\\_ross@cpr.ca](mailto:jasonM_ross@cpr.ca) <[jasonM\\_ross@cpr.ca](mailto:jasonM_ross@cpr.ca)>; Victor Flores <[VFlores@METRARR.COM](mailto:VFlores@METRARR.COM)>; Janet Carbonelli <[JCarbonelli@METRARR.COM](mailto:JCarbonelli@METRARR.COM)>; David Rodriguez <[DRodriguez@METRARR.COM](mailto:DRodriguez@METRARR.COM)>; Georgette Geha <[GGeha@METRARR.COM](mailto:GGeha@METRARR.COM)>; Deanna Ortiz <[DOrtiz@METRARR.COM](mailto:DOrtiz@METRARR.COM)>

**Subject:** Extensive Delay to 2720 for CP 198

Received the follow from Metra Track 19 Yardmaster:

2720 was delayed 28 min at b17 freight interference. On the move now. Train causing delay:

Train # 198-10 CP 897. Over 10,000 feet. B-17 was told by a "senior director " to run it no matter what

Get [Outlook for iOS](#)

## Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).



**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Monday, January 10, 2022 8:37 AM  
**To:** Charles A. Spitulnik; Christian L. Alexander; Charlie Harrison; Sue-Ann Rosen  
**Subject:** FW: Delays to Metra Peak Period Trains -MON JAN 10, 2022 - Other freight delays SAT JAN 8

**From:** Rich Oppenheim  
**Sent:** Monday, January 10, 2022 9:36 AM  
**To:** jacob\_rinnels@cpr.ca; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; nicole\_kurtenbach@cpr.ca; jasonM\_ross@cpr.ca; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>  
**Subject:** Delays to Metra Peak Period Trains -MON JAN 10, 2022 - Other freight delays SAT JAN 11

Metra Peak Period Trains delayed this morning, MON JAN 10, 2022 due to CP G52 (8043) being dispatched out #3 MT ahead of Metra #2212 in the heart of the Metra Peak period. G52 was initially held for release by BRC due to communications misunderstanding and train stopped with the Control Point at Galwood East being blocked. 2212 had to get stopped at B12, then time on the signal so that train could run down #2 MT which necessitated loading and unloading passengers at Elmwood Park, Mont Clare, Mars, Galewood, and Hanson Park on road crossings and crosswalks. 2212 delayed 12 minutes. This also caused delays to NC-108 (8 minutes late) as well as minor delays to Metra 2216.

On SAT JAN 8, Metra 2717 stopped 15 minutes at Tower B17 waiting for CP-286 to clear plant going into Bensenville Yard.



**Rich Oppenheim | Director, Sub Oper CUS Dist**  
 547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**From:** Rich Oppenheim <[ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)>  
**Sent:** Monday, November 22, 2021 11:05 AM  
**To:** [jacob\\_rinnels@cpr.ca](mailto:jacob_rinnels@cpr.ca); Lucas Lingenfelter <[Lucas\\_Lingenfelter@cpr.ca](mailto:Lucas_Lingenfelter@cpr.ca)>; [nicole\\_kurtenbach@cpr.ca](mailto:nicole_kurtenbach@cpr.ca); [jasonM\\_ross@cpr.ca](mailto:jasonM_ross@cpr.ca); Victor Flores <[VFlores@METRARR.COM](mailto:VFlores@METRARR.COM)>; Janet Carbonelli <[JCarbonelli@METRARR.COM](mailto:JCarbonelli@METRARR.COM)>; David Rodriguez <[DRodriguez@METRARR.COM](mailto:DRodriguez@METRARR.COM)>; Georgette Geha <[GGeha@METRARR.COM](mailto:GGeha@METRARR.COM)>; Deanna Ortiz <[DOrtiz@METRARR.COM](mailto:DOrtiz@METRARR.COM)>  
**Subject:** Delay to Metra Peak Period Train 2222 B17 Mon Nov 22, 2021



Metra Peak Period train 2222 held 13 minutes at Tower B17 for CP 680 moving off cut off from Bryn Mayr toward yard.

Get [Outlook for iOS](#)

---

**From:** [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com) <[roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)>

**Sent:** Sunday, November 14, 2021 7:26:53 PM

**To:** [jacob\\_rinnels@cpr.ca](mailto:jacob_rinnels@cpr.ca) <[jacob\\_rinnels@cpr.ca](mailto:jacob_rinnels@cpr.ca)>; Lucas Lingenfelter <[Lucas\\_Lingenfelter@cpr.ca](mailto:Lucas_Lingenfelter@cpr.ca)>; [nicole\\_kurtenbach@cpr.ca](mailto:nicole_kurtenbach@cpr.ca) <[nicole\\_kurtenbach@cpr.ca](mailto:nicole_kurtenbach@cpr.ca)>; [jasonM\\_ross@cpr.ca](mailto:jasonM_ross@cpr.ca) <[jasonM\\_ross@cpr.ca](mailto:jasonM_ross@cpr.ca)>; Victor Flores <[VFlores@METRARR.COM](mailto:VFlores@METRARR.COM)>; Janet Carbonelli <[JCarbonelli@METRARR.COM](mailto:JCarbonelli@METRARR.COM)>; David Rodriguez <[DRodriguez@METRARR.COM](mailto:DRodriguez@METRARR.COM)>; Georgette Geha <[GGeha@METRARR.COM](mailto:GGeha@METRARR.COM)>; Deanna Ortiz <[DOrtiz@METRARR.COM](mailto:DOrtiz@METRARR.COM)>

**Subject:** Extensive Delay to 2720 for CP 198

Received the follow from Metra Track 19 Yardmaster:

2720 was delayed 28 min at b17 freight interference. On the move now. Train causing delay:

Train # 198-10 CP 897. Over 10,000 feet. B-17 was told by a "senior director " to run it no matter what

Get [Outlook for iOS](#)

## Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Monday, January 10, 2022 12:21 PM  
**To:** Charles A. Spitulnik; Christian L. Alexander; Charlie Harrison; Sue-Ann Rosen  
**Subject:** FW: Delay to Metra 2217 due to CP-287 changing crews at Tower B17

**From:** Rich Oppenheim  
**Sent:** Monday, January 10, 2022 1:20 PM  
**To:** 'jacob\_rinnels@cpr.ca' <jacob\_rinnels@cpr.ca>; 'Lucas Lingenfelter' <Lucas\_Lingenfelter@cpr.ca>; 'nicole\_kurtenbach@cpr.ca' <nicole\_kurtenbach@cpr.ca>; 'jasonM\_ross@cpr.ca' <jasonM\_ross@cpr.ca>; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>  
**Subject:** Delay to Metra 2217 due to CP-287 changing crews at Tower B17

CP-287 on Metra #1 Main Track at Tower B17 for @ 2 hours plus making crew change and ??? 2217 delayed 10 minutes at Franklin Park West waiting for 2236, then crossed to #2 MT to run around 287.

**From:** Rich Oppenheim  
**Sent:** Monday, January 10, 2022 9:36 AM  
**To:** [jacob\\_rinnels@cpr.ca](mailto:jacob_rinnels@cpr.ca); Lucas Lingenfelter <[Lucas\\_Lingenfelter@cpr.ca](mailto:Lucas_Lingenfelter@cpr.ca)>; [nicole\\_kurtenbach@cpr.ca](mailto:nicole_kurtenbach@cpr.ca); [jasonM\\_ross@cpr.ca](mailto:jasonM_ross@cpr.ca); Victor Flores <[VFlores@METRARR.COM](mailto:VFlores@METRARR.COM)>; Janet Carbonelli <[JCarbonelli@METRARR.COM](mailto:JCarbonelli@METRARR.COM)>; David Rodriguez <[DRodriguez@METRARR.COM](mailto:DRodriguez@METRARR.COM)>; Georgette Geha <[GGeha@METRARR.COM](mailto:GGeha@METRARR.COM)>; Deanna Ortiz <[DOrtiz@METRARR.COM](mailto:DOrtiz@METRARR.COM)>  
**Subject:** Delays to Metra Peak Period Trains -MON JAN 10, 2022 - Other freight delays SAT JAN 11

Metra Peak Period Trains delayed this morning, MON JAN 10, 2022 due to CP G52 (8043) being dispatched out #3 MT ahead of Metra #2212 in the heart of the Metra Peak period. G52 was initially held for release by BRC due to communications misunderstanding and train stopped with the Control Point at Galwood East being blocked. 2212 had to get stopped at B12, then time on the signal so that train could run down #2 MT which necessitated loading and unloading passengers at Elmwood Park, Mont Clare, Mars, Galewood, and Hanson Park on road crossings and crosswalks. 2212 delayed 12 minutes. This also caused delays to NC-108 (8 minutes late) as well as minor delays to Metra 2216.

On SAT JAN 8, Metra 2717 stopped 15 minutes at Tower B17 waiting for CP-286 to clear plant going into Bensenville Yard.



**Rich Oppenheim** | Director, Sub Oper CUS Dist  
 547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)



---

**From:** Rich Oppenheim <[ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)>  
**Sent:** Monday, November 22, 2021 11:05 AM  
**To:** [jacob\\_rinnels@cpr.ca](mailto:jacob_rinnels@cpr.ca); Lucas Lingenfelter <[Lucas\\_Lingenfelter@cpr.ca](mailto:Lucas_Lingenfelter@cpr.ca)>; [nicole\\_kurtenbach@cpr.ca](mailto:nicole_kurtenbach@cpr.ca);  
[jasonM\\_ross@cpr.ca](mailto:jasonM_ross@cpr.ca); Victor Flores <[VFlores@METRARR.COM](mailto:VFlores@METRARR.COM)>; Janet Carbonelli <[JCarbonelli@METRARR.COM](mailto:JCarbonelli@METRARR.COM)>; David Rodriguez <[DRodriguez@METRARR.COM](mailto:DRodriguez@METRARR.COM)>; Georgette Geha <[GGeha@METRARR.COM](mailto:GGeha@METRARR.COM)>; Deanna Ortiz <[DOrtiz@METRARR.COM](mailto:DOrtiz@METRARR.COM)>  
**Subject:** Delay to Metra Peak Period Train 2222 B17 Mon Nov 22, 2021

Metra Peak Period train 2222 held 13 minutes at Tower B17 for CP 680 moving off cut off from Bryn Mayr toward yard.

Get [Outlook for iOS](#)

---

**From:** [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com) <[roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)>  
**Sent:** Sunday, November 14, 2021 7:26:53 PM  
**To:** [jacob\\_rinnels@cpr.ca](mailto:jacob_rinnels@cpr.ca) <[jacob\\_rinnels@cpr.ca](mailto:jacob_rinnels@cpr.ca)>; Lucas Lingenfelter <[Lucas\\_Lingenfelter@cpr.ca](mailto:Lucas_Lingenfelter@cpr.ca)>;  
[nicole\\_kurtenbach@cpr.ca](mailto:nicole_kurtenbach@cpr.ca) <[nicole\\_kurtenbach@cpr.ca](mailto:nicole_kurtenbach@cpr.ca)>; [jasonM\\_ross@cpr.ca](mailto:jasonM_ross@cpr.ca) <[jasonM\\_ross@cpr.ca](mailto:jasonM_ross@cpr.ca)>; Victor Flores <[VFlores@METRARR.COM](mailto:VFlores@METRARR.COM)>; Janet Carbonelli <[JCarbonelli@METRARR.COM](mailto:JCarbonelli@METRARR.COM)>; David Rodriguez <[DRodriguez@METRARR.COM](mailto:DRodriguez@METRARR.COM)>; Georgette Geha <[GGeha@METRARR.COM](mailto:GGeha@METRARR.COM)>; Deanna Ortiz <[DOrtiz@METRARR.COM](mailto:DOrtiz@METRARR.COM)>  
**Subject:** Extensive Delay to 2720 for CP 198

Received the follow from Metra Track 19 Yardmaster:

2720 was delayed 28 min at b17 freight interference. On the move now. Train causing delay:

Train # 198-10 CP 897. Over 10,000 feet. B-17 was told by a "senior director " to run it no matter what

Get [Outlook for iOS](#)

## Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).



**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Friday, January 7, 2022 9:11 AM  
**To:** Christian L. Alexander; Charles A. Spitulnik; Charlie Harrison; Sue-Ann Rosen  
**Subject:** FW: Delays to Metra Peak Period Trains - THU JAN 6 and FRI JAN 7, 2021

---

**From:** Rich Oppenheim  
**Sent:** Friday, January 7, 2022 10:10 AM  
**To:** jacob\_rinnels@cpr.ca; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; nicole\_kurtenbach@cpr.ca; jasonM\_ross@cpr.ca; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>  
**Subject:** Delays to Metra Peak Period Trains - THU JAN 6 and FRI JAN 7, 2021

THURSDAY – JANUARY 6, 2021: Following from Trainmaster Marshall Beecher was received:

**2227 (Peak Period Train) Delayed 16 mins at B17 for CP286-05 with 11k' of train moving from CP2 to the Outbound. Allegedly this decision to move was made by a Bensenville trainmaster on protest of the CP Elgin Dispatcher.**

**MW2244 got a few mins as well on the other side.**

As information, move with 286 affected Metra Peak Period trains;

- 2227
- 2229
- 2233

FRIDAY – JANUARY 7, 2021

**2204 and NCS-100 (both peak period trains) were stopped at Tower B12 waiting for CP freight I65 (8643 feet) coming from the IHB to Schiller Park Yard.**

2204 was stopped 12 minutes, arrived Chicago 12 minutes late.

100 was stopped 5 minutes, arrived Chicago 4 minutes late.



**Rich Oppenheim | Director, Sub Oper CUS Dist**  
 547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

---

**From:** Rich Oppenheim <[ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)>  
**Sent:** Monday, November 22, 2021 11:05 AM

To: [jacob\\_rinnels@cpr.ca](mailto:jacob_rinnels@cpr.ca); Lucas Lingenfelter <[Lucas\\_Lingenfelter@cpr.ca](mailto:Lucas_Lingenfelter@cpr.ca)>; [nicole\\_kurtenbach@cpr.ca](mailto:nicole_kurtenbach@cpr.ca); [jasonM\\_ross@cpr.ca](mailto:jasonM_ross@cpr.ca); Victor Flores <[VFlores@METRARR.COM](mailto:VFlores@METRARR.COM)>; Janet Carbonelli <[JCarbonelli@METRARR.COM](mailto:JCarbonelli@METRARR.COM)>; David Rodriguez <[DRodriguez@METRARR.COM](mailto:DRodriguez@METRARR.COM)>; Georgette Geha <[GGeha@METRARR.COM](mailto:GGeha@METRARR.COM)>; Deanna Ortiz <[DOrtiz@METRARR.COM](mailto:DOrtiz@METRARR.COM)>

**Subject:** Delay to Metra Peak Period Train 2222 B17 Mon Nov 22, 2021

Metra Peak Period train 2222 held 13 minutes at Tower B17 for CP 680 moving off cut off from Bryn Mayr toward yard.

Get [Outlook for iOS](#)

---

**From:** [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com) <[roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)>

**Sent:** Sunday, November 14, 2021 7:26:53 PM

To: [jacob\\_rinnels@cpr.ca](mailto:jacob_rinnels@cpr.ca) <[jacob\\_rinnels@cpr.ca](mailto:jacob_rinnels@cpr.ca)>; Lucas Lingenfelter <[Lucas\\_Lingenfelter@cpr.ca](mailto:Lucas_Lingenfelter@cpr.ca)>; [nicole\\_kurtenbach@cpr.ca](mailto:nicole_kurtenbach@cpr.ca) <[nicole\\_kurtenbach@cpr.ca](mailto:nicole_kurtenbach@cpr.ca)>; [jasonM\\_ross@cpr.ca](mailto:jasonM_ross@cpr.ca) <[jasonM\\_ross@cpr.ca](mailto:jasonM_ross@cpr.ca)>; Victor Flores <[VFlores@METRARR.COM](mailto:VFlores@METRARR.COM)>; Janet Carbonelli <[JCarbonelli@METRARR.COM](mailto:JCarbonelli@METRARR.COM)>; David Rodriguez <[DRodriguez@METRARR.COM](mailto:DRodriguez@METRARR.COM)>; Georgette Geha <[GGeha@METRARR.COM](mailto:GGeha@METRARR.COM)>; Deanna Ortiz <[DOrtiz@METRARR.COM](mailto:DOrtiz@METRARR.COM)>

**Subject:** Extensive Delay to 2720 for CP 198

Received the follow from Metra Track 19 Yardmaster:

2720 was delayed 28 min at b17 freight interference. On the move now. Train causing delay:

Train # 198-10 CP 897. Over 10,000 feet. B-17 was told by a "senior director " to run it no matter what

Get [Outlook for iOS](#)

## Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).



**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Monday, January 10, 2022 8:37 AM  
**To:** Charles A. Spitulnik; Christian L. Alexander; Charlie Harrison; Sue-Ann Rosen  
**Subject:** FW: Delays to Metra Peak Period Trains -MON JAN 10, 2022 - Other freight delays SAT JAN 8

**From:** Rich Oppenheim  
**Sent:** Monday, January 10, 2022 9:36 AM  
**To:** jacob\_rinnels@cpr.ca; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; nicole\_kurtenbach@cpr.ca; jasonM\_ross@cpr.ca; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>  
**Subject:** Delays to Metra Peak Period Trains -MON JAN 10, 2022 - Other freight delays SAT JAN 11

Metra Peak Period Trains delayed this morning, MON JAN 10, 2022 due to CP G52 (8043) being dispatched out #3 MT ahead of Metra #2212 in the heart of the Metra Peak period. G52 was initially held for release by BRC due to communications misunderstanding and train stopped with the Control Point at Galwood East being blocked. 2212 had to get stopped at B12, then time on the signal so that train could run down #2 MT which necessitated loading and unloading passengers at Elmwood Park, Mont Clare, Mars, Galewood, and Hanson Park on road crossings and crosswalks. 2212 delayed 12 minutes. This also caused delays to NC-108 (8 minutes late) as well as minor delays to Metra 2216.

On SAT JAN 8, Metra 2717 stopped 15 minutes at Tower B17 waiting for CP-286 to clear plant going into Bensenville Yard.



**Rich Oppenheim | Director, Sub Oper CUS Dist**  
 547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**From:** Rich Oppenheim <[ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)>  
**Sent:** Monday, November 22, 2021 11:05 AM  
**To:** [jacob\\_rinnels@cpr.ca](mailto:jacob_rinnels@cpr.ca); Lucas Lingenfelter <[Lucas\\_Lingenfelter@cpr.ca](mailto:Lucas_Lingenfelter@cpr.ca)>; [nicole\\_kurtenbach@cpr.ca](mailto:nicole_kurtenbach@cpr.ca); [jasonM\\_ross@cpr.ca](mailto:jasonM_ross@cpr.ca); Victor Flores <[VFlores@METRARR.COM](mailto:VFlores@METRARR.COM)>; Janet Carbonelli <[JCarbonelli@METRARR.COM](mailto:JCarbonelli@METRARR.COM)>; David Rodriguez <[DRodriguez@METRARR.COM](mailto:DRodriguez@METRARR.COM)>; Georgette Geha <[GGeha@METRARR.COM](mailto:GGeha@METRARR.COM)>; Deanna Ortiz <[DOrtiz@METRARR.COM](mailto:DOrtiz@METRARR.COM)>  
**Subject:** Delay to Metra Peak Period Train 2222 B17 Mon Nov 22, 2021



Metra Peak Period train 2222 held 13 minutes at Tower B17 for CP 680 moving off cut off from Bryn Mayr toward yard.

Get [Outlook for iOS](#)

---

**From:** [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com) <[roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)>

**Sent:** Sunday, November 14, 2021 7:26:53 PM

**To:** [jacob\\_rinnels@cpr.ca](mailto:jacob_rinnels@cpr.ca) <[jacob\\_rinnels@cpr.ca](mailto:jacob_rinnels@cpr.ca)>; Lucas Lingenfelter <[Lucas\\_Lingenfelter@cpr.ca](mailto:Lucas_Lingenfelter@cpr.ca)>; [nicole\\_kurtenbach@cpr.ca](mailto:nicole_kurtenbach@cpr.ca) <[nicole\\_kurtenbach@cpr.ca](mailto:nicole_kurtenbach@cpr.ca)>; [jasonM\\_ross@cpr.ca](mailto:jasonM_ross@cpr.ca) <[jasonM\\_ross@cpr.ca](mailto:jasonM_ross@cpr.ca)>; Victor Flores <[VFlores@METRARR.COM](mailto:VFlores@METRARR.COM)>; Janet Carbonelli <[JCarbonelli@METRARR.COM](mailto:JCarbonelli@METRARR.COM)>; David Rodriguez <[DRodriguez@METRARR.COM](mailto:DRodriguez@METRARR.COM)>; Georgette Geha <[GGeha@METRARR.COM](mailto:GGeha@METRARR.COM)>; Deanna Ortiz <[DOrtiz@METRARR.COM](mailto:DOrtiz@METRARR.COM)>

**Subject:** Extensive Delay to 2720 for CP 198

Received the follow from Metra Track 19 Yardmaster:

2720 was delayed 28 min at b17 freight interference. On the move now. Train causing delay:

Train # 198-10 CP 897. Over 10,000 feet. B-17 was told by a "senior director " to run it no matter what

Get [Outlook for iOS](#)

## Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Monday, January 10, 2022 12:21 PM  
**To:** Charles A. Spitulnik; Christian L. Alexander; Charlie Harrison; Sue-Ann Rosen  
**Subject:** FW: Delay to Metra 2217 due to CP-287 changing crews at Tower B17

**From:** Rich Oppenheim  
**Sent:** Monday, January 10, 2022 1:20 PM  
**To:** 'jacob\_rinnels@cpr.ca' <jacob\_rinnels@cpr.ca>; 'Lucas Lingenfelter' <Lucas\_Lingenfelter@cpr.ca>; 'nicole\_kurtenbach@cpr.ca' <nicole\_kurtenbach@cpr.ca>; 'jasonM\_ross@cpr.ca' <jasonM\_ross@cpr.ca>; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>  
**Subject:** Delay to Metra 2217 due to CP-287 changing crews at Tower B17

CP-287 on Metra #1 Main Track at Tower B17 for @ 2 hours plus making crew change and ??? 2217 delayed 10 minutes at Franklin Park West waiting for 2236, then crossed to #2 MT to run around 287.

**From:** Rich Oppenheim  
**Sent:** Monday, January 10, 2022 9:36 AM  
**To:** [jacob\\_rinnels@cpr.ca](mailto:jacob_rinnels@cpr.ca); Lucas Lingenfelter <[Lucas\\_Lingenfelter@cpr.ca](mailto:Lucas_Lingenfelter@cpr.ca)>; [nicole\\_kurtenbach@cpr.ca](mailto:nicole_kurtenbach@cpr.ca); [jasonM\\_ross@cpr.ca](mailto:jasonM_ross@cpr.ca); Victor Flores <[VFlores@METRARR.COM](mailto:VFlores@METRARR.COM)>; Janet Carbonelli <[JCarbonelli@METRARR.COM](mailto:JCarbonelli@METRARR.COM)>; David Rodriguez <[DRodriguez@METRARR.COM](mailto:DRodriguez@METRARR.COM)>; Georgette Geha <[GGeha@METRARR.COM](mailto:GGeha@METRARR.COM)>; Deanna Ortiz <[DOrtiz@METRARR.COM](mailto:DOrtiz@METRARR.COM)>  
**Subject:** Delays to Metra Peak Period Trains -MON JAN 10, 2022 - Other freight delays SAT JAN 11

Metra Peak Period Trains delayed this morning, MON JAN 10, 2022 due to CP G52 (8043) being dispatched out #3 MT ahead of Metra #2212 in the heart of the Metra Peak period. G52 was initially held for release by BRC due to communications misunderstanding and train stopped with the Control Point at Galwood East being blocked. 2212 had to get stopped at B12, then time on the signal so that train could run down #2 MT which necessitated loading and unloading passengers at Elmwood Park, Mont Clare, Mars, Galewood, and Hanson Park on road crossings and crosswalks. 2212 delayed 12 minutes. This also caused delays to NC-108 (8 minutes late) as well as minor delays to Metra 2216.

On SAT JAN 8, Metra 2717 stopped 15 minutes at Tower B17 waiting for CP-286 to clear plant going into Bensenville Yard.



**Rich Oppenheim | Director, Sub Oper CUS Dist**  
 547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)



---

**From:** Rich Oppenheim <[ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)>  
**Sent:** Monday, November 22, 2021 11:05 AM  
**To:** [jacob\\_rinnels@cpr.ca](mailto:jacob_rinnels@cpr.ca); Lucas Lingenfelter <[Lucas\\_Lingenfelter@cpr.ca](mailto:Lucas_Lingenfelter@cpr.ca)>; [nicole\\_kurtenbach@cpr.ca](mailto:nicole_kurtenbach@cpr.ca);  
[jasonM\\_ross@cpr.ca](mailto:jasonM_ross@cpr.ca); Victor Flores <[VFlores@METRARR.COM](mailto:VFlores@METRARR.COM)>; Janet Carbonelli <[JCarbonelli@METRARR.COM](mailto:JCarbonelli@METRARR.COM)>; David Rodriguez <[DRodriguez@METRARR.COM](mailto:DRodriguez@METRARR.COM)>; Georgette Geha <[GGeha@METRARR.COM](mailto:GGeha@METRARR.COM)>; Deanna Ortiz <[DOrtiz@METRARR.COM](mailto:DOrtiz@METRARR.COM)>  
**Subject:** Delay to Metra Peak Period Train 2222 B17 Mon Nov 22, 2021

Metra Peak Period train 2222 held 13 minutes at Tower B17 for CP 680 moving off cut off from Bryn Mayr toward yard.

Get [Outlook for iOS](#)

---

**From:** [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com) <[roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)>  
**Sent:** Sunday, November 14, 2021 7:26:53 PM  
**To:** [jacob\\_rinnels@cpr.ca](mailto:jacob_rinnels@cpr.ca) <[jacob\\_rinnels@cpr.ca](mailto:jacob_rinnels@cpr.ca)>; Lucas Lingenfelter <[Lucas\\_Lingenfelter@cpr.ca](mailto:Lucas_Lingenfelter@cpr.ca)>;  
[nicole\\_kurtenbach@cpr.ca](mailto:nicole_kurtenbach@cpr.ca) <[nicole\\_kurtenbach@cpr.ca](mailto:nicole_kurtenbach@cpr.ca)>; [jasonM\\_ross@cpr.ca](mailto:jasonM_ross@cpr.ca) <[jasonM\\_ross@cpr.ca](mailto:jasonM_ross@cpr.ca)>; Victor Flores <[VFlores@METRARR.COM](mailto:VFlores@METRARR.COM)>; Janet Carbonelli <[JCarbonelli@METRARR.COM](mailto:JCarbonelli@METRARR.COM)>; David Rodriguez <[DRodriguez@METRARR.COM](mailto:DRodriguez@METRARR.COM)>; Georgette Geha <[GGeha@METRARR.COM](mailto:GGeha@METRARR.COM)>; Deanna Ortiz <[DOrtiz@METRARR.COM](mailto:DOrtiz@METRARR.COM)>  
**Subject:** Extensive Delay to 2720 for CP 198

Received the follow from Metra Track 19 Yardmaster:

2720 was delayed 28 min at b17 freight interference. On the move now. Train causing delay:

Train # 198-10 CP 897. Over 10,000 feet. B-17 was told by a "senior director " to run it no matter what

Get [Outlook for iOS](#)

## Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).



**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Saturday, January 15, 2022 3:04 PM  
**To:** Victor Flores; Greg J.M. Godfrey; Ron Wesolowski; Steven Cork; Christian L. Alexander; Charlie Harrison; Sue-Ann Rosen  
**Subject:** Fwd: CP Freight blocking both #2 and #3 MT between Galewood and B6-THU JAN 13, 2022

Get [Outlook for iOS](#)

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Saturday, January 15, 2022 4:00:34 PM  
**To:** Nicole Kurtenbach <Nicole\_Kurtenbach@cpr.ca>  
**Subject:** Re: CP Freight blocking both #2 and #3 MT between Galewood and B6-THU JAN 13, 2022

If you will recall, 198 had been sent via A5 even though yard was not yet readily for them and was holding on #2 main between Galewood and B6. G57-287 did not have a working PTC unit and had come off the BRC and was holding in Galewood Yard. Someone made the decision to send 281 out of Bensenville and occupy #1 main track between Galewood and B6 while setting out their second unit and then running it up #3 MT to Galewood to put it on 287s head end. Allowing this move to take place meant knowingly tying up 2 of our 3 mains for several hours. I still cannot understand why this unit wasn't set out in Bensenville yard prior to 281 leaving to be simply run down by itself to 281s head end, either by an extra crew or by 287s (or 281s before they left). With this scenario in place, I understand that Howard laid out the plans of what was to take place to Don Pendleton, the A5 Metra Operator, but did not specify any time frames. Don was the one who ultimately let the light engine run from B6 to Galewood ahead of 2232 rather than holding them at B6 as should have happened. In his defense he said that the way CP has been aggressively pushing freight trains lately, he thought that's what was expected of him. He should have known better, or asked Howard for direction. If it makes anyone feel better to blame the delay on him feel free to do so, but the bigger issue is that CP needs to stop using Metra's main tracks for parking lots and yard moves. Every time you reduce our operation to a single track, the odds of train delays increase exponentially. Yard moves need to take place in the yards, and trains that the yard cannot handle should be held West of Rondout somewhere.

Get [Outlook for iOS](#)

---

**From:** Nicole Kurtenbach <Nicole\_Kurtenbach@cpr.ca>  
**Sent:** Saturday, January 15, 2022 1:02:32 AM  
**To:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Subject:** RE: CP Freight blocking both #2 and #3 MT between Galewood and B6-THU JAN 13, 2022

**[CAUTION:]** This email originated from outside of Metra. Do not click links, open attachments or forward unless you recognize the sender and know the content is safe. Suspicious email should be deleted or reported to the Metra Helpdesk at 312-322-6508.

Rich,

What was the follow up after talking to the operator on this 13 minute delay you reported?

Nicole



**From:** Nicole Kurtenbach

**Sent:** Thursday, January 13, 2022 4:47 PM

**To:** 'Rich Oppenheim' <ROppenheim@METRARR.COM>

**Cc:** John Kay <John\_Kay@cpr.ca>; Nicole Kurtenbach <Nicole\_Kurtenbach@cpr.ca>; Aisha Jackson <Aisha\_Jackson@cpr.ca>; Jacob Rinnels <Jacob\_Rinnels@cpr.ca>; Rufus Trevillion <Rufus\_Trevillion@cpr.ca>; Tony Wick <Tony\_Wick@cpr.ca>; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; Gary Prince <Gary\_Prince@cpr.ca>; Tina Minnich <Tina\_Minnich@cpr.ca>; Brad Wiestenberg <Brad\_Wiestenberg@cpr.ca>; Christopher Grimes <Christopher\_Grimes@cpr.ca>; MOC Director East <MOC\_Director\_East@cpr.ca>

**Subject:** RE: CP Freight blocking both #2 and #3 MT between Galewood and B6-THU JAN 13, 2022

Rich,

As discussed, can you follow up with the tower operator on the 13 minute delay below for more details. We had discussed with both Howard and Jesse this move before it happened and they reported that there would be NO delay to Metra. They are both back tomorrow to be interviewed also and down for rest now.

Also, I have copied the CP team that I would like on emails below for any METRA delayed trains by CP dispatch or CP freight.

Nicole

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>

**Sent:** Thursday, January 13, 2022 12:20 PM

**To:** Jacob Rinnels <Jacob\_Rinnels@cpr.ca>; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; Nicole Kurtenbach <Nicole\_Kurtenbach@cpr.ca>; Jason M Ross <JasonM\_Ross@cpr.ca>; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>

**Subject:** CP Freight blocking both #2 and #3 MT between Galewood and B6-THU JAN 13, 2022

This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

Today, THU JAN 13, 2022 CP brought 198 with 10,800 feet via Tower A5 and held train on #2 MT between Tower B6 and Galewood East until yard could handle. Train was stopped on #2 MT 0955-1150. Meanwhile, CP 281 leaving Bensenville had to set out their 2<sup>nd</sup> unit at Tower B6 for CP-287, who was in Galewood yard, in order for 287 to get to Bensenville (PTC issue). CP 281 stopped on #1 MT between Galewood East and Tower B6 to set out the unit for CP-287's crew to take back to Galewood East in order to put on the point of 287. With only #3 MT open for traffic, Light engine for 287 was run back West on #3 MT while **Metra 2232 waited at Galewood East. 2232 delayed 13 minutes at Galewood East waiting for 287's light engine to clear #3 MT.**

- CP 198 occupied #2 MT between Tower B6 and Galewood East 0955-1150.
- CP 281 occupied #1 MT between Tower B6 and Galewood East 1100-1225.



**Rich Oppenheim** | Director, Sub Oper CUS Dist

547 W. Jackson Blvd, Chicago, IL, 60661

P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email transmission and any accompanying attachments contain confidential information intended only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete it and notify sender at the above email address. Le courrier électronique peut être porteur de virus informatiques. Le destinataire doit donc passer le présent courriel et les pièces qui y sont jointes au détecteur de virus. L'expéditeur et son employeur déclinent toute responsabilité pour les dommages causés par un virus contenu dans le courriel. Le présent message et les pièces qui y sont jointes contiennent des renseignements confidentiels destinés uniquement à la personne ou à l'organisme nommé ci-dessus. Toute diffusion, distribution, reproduction ou utilisation comme référence du contenu du message par une autre personne que le destinataire est formellement interdite. Si vous avez reçu ce courriel par erreur, veuillez le détruire immédiatement et en informer l'expéditeur à l'adresse ci-dessus. ----- IMPORTANT NOTICE - AVIS IMPORTANT -----

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).



**Bill Trull**

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Tuesday, January 18, 2022 7:24 AM  
**To:** Christian L. Alexander; Charles A. Spitulnik; Charlie Harrison; Sue-Ann Rosen  
**Subject:** FW: Metra Delays due to CP Freight Interference - MON JAN 17, 2022



**From:** Rich Oppenheim  
**Sent:** Tuesday, January 18, 2022 8:19 AM  
**To:** jacob\_rinnels@cpr.ca; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; nicole\_kurtenbach@cpr.ca; jasonM\_ross@cpr.ca; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>; John Kay <John\_Kay@cpr.ca>; Aisha Jackson <Aisha\_Jackson@cpr.ca>; Rufus Trevillion <rufus\_trevillion@cpr.ca>; Tony Wick <Tony\_Wick@cpr.ca>; Gary Prince <Gary\_Prince@cpr.ca>; Tina Minnich <Tina\_Minnich@cpr.ca>; Brad Wiestenberg <Brad\_Wiestenberg@cpr.ca>; Christopher Grimes <Christopher\_Grimes@cpr.ca>; MOC Director East <MOC\_Director\_East@cpr.ca>; will\_wangerin@cpr.ca; tracy\_l\_miller@cpr.ca; Steven Cork <SCork@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; tracy\_l\_miller@cpr.ca; Steven Cork <SCork@METRARR.COM>  
**Subject:** Metra Delays due to CP Freight Interference - MON JAN 17, 2022

MONDAY, JANUARY 17, 2022

- Metra 2223 arrived Big Timber Road 5:09 PM 11 minutes late. 2223 was actually HELD 5 minutes at Tower B17 to allow CP-473 to pull out of the yard first. 2223 then proceeded to follow 473 all the way to Big Timber Road. Per TMDS, 2223 was by B12 16:04:09 4 minutes late, B17 16:15:05 8 minutes late, B35 16:56:42 13 minutes late, Almora 17:09:08, 11 minutes late. Not sure why 2223 was held to follow CP-473 instead of vice-versa.



**Rich Oppenheim | Director, Sub Oper CUS Dist**  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in

Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Tuesday, January 18, 2022 1:39 PM  
**To:** Christian L. Alexander; Charles A. Spitulnik; Charlie Harrison; Sue-Ann Rosen  
**Subject:** FW: CP 287-18 running on 2117's time  
**Attachments:** IMG\_0574.jpg

**From:** Rich Oppenheim  
**Sent:** Tuesday, January 18, 2022 2:39 PM  
**To:** 'jacob\_rinnels@cpr.ca' <jacob\_rinnels@cpr.ca>; 'Lucas Lingenfelter' <Lucas\_Lingenfelter@cpr.ca>; 'nicole\_kurtenbach@cpr.ca' <nicole\_kurtenbach@cpr.ca>; 'jasonM\_ross@cpr.ca' <jasonM\_ross@cpr.ca>; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>; John Kay <John\_Kay@cpr.ca>; Aisha Jackson <Aisha\_Jackson@cpr.ca>; Rufus Trevillion <rufus\_trevillion@cpr.ca>; Tony Wick <Tony\_Wick@cpr.ca>; Gary Prince <Gary\_Prince@cpr.ca>; Tina Minnich <Tina\_Minnich@cpr.ca>; Brad Wiestenberg <Brad\_Wiestenberg@cpr.ca>; Christopher Grimes <Christopher\_Grimes@cpr.ca>; MOC Director East <MOC\_Director\_East@cpr.ca>; will\_wangerin@cpr.ca; 'tracy\_l\_miller@cpr.ca' <tracy\_l\_miller@cpr.ca>; Steven Cork <SCork@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; 'tracy\_l\_miller@cpr.ca' <tracy\_l\_miller@cpr.ca>; Steven Cork <SCork@METRARR.COM>  
**Subject:** CP 287-18 running on 2117's time

CP 287 was dispatched out of Tower A20 today essentially on 2117's time (287 actually cleared A20 after 2117 was due). This caused 2117 to lose 4 minutes running on Approach signals from North Glenview to Deerfield West behind 287 where 2117 then crossed over to #2 Main Track. The bigger issue is that the practice of running a freight train directly ahead of, and on the schedule of, a scheduled passenger train opens the possibility for passengers waiting for 2117, who typically stay inside the depot buildings (which are on the #2 Main Track Platform) until the last minute, particularly in cold weather, to run across the crosswalk to catch their train. Seeing the headlight approaching, passengers will typically assume that this is their train slowing down to a stop, giving them ample time to get across. Instead it is a freight train traveling at track speed which opens the possibility for a potential tragedy.

Ironically, after pushing 287 out of Tower A20 ahead of 2117, 287 wound up stopping at Rondout to wait for Amtrak 335 (who closely follows 2117) to run around and cross back ahead of 287. After all of this, 287 wound up in exactly the same spot he would have been in had he just waited at A20 to follow 2117 and 335. At any rate, it would be appreciated if the practice of pushing freight traffic out directly ahead of scheduled Metra trains could be curtailed.



**Rich Oppenheim** | Director, Sub Oper CUS Dist  
 547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**



**PUBLIC VERSION**

**EXHIBIT B-2**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).



## Train OS Delay Report Metra Rail

Date(s) Run: 01/18/2022

Direction: WEST

Status: Active

Carrier: I

117

Lead Engine	Loads	Emtys	Tons	Lngh	Station	Time	EOT
METX 420	5	0	420	510	TOWER A-5	12:50:27	
<b>Other Units</b> METX 8543							
METX 420	5	0	420	510	TOWER A-6	12:50:55	
<b>Other Units</b> METX 8543							
METX 420	5	0	420	510	GRAYLAND	12:56:53	
<b>Other Units</b> METX 8543							
METX 420	5	0	420	510	MORTON GROVE EAST	13:07:31	
<b>Other Units</b> METX 8543							
METX 420	5	0	420	510	TOWER A-20	13:23:34	
<b>Other Units</b> METX 8543							
METX 420	5	0	420	510	DEERFIELD WEST	13:33:53	
<b>Other Units</b> METX 8543							
METX 420	5	0	420	510	LAKE FOREST EAS	13:37:11	
<b>Other Units</b> METX 8543							
METX 420	5	0	420	510	RONDOUT	13:43:11	
<b>Other Units</b> METX 8543							

44:33 PM





**Bill Trull**

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Tuesday, January 18, 2022 2:24 PM  
**To:** Christian L. Alexander; Charles A. Spitulnik; Charlie Harrison; Sue-Ann Rosen  
**Subject:** FW: Delay to Metra 2240 TUES JAN 18, 2022 due to CP-583 holding #1 MT at Tower B17

**From:** Rich Oppenheim  
**Sent:** Tuesday, January 18, 2022 3:24 PM  
**To:** 'jacob\_rinnels@cpr.ca' <jacob\_rinnels@cpr.ca>; 'Lucas Lingenfelter' <Lucas\_Lingenfelter@cpr.ca>; 'nicole\_kurtenbach@cpr.ca' <nicole\_kurtenbach@cpr.ca>; 'jasonM\_ross@cpr.ca' <jasonM\_ross@cpr.ca>; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>; John Kay <John\_Kay@cpr.ca>; Aisha Jackson <Aisha\_Jackson@cpr.ca>; Rufus Trevillion <rufus\_trevillion@cpr.ca>; Tony Wick <Tony\_Wick@cpr.ca>; Gary Prince <Gary\_Prince@cpr.ca>; Tina Minnich <Tina\_Minnich@cpr.ca>; Brad Wiestenberg <Brad\_Wiestenberg@cpr.ca>; Christopher Grimes <Christopher\_Grimes@cpr.ca>; MOC Director East <MOC\_Director\_East@cpr.ca>; will\_wangerin@cpr.ca; 'tracy\_l\_miller@cpr.ca' <tracy\_l\_miller@cpr.ca>; Steven Cork <SCork@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; 'tracy\_l\_miller@cpr.ca' <tracy\_l\_miller@cpr.ca>; Steven Cork <SCork@METRARR.COM>  
**Subject:** Delay to Metra 2240 TUES JAN 18, 2022 due to CP-583 holding #1 MT at Tower B17

Metra 2240 today, TUES JAN 18, 2022 delayed 10 minutes at Tower B17, held to meet Metra 2221 who was using #2 MT between Franklin Park West and Tower B17 around CP-583 who was holding #1 MT at Tower B17 for crew change.



**Rich Oppenheim** | Director, Sub Oper CUS Dist  
 547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in Security, archiving and compliance. To find out more [Click Here](#).



**Bill Trull**

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Friday, January 28, 2022 1:57 PM  
**To:** Christian L. Alexander; Charles A. Spitulnik; Charlie Harrison; Sue-Ann Rosen  
**Subject:** FW: CP 581-312 Crew change at Mannheim FRI JAN 28, 2022

**From:** Rich Oppenheim  
**Sent:** Friday, January 28, 2022 2:56 PM  
**To:** jacob\_rinnels@cpr.ca; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; nicole\_kurtenbach@cpr.ca; jasonM\_ross@cpr.ca; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>; John Kay <John\_Kay@cpr.ca>; Aisha Jackson <Aisha\_Jackson@cpr.ca>; Rufus Trevillion <rufus\_trevillion@cpr.ca>; Tony Wick <Tony\_Wick@cpr.ca>; Gary Prince <Gary\_Prince@cpr.ca>; Tina Minnich <Tina\_Minnich@cpr.ca>; Brad Wiestenberg <Brad\_Wiestenberg@cpr.ca>; Christopher Grimes <Christopher\_Grimes@cpr.ca>; MOC Director East <MOC\_Director\_East@cpr.ca>; will\_wangerin@cpr.ca; tracy\_j\_miller@cpr.ca; Steven Cork <SCork@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; tracy\_j\_miller@cpr.ca; Steven Cork <SCork@METRARR.COM>  
**Subject:** CP 581-312 Crew change at Mannheim FRI JAN 28, 2022

CP 581-12 came off BRC and was brought up to Mannheim for crew change. CP 581-12 cleared Tower B12 at 1345 and stopped with rear of train blocking Franklin Park depot as well as road crossings at Rose Street, Calwagner Street, Ruby Street, and Scott Street, essentially the entire town of Franklin Park. Train is just starting to move at 1453. Franklin Park depot and the 4 road crossings will have been blocked 1 hour 10 minutes by the time the train clears. Metra #2219 ran #2 MT Tower B12 to Tower B17. Passengers waiting for #2219 at Franklin Park were unable to board; Passengers detraining from #2219 at Franklin Park were unable to access the North side of town including the depot. Metra #2240 will be delayed at Tower B17 waiting for #2221 to clear #2 MT operating around 581-312.



**Rich Oppenheim** | Director, Sub Oper CUS Dist  
 547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

**Bill Trull**

---

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Monday, January 31, 2022 2:28 PM  
**To:** Charles A. Spitulnik; Christian L. Alexander; Charlie Harrison; Sue-Ann Rosen  
**Subject:** FW: Delays to Metra 2221 and 2240 at B17 for CP-2/288 and CP-581

**From:** Rich Oppenheim  
**Sent:** Monday, January 31, 2022 3:27 PM  
**To:** jacob\_rinnels@cpr.ca; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; nicole\_kurtenbach@cpr.ca; jasonM\_ross@cpr.ca; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>; John Kay <John\_Kay@cpr.ca>; Aisha Jackson <Aisha\_Jackson@cpr.ca>; Rufus Trevillion <rufus\_trevillion@cpr.ca>; Tony Wick <Tony\_Wick@cpr.ca>; Gary Prince <Gary\_Prince@cpr.ca>; Tina Minnich <Tina\_Minnich@cpr.ca>; Brad Wiestenberg <Brad\_Wiestenberg@cpr.ca>; Christopher Grimes <Christopher\_Grimes@cpr.ca>; MOC Director East <MOC\_Director\_East@cpr.ca>; will\_wangerin@cpr.ca; tracy\_l\_miller@cpr.ca; Steven Cork <SCork@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; tracy\_l\_miller@cpr.ca; Steven Cork <SCork@METRARR.COM>  
**Subject:** Delays to Metra 2221 and 2240 at B17 for CP-2/288 and CP-581

Metra 2221 delayed at Tower B17 15 minutes' Metra 2240 delayed at Tower B17 20 minutes. CP-581 was on #1 MT East of Tower B17 waiting on crew change. 2240 was holding at Tower B17 waiting for 2221 to run around CP-581. 2221 was then blocked at Tower B17 @ 15 minutes waiting for CP 2-288 to pull into yard. When 2-288 finally cleared, 2221 went 2-1, then 2240 left.



**Rich Oppenheim** | Director, Sub Oper CUS Dist  
 547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).



**Bill Trull**

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Wednesday, February 2, 2022 11:11 AM  
**To:** Christian L. Alexander; Charles A. Spitulnik; Charlie Harrison; Sue-Ann Rosen  
**Subject:** FW: Handling of Metra Trains - WED FEB 2, 2022

**From:** Rich Oppenheim  
**Sent:** Wednesday, February 2, 2022 12:11 PM  
**To:** jacob\_rinnels@cpr.ca; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; nicole\_kurtenbach@cpr.ca; jasonM\_ross@cpr.ca; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>; John Kay <John\_Kay@cpr.ca>; Aisha Jackson <Aisha\_Jackson@cpr.ca>; Rufus Trevillion <rufus\_trevillion@cpr.ca>; Tony Wick <Tony\_Wick@cpr.ca>; Gary Prince <Gary\_Prince@cpr.ca>; Tina Minnich <Tina\_Minnich@cpr.ca>; Brad Wiestenberg <Brad\_Wiestenberg@cpr.ca>; Christopher Grimes <Christopher\_Grimes@cpr.ca>; MOC Director East <MOC\_Director\_East@cpr.ca>; will\_wangerin@cpr.ca; tracy\_j\_miller@cpr.ca; Steven Cork <SCork@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; tracy\_j\_miller@cpr.ca; Steven Cork <SCork@METRARR.COM>  
**Subject:** Handling of Metra Trains - WED FEB 2, 2022

Today, WED FEB 2, 2022, the entire Chicago area is experiencing a significant snow event. It has been snowing steadily since about 0400 this morning, and the snow continues. Although, Metra Engineering is doing their best to keep up with conditions, the reality is that platforms, crosswalks, and other surfaces used by our customers are going to be slippery and hard to negotiate throughout the day. With that in mind, please consider the following:

- On the West Line, Metra 2232 ran on #1 MT instead of their normal #3 MT from Tower B12 to Galewood East due to freight train NS-17V running Westward on #3 MT. This means that passengers waiting for #2232 at River Grove, Elmwood Park, Mont Clare, and Galewood had to utilize crosswalks to walk across 3 main tracks to get from the normal inbound platform where they were waiting, to the opposite side to board their train, essentially at the same time that the freight was coming West.
- On the North Line, CP-281 was running West on #2 Main Track all the way to Tower A20 alongside Amtrak 333 who was on #1 MT. For the record, Amtrak 333 is due at Tower A20 Westward at 1132 hrs and Metra 2132 is due at Tower A20 Eastward at 1136 hrs. We're not sure why 281 was brought up to Tower A20 to crossover in the 4 minutes between Amtrak 333 and Metra 2132, but 281 could certainly have crossed over behind 333 at either Morton Grove or Mayfair and avoided the problem. Instead, Metra 2132 wound up waiting 6 minutes for Amtrak 333 to clear A20, then was crossed over to #1 MT to run from Tower A20 to Morton Grove. This meant that passengers at North Glenview, Glenview, Golf, and Morton Grove waiting for #2132 in the inclement weather had to utilize crosswalks to get to the other side.

While we certainly hope that CP respects the Operation of scheduled Metra trains at all times and in all conditions, it is particularly important when weather conditions require our customers to negotiate difficult walking situations. We request that this be kept in mind moving forward.



**Rich Oppenheim** | Director, Sub Oper CUS Dist  
 547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)



Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

## Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

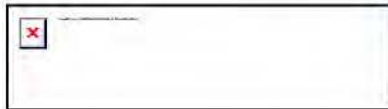
**Bill Trull**

**From:** Rich Oppenheim <ROppenheim@METRARR.COM>  
**Sent:** Friday, February 4, 2022 8:17 AM  
**To:** Charles A. Spitulnik; Christian L. Alexander; Charlie Harrison; Sue-Ann Rosen  
**Subject:** FW: Metra 2223 and 2242 Delay for CP 473 at Tower B17 - THU FEB 3, 2022

**From:** Rich Oppenheim  
**Sent:** Friday, February 4, 2022 9:09 AM  
**To:** jacob\_rinnels@cpr.ca; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; nicole\_kurtenbach@cpr.ca; jasonM\_ross@cpr.ca; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>; John Kay <John\_Kay@cpr.ca>; Aisha Jackson <Aisha\_Jackson@cpr.ca>; Rufus Trevillion <rufus\_trevillion@cpr.ca>; Tony Wick <Tony\_Wick@cpr.ca>; Gary Prince <Gary\_Prince@cpr.ca>; Tina Minnich <Tina\_Minnich@cpr.ca>; Brad Wiestenberg <Brad\_Wiestenberg@cpr.ca>; Christopher Grimes <Christopher\_Grimes@cpr.ca>; MOC Director East <MOC\_Director\_East@cpr.ca>; will\_wangerin@cpr.ca; tracy\_l\_miller@cpr.ca; Steven Cork <SCork@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; tracy\_l\_miller@cpr.ca; Steven Cork <SCork@METRARR.COM>  
**Subject:** Metra 2223 and 2242 Delay for CP 473 at Tower B17 - THU FEB 3, 2022

THURSDAYS, FEB 3, 2022, CP-473 departing Bensenville Yard pulled up into the Tower B17 Control Point with the head end and stopped waiting for Conductor to get back to head end.

- Metra 2242 waited at Tower B17 8 minutes for CP-473 to clear the Control Point, arrived Chicago 4:54 PM, 5 minutes late.
- Metra 2223 waited at Tower B17 7 minutes for CP-473 to clear the Control Point, then followed directly behind 473 all the way to Almora. 2223 arrived Big Timber Road 5:07 PM, 9 minutes late.



**Rich Oppenheim | Director, Sub Oper CUS Dist**  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).



**Archived:** Wednesday, February 23, 2022 10:15:26 AM  
**From:** Rich Oppenheim  
**Sent:** Wednesday, February 23, 2022 9:52:03 AM  
**To:** Christian L. Alexander; Charles A. Spitulnik; Charlie Harrison; Sue-Ann Rosen  
**Subject:** FW: Metra Delays due to CP Freight interference - TUE FEB 22, 2022  
**Sensitivity:** Normal

**From:** Rich Oppenheim  
**Sent:** Wednesday, February 23, 2022 10:51 AM  
**To:** jacob\_rinnels@cpr.ca; nicole\_kurtenbach@cpr.ca; jasonM\_ross@cpr.ca; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>; John Kay <John\_Kay@cpr.ca>; Aisha Jackson <Aisha\_Jackson@cpr.ca>; Rufus Trevillion <rufus\_trevillion@cpr.ca>; Tony Wick <Tony\_Wick@cpr.ca>; Gary Prince <Gary\_Prince@cpr.ca>; Tina Minnich <Tina\_Minnich@cpr.ca>; Brad Wiestenberg <Brad\_Wiestenberg@cpr.ca>; Christopher Grimes <Christopher\_Grimes@cpr.ca>; MOC Director East <MOC\_Director\_East@cpr.ca>; will\_wangerin@cpr.ca; tracy\_J\_miller@cpr.ca; Steven Cork <SCork@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; tracy\_J\_miller@cpr.ca; Steven Cork <SCork@METRARR.COM>; tom\_jared@cpr.ca  
**Subject:** Metra Delays due to CP Freight interference - TUE FEB 22, 2022

Following Metra Trains were delayed due to CP Freight Train dispatching issues on TUE FEB 22, 2022:

- Metra 2228 held 7 minutes at Tower B17 waiting for Metra 2209 to clear #2 MT. Metra 2209 had to run #2 MT from Franklin Park West to Tower B17 due to CP 681 stopped on #1 MT changing crews.
- 2236 – CP-650 coming off Chicago Sub at Randall Road had a crew that expired on Hours of Service @ 1300. 650 was pushed ahead of 2236 out of Almore about 7 to 10 minutes ahead of 2236's scheduled departure. 650 was unable to make Tower B17 prior to 1300, so train stopped around Itasca to wait for a crew. 2236 had been lined in behind 650. Operator B17 had to get 2236 stopped and run time at Roselle West. For some reason Operator B17 also took down 2236's signal at Bartlett East and held them there while time ran at Roselle West. 2236 was eventually released at Bartlett East and ran #1 MT from Roselle West to Tower B17. Passengers were then on the wrong side at Roselle, Medinah, Itasca, Wooddale and Bensenville. Metra 2217 was held at Tower B17 until 2236 cleared #1 MT. This resulted in a 30 minute delay to #2236 and a 22 minute delay to 2217. In this situation, it appears that running 650 behind 2236 with a relief crew meeting them enroute, would have been the better plan.
- Metra 2219 delayed 10 minutes at Tower B17 waiting for the rear end of CP 286 to clear the Control point going into the Yard.



Rich Oppenheim | Director, Sub Oper CUS Dist  
 547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

#### Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).



Archived: Friday, February 25, 2022 12:3 :19 PM  
From: Charles A. Spitulnik  
Sent: Monday, December 20, 2021 10: :05 AM  
To: Sue-Ann Rosen; Christian L. Alexander  
Subject: RE: Metra 2213 Delay MON DEC 20, 2021 - CP2 occupying 1 MT at B1 for cre change  
Sensitivity: Normal



**Charles A. Spitulnik**

Attorney at Law

He Him His



O 202.955.5600 | C 301.651.3629  
1634 Eye | Street, W | Suite 300 | Washington, DC 20006

website | vCard



Confidential Notice: The information contained in this e-mail message is intended only for the personal and confidential use of the recipient named above. Any e-mail data contained in this message or attachments is not intended for disclosure to the recipient or anyone else. This message may be an attorney-client communication and/or confidential work product. If the reader of this message is not the intended recipient, you have received this document in error. Any review, dissemination, distribution or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail, and delete the original message. Please consider our environment before printing this e-mail.

From: Sue-Ann Rosen <rosen@METRARR.COM>  
Sent: Monday, December 20, 2021 12:42 PM  
To: Charles A. Spitulnik <cspitulnik@kaplankirsch.com>; Christian L. Alexander <calexander@kaplankirsch.com>  
Subject: FW: Metra 2213 Delay MO DEC 20, 2021 - CP287 occupying #1 MT at B17 for crew change

From: Rich Oppenheim <ROppenheim@METRARR.COM>  
Sent: Monday, December 20, 2021 11:19 AM  
To: jacob\_rinnels@cpr.ca; Lucas Lingenfelter <Lucas.Lingenfelter@cpr.ca>; nicole\_kurtenbach@cpr.ca; jasonM\_ross@cpr.ca; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; Ron Wesolowski <RWesolowski@METRARR.COM>; Charlie Harrison <CHarrison@METRARR.COM>; Sue-Ann Rosen <rosen@METRARR.COM>  
Subject: Metra 2213 Delay MO DEC 20, 2021 - CP287 occupying #1 MT at B17 for crew change

- Metra 2213 MO DEC 20, 2021 held at Franklin Park West 17 minutes to meet inbound Metra 2232 due to CP G57-287 holding #1 MT at Tower B17 for crew change. For the record, G57-287 was brought up to B17 @ 20 minutes ahead of 2213, but outbound crew is not called until 1140. There is no discernable reason that G57-287 could not have been held to follow 2213 out of Galewood to avoid the extensive delay to the scheduled Metra train.



Rich Oppenheim | Director, Sub Oper CUS Dist  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.

**Archived:** Friday, February 25, 2022 12:39: 9 PM  
**From:** Rich Oppenheim  
**Sent:** Thursday, December 30, 2021 11:16:50 AM  
**To:** Charles A. Spitulnik; Christian L. Alexander  
**Subject:** FW: MW2226 Metra train on other than normal track due to freight on Metra's normal track  
**Sensitivity:** Normal

---

**From:** Charles Allen <CAllen@METRARR.COM>  
**Sent:** Monday, December 20, 2021 8:30 AM  
**To:** Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>  
**Subject:** MW2226

MW2226 had to re-route 1MT at Galewood East to B6 due to MW2202 stopped on 3MT.



Charles Allen | Dispatcher  
547 W. Jackson Blvd, Chicago, IL, 60661  
P: 312-322-6777 | E: [CAllen@METRARR.COM](mailto:CAllen@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

#### Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

---

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.



**Archived:** Friday, February 25, 2022 12: 6:56 PM

**From:** Rich Oppenheim

**Sent:** Thursday, December 30, 2021 11:20:06 AM

**To:** Charles A. Spitulnik; Christian L. Alexander

**Subject:** FW: B12 Delay Report

**Sensitivity:** Normal

**Attachments:**

B12 Delay Report.pdf 

---

**From:** Charles Allen <CAllen@METRARR.COM>

**Sent:** Wednesday, December 22, 2021 11:57 AM

**To:** Metra CCF Dispatching <MetraCCFdispatch@METRARR.COM>; CCF\_CUS\_District\_Delays\_Incidents <CCFCUSDistrictDelaysIncidents@METRARR.COM>

**Subject:** B12 Delay Report

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

# **Tower B-12 Delay Report**

Wednesday December 22, 2021

---

MW2230 7m late by B12 4m stopped at B12 due to (281 BNSF 6674 20 X 77 5834') crossing over 3MT to 2MT at B12.

**Archived:** Friday, February 25, 2022 1:00:21 PM  
**From:** Rich Oppenheim  
**Sent:** Thursday, January 13, 2022 3:20 AM  
**To:** Christian L. Alexander; Charles A. Spitulnik; Charlie Harrison; Sue-Ann Rosen  
**Subject:** FW: Delays to Metra Peak Period Trains -THU JAN 13, 2022  
**Sensitivity:** Normal

---

**From:** Rich Oppenheim  
**Sent:** Thursday, January 13, 2022 8:31 AM  
**To:** jacob\_rinnels@cpr.ca; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; nicole\_kurtenbach@cpr.ca; jasonM\_ross@cpr.ca; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>  
**Subject:** Delays to Metra Peak Period Trains -THU JAN 13, 2022

Metra Peak Period Trains delayed this morning, THU JAN 13, 2022 due to CP 686 being pushed off Cut-off between Bryn Mawr and Tower B17 into Bensenville Yard during the heart of the Metra peak period:

- 2210 10 minutes waiting at Tower B17 for 686 to clear the Control Point.
- 2203 7 minutes waiting at Tower B17 for 686 to clear the Control Point.
- C-110 4 minutes waiting at Tower B12 to follow the late 2210.



**Rich Oppenheim | Director, Sub Oper CUS Dist**  
 547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

---

**From:** Rich Oppenheim <[ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)>  
**Sent:** Monday, November 22, 2021 11:05 AM  
**To:** jacob\_rinnels@cpr.ca; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; nicole\_kurtenbach@cpr.ca; jasonM\_ross@cpr.ca; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>  
**Subject:** Delay to Metra Peak Period Train 2222 B17 Mon Nov 22, 2021

Metra Peak Period train 2222 held 13 minutes at Tower B17 for CP 680 moving off cut off from Bryn Mawr toward yard.

Get [Outlook for iOS](#)

---

**From:** [roppenheim@metrarr.com](mailto:roppenheim@metrarr.com) <[roppenheim@metrarr.com](mailto:roppenheim@metrarr.com)>  
**Sent:** Sunday, November 14, 2021 7:26:53 PM  
**To:** jacob\_rinnels@cpr.ca <[jacob\\_rinnels@cpr.ca](mailto:jacob_rinnels@cpr.ca)>; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; nicole\_kurtenbach@cpr.ca <[nicole\\_kurtenbach@cpr.ca](mailto:nicole_kurtenbach@cpr.ca)>; jasonM\_ross@cpr.ca <[jasonM\\_ross@cpr.ca](mailto:jasonM_ross@cpr.ca)>; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>  
**Subject:** Extensive Delay to 2720 for CP 198

Received the follow from Metra Track 19 Yardmaster:

2720 was delayed 28 min at b17 freight interference. On the move now. Train causing delay:

Train # 198-10 CP 897. Over 10,000 feet. B-17 was told by a senior director to run it no matter what

Get [Outlook for iOS](#)



The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an Innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

**Archived:** Friday, February 25, 2022 1:03:0 PM  
**From:** Rich Oppenheim  
**Sent:** Wednesday, January 26, 2022 9:15:0 AM  
**To:** Christian L. Alexander; Charles A. Spitulnik; Charlie Harrison; Sue-Ann Rosen  
**Subject:** FW: Metra Train Delays due to CP Freight Interference - WED JAN 26, 2022  
**Sensitivity:** Normal

**From:** Rich Oppenheim  
**Sent:** Wednesday, January 26, 2022 10:12 AM  
**To:** jacob\_rinnels@cpr.ca; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; nicole\_kurtenbach@cpr.ca; jasonM\_ross@cpr.ca; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>; John Kay <John\_Kay@cpr.ca>; Aisha Jackson <Aisha\_Jackson@cpr.ca>; Rufus Trevillion <rufus\_trevillion@cpr.ca>; Tony Wick <Tony\_Wick@cpr.ca>; Gary Prince <Gary\_Prince@cpr.ca>; Tina Minnich <Tina\_Minnich@cpr.ca>; Brad Wiestenberg <Brad\_Wiestenberg@cpr.ca>; Christopher Grimes <Christopher\_Grimes@cpr.ca>; MOC Director East <MOC\_Director\_East@cpr.ca>; will\_wangerin@cpr.ca; tracy\_l\_miller@cpr.ca; Steven Cork <SCork@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; tracy\_l\_miller@cpr.ca; Steven Cork <SCork@METRARR.COM>  
**Subject:** Metra Train Delays due to CP Freight Interference - WED JAN 26, 2022

For proper perspective, please consider that temperatures in the Chicago area this morning were -5 Below Zero with Wind Chill factors around -16 Below. Many of our passenger endured excessive wait times on cold platforms.

- 2202 stopped at Tower B17 **minutes** waiting for a 13,799 foot CP-198 to clear the Control Point pulling into Bensenville Yard. 2202 arrived CUS 6:43 AM, 30 minutes late.
- 2203 Peak Period Train departed CUS 6:49 AM **minutes** late, late turn off inbound 2202. 2203 arrived Big Timber Road 8:21 AM, 32 minutes late.
- 2228 departed Big Timber Road 8:36 AM, **minutes** late, due to late turn off inbound 2203.
- C-101 Peak Period Train was blocked 5 minutes at Tower B12 waiting for CP IM-1 transfer job to pull out of Schiller Park Yard and clear the Junction 16 Control Point.
- C-112 was blocked at Tower B12 5 minutes by CP I65-26 pulling into Schiller Park Yard.



Rich Oppenheim | Director, Sub Oper CUS Dist  
 547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

#### Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).



Archived: Friday, February 25, 2022 1:06:21 PM

From: Rich Oppenheim

Sent: Thursday, January 27, 2022 1:02 AM

To: Charles A. Spitulnik; Christian L. Alexander; Charlie Harrison; Sue-Ann Rosen

Subject: FW: Metra Train Delays due to CP Freight Interference - WED-THU JAN 26-27, 2022

Sensitivity: Normal

From: Rich Oppenheim

Sent: Thursday, January 27, 2022 8:14 AM

To: jacob\_rinnels@cpr.ca; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; nicole\_kurtenbach@cpr.ca; jasonM\_ross@cpr.ca; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>; John Kay <John\_Kay@cpr.ca>; Aisha Jackson <Aisha\_Jackson@cpr.ca>; Rufus Trevillion <rufus\_trevillion@cpr.ca>; Tony Wick <Tony\_Wick@cpr.ca>; Gary Prince <Gary\_Prince@cpr.ca>; Tina Minnich <Tina\_Minnich@cpr.ca>; Brad Wiestenberg <Brad\_Wiestenberg@cpr.ca>; Christopher Grimes <Christopher\_Grimes@cpr.ca>; MOC Director East <MOC\_Director\_East@cpr.ca>; will\_wangerin@cpr.ca; tracy\_l\_miller@cpr.ca; Steven Cork <SCork@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; tracy\_l\_miller@cpr.ca; Steven Cork <SCork@METRARR.COM>

Subject: Metra Train Delays due to CP Freight Interference - WED-THU JAN 26-27, 2022

E-mail sent yesterday regarding delays on WED JAN 26 are in the chain below. This morning, THURSDAY JAN 27, 2022 the same trains that received the most significant delay yesterday – 2202 and their flip, 2203 – were again delayed due to CP Freight activity at Tower B17. Today it was following CP-472 from Elgin to Tower B17. CP-472 stopped several times pulling into Bensenville yard to line switches with 2202 waiting behind them. 2202 was 12 minutes late going by B17, 8 minutes late at Chicago. 2203 departed Chicago 7 minutes late.

From: Rich Oppenheim

Sent: Wednesday, January 26, 2022 10:12 AM

To: jacob\_rinnels@cpr.ca; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; nicole\_kurtenbach@cpr.ca; jasonM\_ross@cpr.ca; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>; John Kay <John\_Kay@cpr.ca>; Aisha Jackson <Aisha\_Jackson@cpr.ca>; Rufus Trevillion <rufus\_trevillion@cpr.ca>; Tony Wick <Tony\_Wick@cpr.ca>; Gary Prince <Gary\_Prince@cpr.ca>; Tina Minnich <Tina\_Minnich@cpr.ca>; Brad Wiestenberg <Brad\_Wiestenberg@cpr.ca>; Christopher Grimes <Christopher\_Grimes@cpr.ca>; MOC Director East <MOC\_Director\_East@cpr.ca>; will\_wangerin@cpr.ca; tracy\_l\_miller@cpr.ca; Steven Cork <SCork@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; tracy\_l\_miller@cpr.ca; Steven Cork <SCork@METRARR.COM>

Subject: Metra Train Delays due to CP Freight Interference - WED JAN 26, 2022

For proper perspective, please consider that temperatures in the Chicago area this morning were -5 Below Zero with Wind Chill factors around -16 Below. Many of our passenger endured excessive wait times on cold platforms.

- 2202 stopped at Tower B17 **minutes** waiting for a 13,799 foot CP-198 to clear the Control Point pulling into Bensenville Yard. 2202 arrived CUS 6:43 AM, 30 minutes late.
- 2203 Peak Period Train departed CUS 6:49 AM **minutes** late, late turn off inbound 2202. 2203 arrived Big Timber Road 8:21 AM, 32 minutes late.
- 2228 departed Big Timber Road 8:36 AM, **minutes** late, due to late turn off inbound 2203.
- C-101 Peak Period Train was blocked 5 minutes at Tower B12 waiting for CP IM-1 transfer job to pull out of Schiller Park Yard and clear the Junction 16 Control Point.
- C-112 was blocked at Tower B12 5 minutes by CP I65-26 pulling into Schiller Park Yard.



Rich Oppenheim | Director, Sub Oper CUS Dist

547 W. Jackson Blvd, Chicago, IL, 60661

P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

#### Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.



This email has been scanned for viruses and malware, and may have been automatically scanned by Mimecast Ltd, an innovator in cloud email security service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

**Archived:** Friday, February 25, 2022 1:09: PM  
**From:** Rich Oppenheim  
**Sent:** Friday, January 27, 2022 1:33 AM  
**To:** Christian L. Alexander; Charles A. Spitulnik; Charlie Harrison; Sue-Ann Rosen  
**Subject:** FW: Metra Train Delays due to CP Freight Interference - THU JAN 26, 2022  
**Sensitivity:** Normal

**From:** Rich Oppenheim  
**Sent:** Friday, January 28, 2022 8:18 AM  
**To:** jacob\_rinnels@cpr.ca; Lucas Lingenfelter <Lucas\_Lingenfelter@cpr.ca>; nicole\_kurtenbach@cpr.ca; jasonM\_ross@cpr.ca; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>; John Kay <John\_Kay@cpr.ca>; Aisha Jackson <Aisha\_Jackson@cpr.ca>; Rufus Trevillion <rufus\_trevillion@cpr.ca>; Tony Wick <Tony\_Wick@cpr.ca>; Gary Prince <Gary\_Prince@cpr.ca>; Tina Minnich <Tina\_Minnich@cpr.ca>; Brad Wiestenberg <Brad\_Wiestenberg@cpr.ca>; Christopher Grimes <Christopher\_Grimes@cpr.ca>; MOC Director East <MOC\_Director\_East@cpr.ca>; will\_wangerin@cpr.ca; tracy\_l\_miller@cpr.ca; Steven Cork <SCork@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; tracy\_l\_miller@cpr.ca; Steven Cork <SCork@METRARR.COM>  
**Subject:** Metra Train Delays due to CP Freight Interference - THU JAN 26, 2022

THURSDAY JAN 27, 2022:

- 2202 the same train that received the most significant delay on WED JAN 26, delayed due to following CP Freight 472 from Elgin to Tower B17. CP-472 stopped several times pulling into Bensenville yard to line switches with 2202 waiting behind them. 2202 was 12 minutes late going by B17, 8 minutes late at Chicago.
- 2203 flip off 2202 departed Chicago 7 minutes late.
- **R OD TR** delayed 13 minutes due to CP-288 holding #3 MT at Galewood while setting out cars in Galewood Yard during heart of the evening rush hour. #2246 had to run #1 MT from Tower B12 to Galewood East instead of normal #3 MT. Had to wait for passengers on wrong side at Elmwood Park, Mont Clare, and Galewood to cross to board train, then waited for #2239 to clear #2 MT at Galewood East in order to cross back.



Rich Oppenheim | Director, Sub Oper CUS Dist  
 547 W. Jackson Blvd, Chicago, IL, 60661  
 P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

#### Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

**Archived:** Friday, March 11, 2022 11:53:48 AM

**From:** Rich Oppenheim

**Sent:** Friday, February 25, 2022 2:05:11 PM

**To:** Christian L. Alexander; Charles A. Spitulnik; Charlie Harrison; Sue-Ann Rosen

**Subject:** FW: Metra Peak Period Delays/Interference due to CP I65 - THU FEB 24 2022 - Also 2156 behind CP-288

**Sensitivity:** Normal

**From:** Rich Oppenheim

**Sent:** Friday, February 25, 2022 3:04 PM

**To:** 'jacob\_rinnels@cpr.ca' <jacob\_rinnels@cpr.ca>; 'nicole\_kurtenbach@cpr.ca' <nicole\_kurtenbach@cpr.ca>; 'jasonM\_ross@cpr.ca' <jasonM\_ross@cpr.ca>; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>; John Kay <John\_Kay@cpr.ca>; Aisha Jackson <Aisha\_Jackson@cpr.ca>; Rufus Trevillion <rufus\_trevillion@cpr.ca>; Tony Wick <Tony\_Wick@cpr.ca>; Gary Prince <Gary\_Prince@cpr.ca>; Tina Minnich <Tina\_Minnich@cpr.ca>; Brad Wiestenberg <Brad\_Wiestenberg@cpr.ca>; Christopher Grimes <Christopher\_Grimes@cpr.ca>; MOC Director East <MOC\_Director\_East@cpr.ca>; will\_wangerin@cpr.ca; 'tracy\_l\_miller@cpr.ca' <tracy\_l\_miller@cpr.ca>; Steven Cork <SCork@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; 'tracy\_l\_miller@cpr.ca' <tracy\_l\_miller@cpr.ca>; Steven Cork <SCork@METRARR.COM>; 'tom\_jared@cpr.ca' <tom\_jared@cpr.ca>

**Subject:** Metra Peak Period Delays/Interference due to CP I65 - THU FEB 24 2022 - Also 2156 behind CP-288

Today, Thursday February 24, 2022, Metra Peak Period Train #2204 was delayed 12 minutes at Tower B12, blocked by CP-165 moving from IHB into Schiller Park across Metra's 3 Main tracks.

ALSO, THU FEB 24, 2022: Metra 2156 was held @ 4 minutes at Rondout to follow CP 288. 2156 then lost an additional 15 minutes following 288 all the way to Tower A20 and waiting while 288 went up the cut-off to get on the UP.



**Rich Oppenheim | Director, Sub Oper CUS Dist**

547 W. Jackson Blvd, Chicago, IL, 60661

P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

#### Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).



**Archived:** Friday, March 11, 2022 11:48:57 AM

**From:** Rich Oppenheim

**Sent:** Tuesday, March 1, 2022 7:08:47 AM

**To:** Christian L. Alexander; Charles A. Spitulnik; Charlie Harrison; Sue-Ann Rosen

**Cc:** Victor Flores; Janet Carbonelli; Kevin McCann

**Subject:** FW: Excessive Metra Peak Period Delays due to CP 473 interference at Tower B17 - MON FEB 28 2022

**Sensitivity:** Normal

**From:** Rich Oppenheim

**Sent:** Tuesday, March 1, 2022 8:07 AM

**To:** 'jacob\_rinnels@cpr.ca' <jacob\_rinnels@cpr.ca>; 'nicole\_kurtenbach@cpr.ca' <nicole\_kurtenbach@cpr.ca>; 'jasonM\_ross@cpr.ca' <jasonM\_ross@cpr.ca>; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>; John Kay <John\_Kay@cpr.ca>; Aisha Jackson <Aisha\_Jackson@cpr.ca>; Rufus Trevillion <rufus\_trevillion@cpr.ca>; Tony Wick <Tony\_Wick@cpr.ca>; Gary Prince <Gary\_Prince@cpr.ca>; Tina Minnich <Tina\_Minnich@cpr.ca>; Brad Wiestenberg <Brad\_Wiestenberg@cpr.ca>; Christopher Grimes <Christopher\_Grimes@cpr.ca>; MOC Director East <MOC\_Director\_East@cpr.ca>; will\_wangerin@cpr.ca; 'tracy\_j\_miller@cpr.ca' <tracy\_j\_miller@cpr.ca>; Steven Cork <SCork@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; 'tracy\_j\_miller@cpr.ca' <tracy\_j\_miller@cpr.ca>; Steven Cork <SCork@METRARR.COM>; 'tom\_jared@cpr.ca' <tom\_jared@cpr.ca>

**Subject:** Excessive Metra Peak Period Delays due to CP 473 interference at Tower B17 - MON FEB 28 2022

On Monday, February 28<sup>th</sup>, 2022, Metra Peak Period Train 2225 was held at Tower B17 **19 minutes** (by Franklin Park West 16:37:31, Tower B17 17:01:04) waiting for CP 473 who was allowed to double up in Bensenville Yard while occupying both Metra Main Tracks at Tower B17. Metra 2225 then followed CP 473 in route all the way to Big Timber Road. Metra 2225 arrived Big Timber Road 17:55:01, **24 minutes late**.

While Metra 2225 was stopped at Tower B17 waiting for CP 473, Metra Peak Period Train 2227 caught up to 2225 and was stopped behind him. 2227 followed 2225 to Big Timber Road arriving at 18:13:10, **20 minutes late**.



Rich Oppenheim | Director, Sub Oper CUS Dist

547 W. Jackson Blvd, Chicago, IL, 60661

P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

#### Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

**Archived:** Friday, March 11, 2022 11:51:13 AM

**From:** Rich Oppenheim

**Sent:** Sunday, March 6, 2022 1:25:34 PM

**To:** Christian L. Alexander; Charles A. Spitulnik; Charlie Harrison; Sue-Ann Rosen

**Subject:** FW: EXCESSIVE METRA DELAYS AT TOWER B17 due to CP Freight traffic: SUN 3/6/22

**Sensitivity:** Normal

**From:** Rich Oppenheim

**Sent:** Sunday, March 6, 2022 2:25 PM

**To:** jacob\_rinnels@cpr.ca; nicole\_kurtenbach@cpr.ca; jasonM\_ross@cpr.ca; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>; John Kay <John\_Kay@cpr.ca>; Aisha Jackson <Aisha\_Jackson@cpr.ca>; Rufus Trevillion <rufus\_trevillion@cpr.ca>; Tony Wick <Tony\_Wick@cpr.ca>; Gary Prince <Gary\_Prince@cpr.ca>; Tina Minnich <Tina\_Minnich@cpr.ca>; Brad Wiestenberg <Brad\_Wiestenberg@cpr.ca>; Christopher Grimes <Christopher\_Grimes@cpr.ca>; MOC Director East <MOC\_Director\_East@cpr.ca>; will\_wangerin@cpr.ca; tracy\_J\_miller@cpr.ca; Steven Cork <SCork@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; Steven Cork <SCork@METRARR.COM>; tom\_jared@cpr.ca

**Subject:** EXCESSIVE METRA DELAYS AT TOWER B17 due to CP Freight traffic: SUN 3/6/22

See below. It is my understanding that having 199 triple up while occupying the Tower B17 Control point in the 30 minute window between Metra 2708 and Metra 2707 (1037 to 1105) instead of waiting for the 1 hr 30 minute window between 2707 and 2714 (1105 to 1237) was a conscious decision on the part of CP MOC management, even knowing that it was not possible for a successful outcome. The fact that 199 was 12,000 feet and would not fit between Tower B17 and Bryn Mawr made the decision to attempt this even more likely to fail. End results:

- Metra 2707 delayed 43 minutes at Tower B17, arrived Elgin 39 minutes late, (1224).
- Metra 2714 (flip from 2707) departed Elgin 38 minutes late, arrived Chicago 35 minutes late (1347).

Earlier this morning, Metra 2704 delayed 14 minutes at Tower B17 blocked by CP 198 yarding. 2704 arrived Chicago 0923, 11 minutes late.



Rich Oppenheim | Director, Sub Oper CUS Dist

547 W. Jackson Blvd, Chicago, IL, 60661

P: 312-322-8939 | E: [ROppenheim@METRARR.COM](mailto:ROppenheim@METRARR.COM)

Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

**From:** Marshall Beecher <[MBeecher@METRARR.COM](mailto:MBeecher@METRARR.COM)>

**Sent:** Sunday, March 6, 2022 12:36 PM

**To:** CUSDManagers <[cusdmanagers@metrarr.com](mailto:cusdmanagers@metrarr.com)>; Janet Carbonelli <[JCarbonelli@METRARR.COM](mailto:JCarbonelli@METRARR.COM)>; David Rodriguez <[DRodriguez@METRARR.COM](mailto:DRodriguez@METRARR.COM)>

**Subject:** Canadian Pacific Delays at Tower B-17: SUN 3/6/22

MW2707 was delayed about 45mins this morning waiting for a CP 199 train to triple up and depart Bensenville at Tower B17.

Train was CP 8768 with 77 cars and 12,442' long. B17 operator says several scenarios for the move were discussed between her and the Elgin Dispatcher to eliminate any delays to Metra service but were eventually over ruled by higher decision makers at CP.

Earlier, MW2704 was delayed 14 mins at Tower B-17 for CP 198 with 72 cars and 12,922' long moving CP2 to the New Arrival track into Bensenville Yard. Train took longer than usual to yard because of an IM1 job in the way once they got into the yard, which prevented them from clearing the mains.

Marshall W. Beecher

Trainmaster

Metra Chicago Union Station District

#### Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).



**Archived:** Monday, March 14, 2022 11:29:45 AM

**From:** Rich Oppenheim

**Sent:** Monday, March 14, 2022 10:11:13 AM

**To:** Christian L. Alexander; Charles A. Spitulnik; Charlie Harrison; Sue-Ann Rosen

**Subject:** FW: Metra 2226 (Peak Period Train) on #1 Main; CP-651 on #3 Main

**Sensitivity:** Normal

**From:** Rich Oppenheim

**Sent:** Monday, March 14, 2022 11:04 AM

**To:** jacob\_rinnels@cpr.ca; nicole\_kurtenbach@cpr.ca; jasonM\_ross@cpr.ca; Victor Flores <VFlores@METRARR.COM>; Janet Carbonelli <JCarbonelli@METRARR.COM>; David Rodriguez <DRodriguez@METRARR.COM>; Georgette Geha <GGeha@METRARR.COM>; Deanna Ortiz <DOrtiz@METRARR.COM>; John Kay <John\_Kay@cpr.ca>; Aisha Jackson <Aisha\_Jackson@cpr.ca>; Rufus Trevillion <rufus\_trevillion@cpr.ca>; Tony Wick <Tony\_Wick@cpr.ca>; Gary Prince <Gary\_Prince@cpr.ca>; Tina Minnich <Tina\_Minnich@cpr.ca>; Brad Wiestenberg <Brad\_Wiestenberg@cpr.ca>; Christopher Grimes <Christopher\_Grimes@cpr.ca>; MOC Director East <MOC\_Director\_East@cpr.ca>; will\_wangerin@cpr.ca; tracy\_J\_miller@cpr.ca; Steven Cork <SCork@METRARR.COM>; Greg J.M. Godfrey <GGodfrey@METRARR.COM>; Steven Cork <SCork@METRARR.COM>; tom\_jared@cpr.ca

**Subject:** Metra 2226 (Peak Period Train) on #1 Main; CP-651 on #3 Main

MW2226 had to re-route 1MT B12 to Galewood due to (651 CP8088 29 X 116 9939') on 3MT.

This morning, Metra 2226 (Eastbound) was routed on #1 MT from Tower B12 to Galewood East due to CP 651 (Westbound) operating on #3 MT between BRC Connection Cicero West and Tower B12. Metra 2226 has scheduled stops at River Grove, Elmwood Park, Mont Clare, Mars, and Galewood, and passengers normally board this train from the passenger platform adjacent to #3 Main. As a result of dispatching trains in this manner, passengers waiting on the #3 Main Track platforms had to cross at the last minute to the opposite side in order to board #2226 operating on #1 Main. For reference, most passengers looking in the direction of the approaching #2226 would have their backs to the Westward Freight train approaching on their track.

As a result of this action, the following passenger complaint was received shortly thereafter:

*Please reply above this line.*

Next Action has been set for following issue in IssueTrak:

[Open in IssueTrak](#)

Issue #: 70022  
 Subject: 2022-03-14, ncs, Schedules/Service  
 Status: Open  
 Class: Customer Service  
 Issue Type: Transportation MDW  
 Subtype 1: Complaint  
 Subtype 2: Other  
 Priority: Medium  
 Project:  
 Location: 547 - 12th Floor 547 - 12th Floor  
 Organization: Transportation  
 Submitted By: Metra Rail on 14-Mar-2022  
 Assigned To: Metra Responds Group on 14-Mar-2022  
 Next Action: CUS Transportation Response Group on 14-Mar-2022

**Issue Description:**

Rail Line:MDW Message:Westbound CP freight was allowed to pass the River grove station at 810am and block pedestrians to the south. I missed the 815 train as a result. I think this also may have forced the next inbound train onto platform 1 rather than 2 requiring passengers to switch platforms at the last minute. Date:2022-03-14 Time:08:15:00





Metra is an essential resource that safely and reliably connects individuals to the things that matter most in their lives — their work, their homes and their families.

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#) | [Metra.com](#)

---

**From:** Marshall Beecher <[MBeecher@METRARR.COM](mailto:MBeecher@METRARR.COM)>

**Sent:** Sunday, March 6, 2022 12:36 PM

**To:** CUSDManagers <[cusdmanagers@metrarr.com](mailto:cusdmanagers@metrarr.com)>; Janet Carbonelli <[JCarbonelli@METRARR.COM](mailto:JCarbonelli@METRARR.COM)>; David Rodriguez <[DRodriguez@METRARR.COM](mailto:DRodriguez@METRARR.COM)>

**Subject:** Canadian Pacific Delays at Tower B-17: SUN 3/6/22

MW2707 was delayed about 45mins this morning waiting for a CP 199 train to triple up and depart Bensenville at Tower B17.

Train was CP 8768 with 77 cars and 12,442' long. B17 operator says several scenarios for the move were discussed between her and the Elgin Dispatcher to eliminate any delays to Metra service but were eventually over ruled by higher decision makers at CP.

Earlier, MW2704 was delayed 14 mins at Tower B-17 for CP 198 with 72 cars and 12,922' long moving CP2 to the New Arrival track into Bensenville Yard. Train took longer than usual to yard because of an IM1 job in the way once they got into the yard, which prevented them from clearing the mains.

Marshall W. Beecher  
Trainmaster  
Metra Chicago Union Station District

#### Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

## **EXHIBIT B-3**

### **Table Summary of Emails**

**TABLE INDEX OF EMAILS DOCUMENTING CP CAUSED EVENTS ON METRA MD-N AND MD-W LINES 2016-2022**

2022.03.14

DATE	TRAIN	PEAK <sup>1</sup>	LOCATION	TYPE	MIN	DESCRIPTION	Exhibit B-2 PAGE #
1/11/2016	2221		Spaulding	DELAY	22	Dispatcher failed to move Metra train around CP grinding equipment	10
1/11/2016	2244	PEAK		DELAY	9	Cascading delay	10
1/11/2016	2243	PEAK		DELAY		Cascading delay	10
1/11/2016	2248		Bensenville	DELAY	14	Two freights dispatched out of yard at once, forcing one into peak period	10
1/11/2016	2249		Bensenville	DELAY		Cascading delay	10
1/11/2016	2254		Bensenville	DELAY		Cascading delay	10
1/11/2016	2255		Bensenville	DELAY		Cascading delay	10
1/15/2016	2250		B17	DELAY	20	Waiting for inbound freight	2
1/15/2016	2251			DELAY		Cascading delay	2
1/15/2016	2256			DELAY		Cascading delay	2
2/9/2016	2256		B12	DELAY	25	Dispatched freight train slow to enter yard	34
2/16/2016	2256		Spaulding	DELAY	20	Following freight train	21
2/16/2016	2256		B17	DELAY		Freight train dispatched ahead of Metra train	21
2/16/2016	2221		B17	DELAY		Cascading delay	21
2/17/2016	2255		Bensenville	ALT TRACK		Dispatcher dispatched freight train ahead of Metra train	21
2/17/2016	2256		Bensenville	DELAY	20	Cascading delay	21
3/8/2016	2251		B17	DELAY		Dispatcher error	11
3/10/2016	2244	PEAK	Spaulding	DELAY	24	Dispatched too many freights at once near peak period	12
4/7/2016			Fox Lake	CALLBOX		Call box not working	30
4/11/2016			Fox Lake	CALLBOX		Call box not working	30
4/11/2016			Grayslake	CALLBOX		Call box not working	30
5/13/2016	2254		TOW	DELAY	12	Waiting for freight to clear	9
7/26/2016	2231	PEAK	Itsaca and Wooddale	DELAY	11	Dispatching error compounding one blocked mainline, causing slowdown	16
7/26/2016	2233	PEAK		DELAY	15	Cascading delay	16

<sup>1</sup> Peak period trains are designated based on express notation in the applicable e-mail and do not reflect the full list of peak period trains discussed in these e-mails.



**PUBLIC VERSION**

**EXHIBIT B-3**

7/26/2016	2235	PEAK		DELAY	14	Cascading delay	16
7/26/2016	2237	PEAK		DELAY	10	Cascading delay	16
7/26/2016	2239			DELAY	5	Cascading delay	16
7/26/2016	2241			TERMINATED		Cascading delay	16
7/26/2016	2243			DELAY	26	Cascading delay	16
7/26/2016	2245			ANNULLED		Cascading delay	16
7/26/2016	2247			DELAY	16	Cascading delay	16
7/26/2016	2251			DELAY	11	Cascading delay	16
7/26/2016	2253			DELAY	26	Cascading delay	16
7/26/2016	2246			DELAY	46	Cascading delay	16
7/26/2016	2248			DELAY	38	Cascading delay	16
7/26/2016	2252			DELAY	33	Cascading delay	16
7/28/2016	2256		B35	DELAY	7	Dispatching Metra train on the wrong track for passengers to alight	28
7/28/2016	2256		B35	ALT TRACK		Dispatching Metra train on the wrong track for passengers to alight	28
7/28/2016	2253		Roselle West	DELAY	14	Cascading delay	28
7/28/2016	2160		Fox Lake	CALLBOX		Call box not working	29
8/1/2016	2227	PEAK		DELAY	11	Equipment error compounded by close to peak	15
8/1/2016	2241			TERMINATED		Cascading delay	15
8/1/2016	2243			DELAY	10	Cascading delay	15
8/1/2016	2246			DELAY	35	Cascading delay	15
8/1/2016	2248			DELAY	70	Cascading delay	15
8/1/2016	2250			DELAY	13	Cascading delay	15
8/1/2016	2251			DELAY	17	Cascading delay	15
8/1/2016	2253			DELAY	23	Cascading delay	15
8/1/2016	2252			DELAY	22	Cascading delay	15
8/1/2016	2254			DELAY	39	Cascading delay	15
8/1/2016	2255			DELAY	24	Cascading delay	15
8/24/2016	2200		Spaulding	DELAY	10	Waiting for freight to clear plant	1
8/26/2016	2200		Spaulding	DELAY	7	Waiting for freight to clear plant	1
8/26/2016	2201			DELAY		Cascading delay	1
11/17/2016	2254		Bensenville	DELAY	18	Freight train slow to enter yard	25
11/17/2016	2255		Bensenville	DELAY		Cascading delay	25

## PUBLIC VERSION

## EXHIBIT B-3

12/31/2016	_600		Rondout	DELAY		Significant delay at Rondout due to freight stopped in plant - equipment problem	5
1/3/2017	2200		B17	DELAY	9	Metra train delayed at Tower B17 waiting for 198 to clear plant pulling into yard	60
1/3/2017	2200		B12	ALT TRACK		lost additional time waiting for passengers crossing from #3 Main platforms to #1 Main	60
1/3/2017	2201			DELAY		Cascading delay	60
1/16/2017	2249		B17	DELAY	13	Waiting for freight train to clear in yard	36
1/16/2017	2254		B17	DELAY		Cascading delay	36
1/16/2017	2255		B17	DELAY		Cascading delay	36
2/1/2017	2200		Bensenville	DELAY	12	Metra train delayed due to freight train stopped going in Bensenville Yard with rear end still in plant	53
2/1/2017	2201			DELAY		Cascading delay	53
3/1/2017	2217		1317	DELAY	28	CP 586 released to come in the yard with CP 143 blocking the lead that 586 needed to use in order to clear the plant. CP 586 stopped with rear end blocking B17 plant.	52
3/1/2017	2236		B17	DELAY	38	CP 586 released to come in the yard with CP 143 blocking the lead that 586 needed to use in order to clear the plant. CP 586 stopped with rear end blocking B17 plant.	52
4/12/2017	2244	PEAK	B12	ALT TRACK		Freight train CP-241 in Emergency between B12 and Galewood East on Track 3, requiring Metra to use alternate track	59
4/14/2017	2252		1317	DELAY	18	Metra train delayed by train failing to clear yard	47
4/14/2017	2253		1317	DELAY	12	Cascading delay	47
4/28/2017	2200		B17	DELAY	15	Freight train stopped several times while pulling into the yard with rear end blocking Metra Main Line at Tower B17	48
4/28/2017	2200		B12	ALT TRACK		Metra train forced to use alternate track at station due to CP-143 on #3 MT with rear end blocking B12.	48
4/28/2017	2201			DELAY		Cascading delay	48
4/28/2017	2222			DELAY		Cascading delay	48
6/26/2017	2158		Rondout	DELAY	4	Metra train held at Rondout @ 4 minutes to follow CP-384-251	45
6/26/2017	2158		A20	DELAY	7	Metra train then lost @ another 7 minutes following 384-251 to Tower A20	45
6/26/2017	2151		Rondout	DELAY		Cascading delay	45
6/26/2017	2155		CUS	DELAY		Cascading delay	45
7/10/2017	2208	PEAK	B12	ALT TRACK		NS 17V was dispatched from Cicero West to Tower B12 Westward on #3 MT behind #2202 and ahead of #2208	56
7/10/2017	2208	PEAK		DELAY	6	Alternative track use caused delays	56

PUBLIC VERSION

EXHIBIT B-3

7/10/2017	2208	PEAK	B12	ALT TRACK		NS 17-V dispatched to run West on #3 MT forcing Metra trains to use alternate track at stations	56
7/10/2017	2212	PEAK	B12	ALT TRACK		NS 17-V dispatched to run West on #3 MT forcing Metra trains to use alternate track at stations	56
9/13/2017			B12	DELAY		Dispatcher dispatched NS crew that was not lined up correctly during peak period	40
11/3/2017	2256		Spaulding	DELAY	15	Waiting for freight train to clear plant	51
12/6/2017	2256		Bensenville	DELAY	14	Waiting for freight train coming from Bryn Mawr and pulling Bensenville Yard	38
12/26/2017	2204	PEAK	Big Timber Road	DELAY	25	Equipment problem compounded by planned crewing at Randall Road just before peak period	41
12/26/2017	2206	PEAK	Big Timber Road	ALT TRACK		Stopped freight train required boarding on alternative tracks	41
12/26/2017	2206	PEAK	Big Timber Road	DELAY	34	Cascading delay	41
12/26/2017		PEAK	Big Timber Road	DELAY		Cascading delay	41
12/26/2017		PEAK	Big Timber Road	DELAY		Cascading delay	41
12/26/2017		PEAK	Big Timber Road	DELAY		Cascading delay	41
12/26/2017		PEAK	Big Timber Road	DELAY		Cascading delay	41
12/26/2017		PEAK	Big Timber Road	DELAY		Cascading delay	41
12/26/2017		PEAK	Big Timber Road	DELAY		Cascading delay	41
12/26/2017		PEAK	Big Timber Road	DELAY		Cascading delay	41
12/26/2017		PEAK	Big Timber Road	DELAY		Cascading delay	41
12/26/2017		PEAK	Big Timber Road	DELAY		Cascading delay	41
12/26/2017		PEAK	Big Timber Road	DELAY		Cascading delay	41
12/26/2017		PEAK	Big Timber Road	DELAY		Cascading delay	41
12/26/2017		PEAK	Big Timber Road	DELAY		Cascading delay	41



## PUBLIC VERSION

## EXHIBIT B-3

12/26/2017		PEAK	Big Timber Road	DELAY		Cascading delay	41
12/26/2017		PEAK	Big Timber Road	DELAY		Cascading delay	41
12/26/2017		PEAK	Big Timber Road	DELAY		Cascading delay	41
12/26/2017		PEAK	Big Timber Road	DELAY		Cascading delay	41
12/26/2017	2230		B35	DELAY	40	CP-472 was dispatched in a narrow window between scheduled Metra trains and wound up getting a broken drawbar just short of Tower B35	41
12/26/2017	2232		B35	DELAY	17	Cascading delay	41
12/26/2017	2250		B17	DELAY	12	Freight train allowed to depart directly ahead of Metra 2250	41
12/26/2017	2251		B17	DELAY		Cascading delay	41
12/26/2017	2256		B17	DELAY		Cascading delay	41
12/26/2017	2257		B17	DELAY		Cascading delay	41
12/27/2017	2248		Bensenville	DELAY	15	Waiting for a CP-241 heading into Bensenville yard at Tower B12 to clear the main	41
12/27/2017	2249		Bensenville	DELAY		Cascading delay	41
12/27/2017	2254		Bensenville	DELAY		Cascading delay	41
12/27/2017	2255		Bensenville	DELAY		Cascading delay	41
12/28/2017	2244	PEAK	B12	ALT TRACK		Freight train released at peak of rush hour in tight window between Metra trains	41
12/28/2017	2244	PEAK	Galewood	DELAY	12	Freight train released at peak of rush hour in tight window between Metra trains	41
12/28/2017	2234	PEAK	CUS	DELAY	7	Cascading delay	41
12/28/2017	2231	PEAK		DELAY		Cascading delay	41
12/28/2017	2233	PEAK		DELAY		Cascading delay	41
3/3/2018	2604		Rondout	DELAY	15	Metra train was intentionally held 9 minutes to follow CP train whose crew was short on time, then followed the CP train	73
3/10/2018	2250		Spaulding	DELAY	20	Following CP freight from Spaulding to Tower 1317	73
3/10/2018	2251			DELAY		Cascading delay	73
3/10/2018	2256			DELAY		Cascading delay	73
3/13/2018	2254		B17	DELAY		CP 280 train left on Metra #2 MT for a re-crew, occupying for over 5 hours, activated automatic warning device at crossings	73
3/13/2018	2255		B17	DELAY		Cascading delay	73
3/14/2018	2202		Bensenville	DELAY	20	CP-G52 with 7400 feet was dispatched from Bensenville Yard ahead of Metra train	73

## PUBLIC VERSION

## EXHIBIT B-3

3/24/2018	2256		B12	DELAY	18	Freight interference	83
4/25/2018	2251		Galewood East	DELAY	15	traffic holding on line to be used by Metra train	74
4/25/2018	2251		B17	DELAY		Following slow freight train from 1317 to B12	74
6/8/2018	2227		Bensenville	DELAY		Slow crew going into Bensenville	78
6/8/2018	2245		B12	DELAY		Dispatcher dispatched freight ahead of Metra train	78
7/24/2018	2200		Spaulding	ALT TRACK		Metra dispatched on alternative track, forcing passengers to cross track	78
8/17/2018	2250		B17	DELAY	17	Dispatcher error squeezing freight trains in front of Metra, compounding signal problem and slow train crews.	70
8/17/2018	2251			DELAY		Cascading delay	70
8/17/2018	2256			DELAY		Cascading delay	70
8/23/2018	2231		B17	DELAY	15	CP 198 12k foot train slow entering Bensenville; dispatched with impossible timing and without yard switches lined up	79
8/23/2018	2233			DELAY		Cascading delay	79
8/23/2018	2235			DELAY		Cascading delay	79
8/23/2018	2237			DELAY		Cascading delay	79
8/25/2018	2708		Galewood East	DELAY	16	Crew swap on mainline	92
8/25/2018	2716		B17	DELAY		CP train parked on mainline #2 for 7 hours	92
9/5/2018	2158		Rondout	DELAY		Intentionally held to allow for freight with short crew time to proceed ahead, then forced to follow freight	75
9/5/2018	2158			ALT TRACK		Dispatcher used alternative mainline to accommodate delay	75
9/5/2018	2155		CUS	DELAY		Cascading delay	75
10/18/2018	2207	PEAK	B12	DELAY	22	Dispatcher dispatched train to cross that wasn't ready	68
10/18/2018	2226	PEAK	B12	DELAY	17	Dispatcher dispatched train to cross that wasn't ready	68
10/18/2018	2230		Big Timber Road	DELAY		Cascading delay	68
10/29/2018	2251		Galewood East	DELAY	18	Delay caused by reduction of mainlines due to CP train pulling into Bensenville	81
10/29/2018	2256		Big Timber Road	DELAY	12	Cascading delay	81
11/12/2018	2248		Spaulding	DELAY	13	Following freight train from Spaulding to B17	90
11/12/2018	2256		Galewood East	DELAY		Delay caused by 2-287 doubling out of Galewood Yard	90
11/12/2018	2255		B17	DELAY		Metra train blocked at B17 for inbound freight pulling in yard from cut-off.	90
11/20/2018	2255		B17	DELAY	13	Slow freight train clearing yard	66

## PUBLIC VERSION

## EXHIBIT B-3

11/20/2018	2255		Spaulding	DELAY	8	Dispatcher held Metra train to cross freight train	66
12/5/2018	2256		B17	DELAY	25	slow entry into yard	67
4/4/2019	2201			DELAY	22	9900 foot freight dispatched from Norpaul to Schiller Park across B12 directly ahead of Metra trains	156
4/4/2019	2204	PEAK	B12	DELAY	14	9900 foot freight dispatched from Norpaul to Schiller Park across B12 directly ahead of Metra trains	156
4/4/2019	2220	PEAK	B12	DELAY	7	Cascading delay	156
5/1/2019	2221		Big Timber Road	ALT TRACK		Re-crewing at Randall Road blocked access to Big Timber Road depo and #1 main because of train length, forcing Metra trains to board/deboard on tracks with no depot	160
5/1/2019	2244		Big Timber Road	ALT TRACK	17	Re-crewing at Randall Road blocked access to Big Timber Road depo and #1 main because of train length, forcing Metra trains to board/deboard on tracks with no depot	160
5/1/2019	7452			DELAY		Cascading delay	160
5/1/2019	2231	PEAK		DELAY		Cascading delay	160
5/1/2019	2233	PEAK		DELAY		Cascading delay	160
5/1/2019	2235	PEAK		DELAY		Cascading delay	160
5/1/2019	2237	PEAK		DELAY		Cascading delay	160
5/30/2019	2200		Bartlett	ALT TRACK	6	Metra dispatched on wrong track	141
6/7/2019	2141		Rondout	DELAY	5	Metra train held for Amtrak, although Metra train is scheduled to go first	162
6/11/2019	2250		Spaulding	DELAY	15	Freight train put ahead of Metra train	93
7/13/2019	2708		Cicero West	DELAY	15	Freight train set out in front of Metra train with reduced lines due to maintenance work	154
7/19/2019	2117		Fox Lake	DELAY	56	Blocked by CP freight train with broken knuckle	142
7/19/2019	2136			DELAY		Cascading delay	142
7/19/2019	2138		A20	DELAY	69	CP freight blocking 1 main between A20 and Deerfield	142
7/19/2019	2121		Rondout	DELAY	9	Following CP freight train (with knuckle fixed)	142
7/19/2019	2142			DELAY	10	Cascading delay	142
7/19/2019	2144			DELAY	15	Cascading delay	142
7/19/2019	2131	PEAK	A20	DELAY	12	Following CP freight train	142
7/19/2019	2146		A20	DELAY	7	Waiting on Cp 281 at A20	142
7/28/2019	2714		B17	DELAY	20	Yard move closely ahead of Metra scheduled train	125
7/29/2019	2215		Galewood	DELAY	17	Waited for freight train to clear track	95
7/29/2019	2215		Galewood	ALT TRACK		Metra train crossed over to use alternative mainline track, due to other mainline unavailable due to freight pulling out of Galewood	95



## PUBLIC VERSION

## EXHIBIT B-3

7/29/2019	2223		B12	DELAY	20	Held up due to constrained mainline availability because of re-crewing on mainline	95
7/29/2019	2231			DELAY	6	Cascading delay	95
7/29/2019	2228		B17	DELAY	13	Waiting for freight train to clear into Bensenville	139
7/29/2019	2232		B17	DELAY	8	Waiting for outbound freight coming out of Bensenville	139
7/29/2019	2612		A20	DELAY	49	Dispatching decisions to prioritize CP in context of single tracking due to track work	148
7/29/2019	2607		A20	DELAY	30	Dispatching decisions to prioritize CP in context of single tracking due to track work	148
7/29/2019	2611		A20	DELAY	40	Dispatching decisions to prioritize CP in context of single tracking due to track work	148
7/29/2019	2612		A20	DELAY		Cascading delay	148
7/29/2019	2616		A20	DELAY	11	Dispatching decisions to prioritize CP in context of single tracking due to track work	148
7/30/2019	NCS 112		B12	DELAY	10	Metra train to follow CP train to Galewood East	95
7/30/2019	NCS 112		B12	DELAY	10	Held up to follow CP-281 to Galewood East	140
7/30/2019	2217		B17	DELAY	8	Held up waiting for CP-286 to clear going into Bensenville	140
7/30/2019	2236		B17	DELAY	8	Held up waiting for CP-286 to clear going into Bensenville	140
7/30/2019	2236		B12	DELAY	17	Held at B12 on account of PC-287 taking headroom at Galewood East	140
7/30/2019	2236		Galewood East	ALT TRACK		Passengers blocked at station by freight train	140
8/2/2019	2230		B12	DELAY		Metra train running 8 minutes late not given dispatch priority over freight train	131
8/2/2019	2230		B12	ALT TRACK		Delayed Metra train forced to use alternative tracks resulting in passengers having to cross tracks	131
8/6/2019	2202		B17	DELAY	17	Freight train yarding blocked by another locomotive	97
8/6/2019	2203	PEAK		DELAY	20	Cascading delay	97
8/6/2019	2220	PEAK		DELAY	9	Cascading delay	97
8/6/2019	2224	PEAK		DELAY	7	Cascading delay	97
8/6/2019	2226	PEAK		DELAY	14	Cascading delay	97
8/6/2019	2232			DELAY	32	Freight interference - wrong lineup into the yard	97
8/7/2019	2230		B17	DELAY	23	Dispatching an 11k foot train closely ahead of scheduled Metra train, not being able to clear main trais and lack of coordination with other freight dispatcher	97
8/9/2019	2200		B17	DELAY	27	Metra train held because freight train cleared to enter Bensenville but no actual clear route into the yard	101

## PUBLIC VERSION

## EXHIBIT B-3

8/9/2019	2201	PEAK		DELAY		Cascading delay	101
8/9/2019	2222	PEAK		DELAY		Cascading delay	101
9/18/2019	2253		B17	DELAY	20	Metra train held waiting for CP-382 from Bryn Mawr pulling into the yard	113
9/23/2019	Multiple		B17	DELAY		Single tracking around CP trains for 3+ hours	96
9/24/2019	2217		B17	DELAY	13	Metra waited for locomotive swap on mainline	96
9/24/2019	2236		B17	DELAY	13	Cascading delay	96
9/25/2019	2214	PEAK	B17	DELAY	7	Stopped at B17 because of long train dispatched between two Metra trains during peak periods	110
9/25/2019	2216	PEAK		DELAY	9	Cascading delay	110
9/25/2019	2218	PEAK		DELAY	9	Cascading delay	110
9/25/2019	2209	PEAK		DELAY	5	Cascading delay	110
9/25/2019	North Central 108			DELAY	7	Cascading delay	110
9/30/2019	2208	PEAK		DELAY	7	Following CP train	111
9/30/2019	2156		Rondout	DELAY	31	Metra train running late but able to make destination with 5 minute delay delayed 31 minutes due to dispatching freight train ahead of it	111
10/1/2019	2200		B35	DELAY	18	Metra train 16 minutes at Tower B35 to let CP train go through first	111
10/1/2019	2201			DELAY		Cascading delay	111
10/1/2019	2222			DELAY		Cascading delay	111
10/4/2019	2154		A20	DELAY	18	Dispatching handoff between CP and UP caused Metra delay	111
10/12/2019	2603		Morton Grove	DELAY	15	Metra train held at Morton Grove to allow 281 to cross over in front	153
10/18/2019	2208	PEAK	B12	DELAY	12	Light engines requiring axle block held up Metra train	130
10/23/2019	2215		Bensenville	DELAY		Two main lines used by CP for crew change and setting out cars, resulting in single tracking for Metra train	124
10/23/2019	2234		Bensenville	DELAY		Two main lines used by CP for crew change and setting out cars, resulting in single tracking for Metra train	124
11/12/2019	2125		Greyslake Crossing	DELAY		Dispatching coordination issue	120
11/12/2019	2129		Greyslake Crossing	DELAY		Dispatching coordination issue	120
11/12/2019	2200		Roselle West	ALT TRACK		9k CP-472 experience broken knuckle, crew decided to leave on main line, requiring Metra trains to load from opposite platforms in 9 degree weather	147
11/12/2019	2202		Roselle West	ALT TRACK		9k CP-472 experience broken knuckle, crew decided to leave on main line, requiring Metra trains to load from opposite platforms in 9 degree weather	147

## PUBLIC VERSION

## EXHIBIT B-3

11/12/2019	2201	PEAK	Bensenville	DELAY	17	Fixed CP train allowed to run number #2 MT toward Bensenville holding up Metra trains	147
11/12/2019	2204	PEAK	Bensenville	DELAY	6	Fixed CP train allowed to run number #2 MT toward Bensenville holding up Metra trains	147
11/12/2019	2213		B12	DELAY	25	Two CP trains simultaneously allowed to go to Mannheim for crew change, leaving Metra trains constricted at B12/B17	147
11/13/2019	2117		Greyslake Crossing	DELAY		Dispatching coordination issue	120
11/16/2019	2711		B17	DELAY		Metra train held at B17 waiting for CP train to clear going into Bensenville Yard	120
11/16/2019	2718			DELAY		Cascading delay	120
11/23/2019	2710		B17	DELAY	8	CP freight clearing in yard	152
11/24/2019	2714		B17	DELAY	12	CP freight clearing in yard	152
11/25/2019	2134		Rondout	DELAY	9	Metra train delayed following freight train from Rondout to Tower A20	115
11/26/2019	2228		Roselle West	DELAY	20	Equipment issue on freight train operating closely ahead of 2228 created mainline restriction and backup	115
11/26/2019	2211			DELAY	15	Cascading delay	115
11/26/2019	2219		B12	DELAY	15	CP 650 allowed to occupy #2 MT between Tower 617 and B12 to make crew change	115
11/27/2019	2132		A20	DELAY	9	Waited for CP-199 to clear Tower A20	115
11/27/2019	2132		A6	DELAY		Waited for CP-281 to clear Tower A6	115
11/27/2019	2134		A20	DELAY	6	Following freight from Rondout to Tower A20	115
11/27/2019	2242		B12	DELAY	11	Freight occupying #3 MT	115
11/27/2019	2242		B12	ALT TRACK		Freight occupying #3 MT	115
11/29/2019	2132		A6	DELAY	18	CP 281 lost air as locomotives entered Tower A6 control point	115
11/29/2019	2115		A6	DELAY	39	CP 281 lost air as locomotives entered Tower A6 control point	115
11/29/2019	2215		A6	DELAY	10	CP 281 lost air as locomotives entered Tower A6 control point	115
12/1/2019	2608		Rondout	DELAY	8	CP 286 dispatched ahead of Metra train on its schedule	115
12/2/2019	2226		B17	DELAY	12	CP train brought out of B12 toward #2 MT at tail end of morning rush and lost air	115
12/23/2019	2253		B17	DELAY		Crew change on mainline turned into fuel level check, which delayed their pull towards Byrn Mawr	109
1/31/2020	2242		B17	DELAY	12	C198 11,800 stopped at B17 and started off CP-2 with no chance of clearing ahead of Metra train	176
1/31/2020	2223		B17	DELAY	8	C198 11,800 stopped at B17 and started off CP-2 with no chance of clearing ahead of Metra train	176
2/1/2020	2706		Bensenville	DELAY	12	Delayed for CP 286 yarding at Bensenville	176



## PUBLIC VERSION

## EXHIBIT B-3

2/1/2020	2717		B17	DELAY	35	Single tracking around CP681 in emergency	176
2/2/2020	2213			DELAY	18	Departed CUS 7 min late due to mechanical issues 10" CP 581 & CP2-287 stopped on 1 MT between B12 & B17 waiting for train to clear into yard.	176
6/11/2020	2219		B17	SIGNAL VIOLATION	68	Signal violation by CP Frt Crew	184
6/11/2020	2240		B17	SIGNAL VIOLATION	20	Signal violation by CP Frt Crew	185
6/11/2020	2221		B17	DELAY	20	Following delayed 2219 (see above delay)	185
6/11/2020	2242		B17	DELAY	20	Late turn from delayed 2219 (see above delay)	184
6/15/2020	2121		A20	DELAY	20	Waiting for CP287 to come off the cut off and run ahead.	188
7/31/2020	2248		B17	DELAY	18	CP Freight interference at B17	163
8/3/2020	2248		B17	DELAY	13	Freight train interference	163
8/4/2020	2157		Rondout	DELAY	12	Freight train interference	163
8/4/2020	108	PEAK	B12	DELAY	7	108 7 minutes Tower B12 for Q165 going into Schiller Park (108 is Peak Period train)	163
8/4/2020	2217		B12	DELAY	18	2217 held for 18 minutes for CP286 going in yard	163
8/4/2020	2216	PEAK	B12	DELAY	7	2216 7 minutes Tower B12 for Q165 going into Schiller Park (2216 is Peak Period Train) (See above delay)	163
8/4/2020	2236		B17	DELAY	23	Held at B17 for 2217 acct single tracking around freight (See above delay)	163
8/15/2020	2721		B12	DELAY	8	Held at B12 for 2722 acct single tracking around freight	165
8/15/2020	2714		B17	DELAY	30	Freight train interference	165
8/17/2020	2202	AM	B17	DELAY	8	Freight train interference	165
8/24/2020	2244	PM	B17	DELAY	17	CP freight yarding at Bensenville	173
8/24/2020	2227	PM	B17	DELAY	22	CP freight yarding at Bensenville	173
8/31/2020	2213		B17	DELAY	20	CP-65K changing power on #1 MT at Tower B17	191
9/3/2020	2128		Fox Lake	DELAY		Dispatch/PTC	198
9/9/2020	2121		A20	DELAY	15	Dispatching decision	183
9/18/2020	2216	AM		DELAY	15	Freight train interference	186
10/1/2020	2230		B17	DELAY	10	8 min CP frt at B17; 6 min CP frt at B12	169
10/1/2020	2236		B17	DELAY	30	CP freight train interference	169
10/29/2020	2242		B17	DELAY	20	CP freight train interference	163
10/29/2020	2223		B17	DELAY	17	A 9500 foot 286 was released to come into the yard directly ahead of Metra train	163
11/5/2020	2223		B17	DELAY	17	CP Freight train interference	181

## PUBLIC VERSION

## EXHIBIT B-3

11/5/2020	2242	PM	B17	DELAY	20	CP Freight train interference	181
12/15/2020	2232		B17	DELAY	6	Held at B17 for 2213 single tracking around G57-287 on Trk 2	168
12/15/2020	2236		B17	DELAY	35	IM-1 taking headroom on 2 west of B17 to shove into yard	168
12/21/2020	2216	AM	Elgin	DELAY	19	Departed late due to CP-686 interference	167
12/21/2020	2222	AM	Elgin	DELAY	13	Late departure held for late 2216 (see above delay)	177
12/24/2020	2206	AM	B12	DELAY	15	Q165 (8300 ft)	177
12/24/2020	2208	AM	B12	DELAY	10	Following delayed 2206 (see above delay)	177
12/26/2020	2702		B1	DELAY	13	Dispatcher decision	177
12/26/2020	2707		Galewood East	DELAY	10	No. 2707 delayed 10 minutes at Galewood East account freight CP281 (CP6231, 115 cars, 8,627ft)	178
12/30/2020	2240		B17	DELAY	15	CP-472 slow and then blocked B17	197
1/8/2021	2216	AM	Elgin	DELAY	16	Held for CP 472-07	229
1/8/2021	2222	AM	Elgin	DELAY	13	Late out of yard due to late departing 2216 (see above)	229
1/14/2021	2225	PM	B17	DELAY	14	CP 470 had to line 3 switches in the yard	216
1/28/2021	2237	PM	B17	DELAY	82	CP286 (11,000 ft) and CP473 (12,000 ft)	204
1/28/2021	2246	PM	B17	DELAY	35	CP286 (11,000 ft) and CP473 (12,000 ft)	204
2/17/2021	2216	AM	B17	DELAY	14	Freight train clearing	211
2/3/2021	2227	PM	B12	DELAY	14	Held for 2244 acct single tracking around Frt on trk 2	241
2/11/2021	2216		B12	DELAY	16	Blocked at Tower B12 by CP Q165 running from Norpaul to Schiller Park	228
2/12/2021	2222		B17	DELAY	9	Blocked at Tower B17 by CP 198 pulling in yard	228
2/17/2021	2216	PEAK	B17	DELAY	16	Stopped at B17 for CP-288	211
3/9/2021	2232		B17			Crew change on mainline	222
3/15/2021	2225		B17	DELAY	9	CP Freight Train Interference	214
4/12/2021	2244	PM	Galewood	DELAY	20	Following CP Freight Train	227
4/12/2021	2252		Galewood	DELAY	16	CP Freight Train Interference	227
4/16/2021	2244	PM	B17	DELAY	11	CP Freight Train Interference	244
4/16/2021	2227	PM	B17	DELAY	13	CP Freight Train Interference	244
4/19/2021	2128		B17	DELAY		Single tracking created conflicted between 2128 and 2109	213
4/19/2021	2132		B17	DELAY		Single tracking created conflicted between 2132-2113	213
4/20/2021	2132		B17	DELAY		Single tracking created conflicted between 2132-2113	213
5/5/2021	2225	PM	Almora	DELAY	26	CP Freight blocking route at Almora	220
5/5/2021	2227	PM	Almora	DELAY	6	CP Freight blocking route at Almora	220
7/2/2021	2236		B17	DELAY		Stopped freight train on maintline forcing single tracking	208

## PUBLIC VERSION

## EXHIBIT B-3

7/19/2021	2202		B17	DELAY	13	Freight train interference	207
8/1/2021	2627		Rondout	DELAY	17	Delayed at Rondout for CP Freight	210
8/2/2021	2124	PEAK	A20	DELAY	16	Metra train held for freight CP-341 from UP	210
8/3/2021	2203	AM	A5	DELAY	6	CP Freight Train Interference	205
8/3/2021	2212	AM	Rondout	DELAY	6	Following delayed 2210	205
8/3/2021	2213	PEAK	B17	DELAY	10	CP-286 slow going into yard	210
8/3/2021	2232	PEAK	B17	DELAY	10	CP-286 slow going into yard	210
8/6/2021	2222	AM	B17	DELAY	12	CP199 (11500ft)	237
8/9/2021	2213		B17	DELAY	15	Train not ready when brought down main by dispatcher	219
8/10/2021	2213		B17	DELAY		Train not ready when brought down main by dispatcher	219
8/20/2021	2213		B17	DELAY	12	Dispatcher put freight on line ahead of Metra trains	221
8/20/2021	2232		B12	DELAY	14	Dispatcher put freight on line ahead of Metra trains	221
8/25/2021	2222		B17	DELAY	10	Metra train waited for CP-199 to pull out of yard	224
9/8/2021	2222	PEAK	B17	DELAY	7	Dispatcher squeezed freight train in	215
9/8/2021	2213	PEAK	B17	DELAY	15	Dispatcher squeezed freight train in	215
9/13/2021	2209		B17	DELAY	12	CP Freight Train stopped on mainline	209
9/13/2021	2240		B17	DELAY	12	CP Freight Train stopped on mainline	209
9/13/2021	2213		B17	DELAY	9	CP Freight Train stopped on mainline	209
9/23/2021	2128		Deerfield	DELAY	9	Held up by prioritized freight train	233
9/23/2021	2128		Deerfield	ALT TRACK	9	Required to switch tracks, passenger had to cross tracks to board	233
9/23/2021	2232		B17	DELAY	7	Crew change called with far less time than the window allowed between Metra trains	233
9/25/2021	2717		B17	DELAY	11	CP198-21 yarding at Bensenville	231
9/25/2021	2720		B17	DELAY	12	Following CP686-757 Elgin to 12	231
9/26/2021	2714		B17	DELAY	16	CP Frt yarding at B17	231
9/30/2021	2236		B17	DELAY	14	CP286 (12,245 ft)	225
9/30/2021	2217		B17	DELAY	12	CP286 (12,245 ft)	225
10/1/2021	2202	AM	B12	ALT TRACK	3	2202 routed trk 1 instead of trk 3 acct NS17V 8500ft on trk 3	238
10/1/2021	2204	AM	B12	DELAY	25	CP Q165 off IHB for Schiller Park	238
10/1/2021	2206	AM	B12	DELAY	10	Following delayed NCS100 (see below delay)	238
10/1/2021	2208	AM	B12	ALT TRACK	3	2208 routed trk 2 instead of trk 3 acct CP141 9893 ft on trk 3	238
10/1/2021	2230		B17	DELAY	10	CP199 (11,000 ft)	239
10/1/2021	2232		B12	ALT TRACK	5	2232 routed trk 1 instead of trk 3 acct CP281 13,995 ft on trk3	239
10/1/2021	100	AM	B12	DELAY	10	Followed delayed MW2204 acct CP Q165 on track 2	239



## PUBLIC VERSION

## EXHIBIT B-3

10/5/2021	2232		B12	ALT TRACK		2232 routed trk 1 instead of trk 3 acct CP281 13,000 ft on trk 3	205
10/12/2021	2217		B17	DELAY	7	Delayed running on restricting signals due to CP 287 ahead and waiting for 287s rear end to clear Tower B17	245
10/12/2021	2236		B17	DELAY	13	Waiting for 2217, then crossing over to run around 650-772	245
10/13/2021	2228		B17	DELAY	17	Held behind CP 472 for crew change	243
10/13/2021	2213		Franklin Park West	DELAY	15	Held due to CP 287 being held on Metra #1 MT, making space for additional inbound CP trains	245
10/31/2021	2724		Galewood East	DELAY	15	Mw2724 stopped 15 m because (288 Cp8915 6805) on 2MT going to Belt 2 and behind him on 3MT going to Belt 2 was the (140 CP8576 12,277) which was blocking Galewood East preventing the MW2724 to crossover to 2MT.	284
11/2/2021	NCS 108	PEAK	B12 DELAY	DELAY	18	CP dispatched 10k foot train from IHB Norpaul to Schiller Park during peak period	248
11/2/2021	NCS 101	PEAK	B12	DELAY	17	CP dispatched 10k foot train from IHB Norpaul to Schiller Park during peak period	248
11/2/2021	2216		B12	DELAY	5	CP dispatched 10k foot train from IHB Norpaul to Schiller Park during peak period	248
11/2/2021	2117		Deerfield	DELAY	30	Freight CP-287 dispatched ahead of Metra trains without sufficient window	249
11/2/2021	2136		Deerfield	DELAY	32	Freight CP-287 dispatched ahead of Metra trains without sufficient window	249
11/5/2021	2225		B17	DELAY	9	Stopped at Tower B17 for 9 minutes waiting for CP-470 to clear into yard	251
11/10/2021	2226		River Grove	ALT TRACK		MW2226 had to re-route 1MT River Grove to Galewood due to (17V NS7539 59 X 119 11590) on 3MT.	283
11/12/2021	2213		Franklin Park West	DELAY	16	MW2213 was held 16m at Franklin Park West for MW2232 due to (K446 CSXT3240 2 X 96 5985') on 2MT.	280
11/12/2021	2210		B12	DELAY	8	MW2210 delayed at B17 due to cross traffic (470 CP8912) 8m late by B12.	281
11/14/2021	2720		B17	DELAY	28	2720 was delayed 28 min at b17 freight interference. Train causing delay 198-10 CP 897. Over 10,000 feet. B-17 was told by a "senior director" to run it no matter what	291
11/15/2021	2230		Galewood	ALT TRACK		MW2230 had to re-route down 1MT at B12 to Galewood due to (281 CP8957 49 X 145 12708') on 3MT.	278
11/15/2021	2206			ALT TRACK		MW2206 and MW2208 had to re-route down 2MT due to (651 CP8022 35 X 147 11248) on 3MT.	279
11/15/2021	2208			ALT TRACK		MW2206 and MW2208 had to re-route down 2MT due to (651 CP8022 35 X 147 11248) on 3MT.	279
11/16/2021	2217		B12	ALT TRACK		MW2217 will run 3MT Cicero West to B12 due to (287 CP8931 85 X 86 10160) re-crewing on 1MT.	277

## PUBLIC VERSION

## EXHIBIT B-3

11/22/2021	2222	PEAK	B17	DELAY	13	CP 680 moving off cut off from Bryn Mawr toward yard	295
12/2/2021	2202			ALT TRACK		MW2202 and MW2204 had to reroute down 1MT due to (288 NS1171 90X12 6103) was on 2MT. Also (141 CP8794 78X46 8320) was 3MT.	276
12/2/2021	2204			ALT TRACK		MW2202 and MW2204 had to reroute down 1MT due to (288 NS1171 90X12 6103) was on 2MT. Also (141 CP8794 78X46 8320) was 3MT.	276
12/3/2021	2226		B12	ALT TRACK		MW2226 had to re-route 2MT to 1MT at B12 due to (17V NS7675 23 X 105 8458) on 3MT.	275
12/6/2021	2232		B12	DELAY	6	MW2232 was 7m late by B12 due to (281 KCS5010 79 X 61 11,054') departing 5L to 2MT.	274
12/7/2021	2228		B12	ALT TRACK		MW2228 had to re-route 2MT to 1MT at B12 due to (17V NS9972 29 X 131 10,300') on 3MT.	272
12/7/2021	2204		B12	DELAY	11	MW2204 was 11 minutes late by B12 due to 472 going into the yard at B17.	273
12/9/2021	2110	AM	Morton Grove	DELAY	24	Dispatcher exacerbated delays by refusing to upgrade signal fault	252
12/9/2021	2116	AM	Morton Grove	DELAY	14	Dispatcher exacerbated delays by refusing to upgrade signal fault	252
12/9/2021	2118	AM	Morton Grove	DELAY	12	Dispatcher exacerbated delays by refusing to upgrade signal fault	252
12/9/2021	2120	AM	Morton Grove	DELAY	11	Dispatcher exacerbated delays by refusing to upgrade signal fault	252
12/9/2021	2124	AM	Morton Grove	DELAY	10	Dispatcher exacerbated delays by refusing to upgrade signal fault	252
12/9/2021	2126	AM	Morton Grove	DELAY	12	Dispatcher exacerbated delays by refusing to upgrade signal fault	252
12/9/2021	2118	AM	Morton Grove	HOTLINE		Hotline disabled, unable to reach dispatcher	252
12/9/2021	2124	AM	Morton Grove	HOTLINE		Hotline disabled, unable to reach dispatcher	253
12/10/2021	2221		B17	DELAY	20	Dispatcher overruled Bensenville superintendent to line up 12k foot 286 freight train, causing delays	256
12/10/2021	2240		B17	DELAY	20	Dispatcher overruled Bensenville superintendent to line up 12k foot 286 freight train, causing delays	256
12/12/2021	2704		Galewood	DELAY	5	MW2704 was stopped 5m @ Galewood waiting on freight 17V-11 to clear. The 17V-11 was 28x128, 7594 tons, and a length of 9633 ft.	286
12/13/2021	2202		B12	ALT TRACK		MW2202 had to re-route 1MT at B12 to Cicero West due to (17V NS9542 18 X 73 5910) on 3MT.	271
12/16/2021	2230		B12	ALT TRACK		MW2230 had to re-route 1MT at B12 to Galewood due to (17V NS9690 39X123 10239) on 3MT.	270

## PUBLIC VERSION

## EXHIBIT B-3

12/17/2021	2249		B12	DELAY	17	Dispatcher dispatched freight train after asking crew if it could clear in 20 minutes, crew said yes	287
12/17/2021	2232		B12	ALT TRACK		MW2232 had to re-route 1MT B12 to B6 due to (281 BN7947 55X163 13973') on 3MT.	269
12/20/2021	2213		Franklin Pk	DELAY	17	Metra train held due to CP G57-287 holding at B17 for slow crew change	318
12/20/2021	2226		Galewood East	ALT TRACK		MW2226 had to re-route 1MT at Galewood East to B6 due to MW2202 stopped on 3MT.	320
12/20/2021	2212		Galewood East	ALT TRACK		MW2212 had to re-route 1MT at Galewood East to B6.	268
12/21/2021	2226		B12	ALT TRACK		Metra train forced on other than normal track due to freight on Metra's main track	267
12/22/2021	2230		B12	DELAY	7	MW2230 7m late by B12 4m stopped at B12 due to (281 BNSF 6674 20 X 77 5834') crossing over 3MT to 2MT at B12.	322
12/27/2021	2208		B12	ALT TRACK		Metra train forced on other than normal track due to freight on Metra's main track	266
12/28/2021	2232		B12	ALT TRACK		Metra train forced on other than normal track due to freight on Metra's main track	265
12/29/2021	2232		B17	DELAY	8	Metra 2232 held 8 minutes at Tower B17 to meet Metra 2213, due to CP 67X on #2 MT at Tower B17 changing crews.	260
12/29/2021	2221		Franklin Pk	DELAY	8	Metra 2221 held 8 minutes at Franklin Park West to meet Metra 2236 due to CP-681 on #1 MT at Tower B17 changing crews.	260
12/29/2021	NCS101		B12	DELAY	27	CP intentionally pushed CP 165 12,198ft from IHB to Schiller Park across Tower B12 during morning peak	262
12/29/2021	NCS108		B12	DELAY	20	CP intentionally pushed CP 165 12,198ft from IHB to Schiller Park across Tower B12 during morning peak	262
12/29/2021	2216		B12	DELAY	15	CP intentionally pushed CP 165 12,198ft from IHB to Schiller Park across Tower B12 during morning peak	262
12/29/2021	2228		B12	ALT TRACK		Metra train forced on other than normal track due to freight on Metra's main track	264
12/31/2021	2700		Galewood East	ALT TRACK		MW2700 had to re-route 1MT B12 to Galewood East due to (G52 CP8030 86 X 3 6504') on 3MT.	288
12/31/2021	2710		Galewood East	ALT TRACK		MW2710 had to re-route 1MT B12 to Galewood East due to (17V CSXT5472 46 X 87 8686') on 3MT.	288
1/6/2022	2227		B17	DELAY	16	Held for CP286 moving from CP2 to the outbound	291
1/6/2022	2229		B17	DELAY		Cascading delay (see above delay)	291
1/6/2022	2233		B17	DELAY		Cascading delay (see above delay)	291
1/6/2022	2244			DELAY		Cascading Delay (see above delay)	291
1/7/2022	2204	AM	B12	DELAY	12	Held for CP I65 coming from IHB to Schiller park yard	291
1/8/2022	NCS100	AM	B12	DELAY	4	Following delayed 2204 (see above delay)	291



## PUBLIC VERSION

## EXHIBIT B-3

1/8/2022	2717		B17	DELAY	15	Metra 2717 stopped 15 minutes at Tower B17 waiting for CP-286 to clear plant going into Bensenville Yard	293
1/10/2022	2717		B17	DELAY	15	Held for CP-286 to clear	293
1/10/2022	2212	AM	B12	DELAY	12	CP G52 Freight Train Interference	293
1/10/2022	NCS108	AM	B12	DELAY	8	Following Delayed 2212 (see above delay)	293
1/10/2022	2216	AM	B12	DELAY		Following Delayed 2212 (see above delay)	293
1/10/2022	2217		B17	DELAY	10	CP 287 Crew Change for two hours	293
1/13/2022	2217		B17	ALT TRACK		2217 had to reroute to 2MT due to CP 287 delay (see above delay)	295
1/13/2022	2210	AM	B17	DELAY	10	Held for CP 686 being pushed off cut-off	323
1/13/2022	2203	AM	B17	DELAY	7	Cascading delay	323
1/13/2022	NCS110	AM	B12	DELAY	4	Cascading delay	323
1/13/2022	2232		Galewood East	DELAY	13	Metra 2232 waited at Galewood East. 2232 delayed 13 minutes at Galewood East waiting for 287's light engine to clear #3 MT	304
1/17/2022	2223	PM	B17	DELAY	11	Metra 2223 held for CP473	306
1/18/2022	2117		A20	DELAY		CP 287 was dispatched out of Tower A20 today essentially on 2117's time.	308
1/18/2022	2240		B17	DELAY	10	Delayed by CP583 for crew change.	311
1/26/2022	2202	AM	B17	DELAY	31	waiting for a 13,799 foot CP-198 to clear	325
1/26/2022	2203	AM	Big Timber	DELAY	28	Cascading delay (see above delay)	325
1/26/2022	2228	AM	Big Timber	DELAY	14	Cascading delay (see above delay)	325
1/26/2022	NCS101		B12	DELAY	5	Delayed by CP transfer	325
1/26/2022	NCS112		B12	DELAY	5	Blocked by CP freight	325
1/27/2022	2202		B17	DELAY	12	delayed due to CP Freight activity at Tower B17	326
1/27/2022	2203		B17	DELAY	7	Cascading delay (see above delay)	326
1/27/2022	2246	PM	Galewood East	DELAY	13	Delayed by CP freight	328
1/28/2022	2219		B17	DELAY		CP freight stopped blocking passenger boarding and detraining	312
1/28/2022	2240		B17	DELAY		Cascading delay (see above delay)	312
1/28/2022	2221		B17	DELAY		Cascading delay (see above delay)	312
1/31/2022	2221		B17	DELAY	15	Delayed by CP crew change	313
1/31/2022	2240		B17	DELAY	20	Cascading delay (see above delay)	313
2/2/2022	2232		B12	ALT TRACK		Ran on #1 MT instead of their normal #3 MT from Tower B12 to Galewood East due to freight train NS-17V running Westward on #3 MT.	314
2/2/2022	2132		A20	DELAY	6	CP freight block	314

PUBLIC VERSION

EXHIBIT B-3

2/3/2022	2242		B17	DELAY	8	Metra 2242 waited at Tower B17 8 minutes for CP-473 to clear the Control Point, arrived Chicago 4:54 PM, 5 minutes late	316
2/3/2022	2223		B17	DELAY	7	Metra 2223 waited at Tower B17 7 minutes for CP-473 to clear the Control point, then followed directly behind 473 all the way to Almore.	316
2/22/2022	2228		B17	DELAY	7	Crew change on mainline required Metra train to use alternative mainline	317
2/22/2022	2228		B17	ALT TRACK		Crew change on mainline required Metra train to use alternative mainline	317
2/22/2022	2236		B17	DELAY	30	Metra train held because freight crew time expired	317
2/22/2022	2236		B17	ALT TRACK		Dispatcher dispatched Metra train on the "wrong" side of the trains to get around stopped freight train	317
2/22/2022	2217		B17	DELAY		Cascading delay	317
2/22/2022	2229		B17	DELAY	10	Metra 2219 delayed 10 minutes at Tower B17 waiting for the rear end of CP 286 to clear the Control point going into the Yard	317
2/24/2022	2204	PEAK	B12	DELAY	12	Thursday February 24, 2022, Metra Peak Period Train #2204 was delayed 12 minutes at Tower B12, blocked by CP-I65 moving from IHB into Schiller Park across Metra's 3 Main tracks.	329
2/24/2022	2156		A20	DELAY	19	ALSO, THU FEB 24, 2022: Metra 2156 was held @ 4 minutes at Rondout to follow CP 288. 2156 then lost an additional 15 minutes following 288 all the way to Tower A20 and waiting while 288 went up the cut-off to get on the UP	329
2/28/2022	2225		B17	DELAY	24	Metra train held at B17 for freight train (CP 473) holding outside of Bensenville, then followed CP 473 in route all the way to Big Timber Road	330
2/28/2022	2227		B17	DELAY	20	Cascading delay	330
3/6/2022	2707		B17	DELAY	45	MW2707 was delayed about 45mins this morning waiting for a CP 199 train to triple up and depart Bensenville at Tower B17	331
3/6/2022	2704		B17	DELAY	14	MW2704 was delayed 14 mins at Tower B-17 for CP 198 with 72 cars and 12,922' long moving CP2 to the New Arrival track into Bensenville Yard	331
3/14/2022	2226	PEAK	B12	ALT TRACK		Metra 2226 was routed on #1 MT from Tower B12 to Galewood East due to CP 651 operating on #3 MT between BRC Connection Cicero West and Tower B12. As a result, passengers waiting on the #3 Main Track platforms had to cross at the last minute to opposite side to board. Resulted in passenger complaint.	332

**EXHIBIT B-4**

**Metra Letter 20190426 Instituting Trains**





547 W. Jackson Boulevard, Chicago, IL 60661

312-322-6900

metrarail.com

April 26, 2019

Mr. C. E. (Chuck) Hubbard  
Director, Interline & Passenger - South  
Canadian Pacific Railway  
Battle Creek Building  
1010 Shop Road  
St. Paul, MN 55106

Dear Mr. Hubbard:

In early 2018, Metra made a reduction to its commuter service on the North Line and Metra now intends to reinstitute weekend trains which were deleted from that previous schedule. This is part of Metra's Summer Schedule promotion which we are instituting on this and other Metra corridors. The promotion will be on a 90-day trial basis, but if successful, could be made permanent.

Effective June 1, 2019, and each Saturday and Sunday until September 1, 2019, Metra will operate the schedule of trains as detailed on the attachment to this letter. The trains being added back to the schedule are highlighted in yellow.

Let me know if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jack Bauer", is written over a light blue circular stamp.

Jack Bauer  
Director Contracts

ATTACHMENT

---







Milwaukee North: Departure Times - Summer Schedule Pilot  
Saturday Outbound

Location Name	Distance	MN2601		MN2603		MN2607		MN2611		MN2613		MN2615		MN2681		MN2617		MN2621		MN2623		MN2625		MN2627	
Train Symbol		MN2601		MN2603		MN2607		MN2611		MN2613		MN2615		MN2681		MN2617		MN2621		MN2623		MN2625		MN2627	
Days of Operation		—S		—S		—S		—S		—S		—S		—S		—S		—S		—S		—S		—S	
Leave AM/PM		a.m.		a.m.		p.m.		p.m.		p.m.		p.m.		p.m.		p.m.		p.m.		p.m.		p.m.		a.m.	
Chicago Union Station	0	Lv 8:35	b	Lv 10:35	b	Lv 12:35	b	Lv 2:35	b	Lv 3:45	b	Lv 4:35	b	Lv 5:25	b	Lv 5:35	b	Lv 6:35	b	Lv 8:35	b	Lv 10:35	b	Lv 12:25	b
Western Ave	2.9	8:44	sb	10:44	sb	12:44	sb	2:44	sb	3:53		4:44	sb	5:33		5:44	sb	6:44	sb	8:44	sb	10:44	sb	12:34	sb
<i>Tower A-5 (by)</i>	5.4	8:47		10:47		12:47		2:47		3:56		4:47		5:36		5:47		6:47		8:47		10:47		12:37	
Healy	6.4	8:49	sb	10:49	sb	12:49	sb	2:49	sb	↓		4:49	sb	↓		5:49	sb	6:49	sb	8:49	sb	10:49	sb	12:39	sb
Grayland	8.2	8:52	sb	10:52	sb	12:52	sb	2:52	sb	3:58	†	4:52	sb	5:38	†	5:52	sb	6:52	sb	8:52	sb	10:52	sb	12:42	sb
Mayfair	9	8:54	sb	10:54	sb	12:54	sb	2:54	sb	4:00		4:54	sb	5:40		5:54	sb	6:54	sb	8:54	sb	10:54	sb	12:44	sb
Forest Glen	10.3	8:57	sb	10:57	sb	12:57	sb	2:57	sb	↓		4:57	sb			5:57	sb	6:57	sb	8:57	sb	10:57	sb	12:47	sb
Edgebrook	11.7	9:00	sb	11:00	sb	1:00	sb	3:00	sb	4:04	sb	5:00	sb			6:00	sb	7:00	sb	9:00	sb	11:00	sb	12:50	sb
Morton Grove	14.4	9:05	sb	11:05	sb	1:05	sb	3:05	sb	4:10	sb	5:05	sb			6:05	sb	7:05	sb	9:05	sb	11:05	sb	12:55	sb
Golf	16.3	9:08	sb	11:08	sb	1:08	sb	3:08	sb	4:14	sb	5:08	sb	↓		6:08	sb	7:08	sb	9:08	sb	11:08	sb	12:58	sb
Glenview	17.5	9:11	sb	11:11	sb	1:11	sb	3:11	sb	4:17	sb	5:11	sb	5:48	sb	6:11	sb	7:11	sb	9:11	sb	11:11	sb	1:01	sb
Glen/N. Glenview	18.7	9:14	sb	11:14	sb	1:14	sb	3:14	sb	↓		5:14	sb	↓		6:14	sb	7:14	sb	9:14	sb	11:14	sb	1:04	sb
Northbrook	21.2	9:19	sb	11:19	sb	1:19	sb	3:19	sb	4:24	sb	5:19	sb	5:55	sb	6:19	sb	7:19	sb	9:19	sb	11:19	sb	1:09	sb
Lake-Cook	23.1	9:23	sb	11:23	sb	1:23	sb	3:23	sb	↓		5:23	sb	↓		6:23	sb	7:23	sb	9:23	sb	11:23	sb	1:13	sb
Deerfield	24.3	9:26	sb	11:26	sb	1:26	sb	3:26	sb	4:29	sb	5:26	sb	6:00	sb	6:26	sb	7:26	sb	9:26	sb	11:26	sb	1:16	sb
Lake Forest	28.1	9:31	sb	11:31	sb	1:31	sb	3:31	sb	4:35	sb	5:31	sb	6:05	sb	Ar 6:33	b	7:31	sb	9:31	sb	11:31	sb	1:21	sb
<i>Rondout (by)</i>	32.3	9:36		11:36		1:36		3:36		4:40		5:36		6:10		6:38		7:36		9:36		11:36		1:26	
Libertyville	35.6	9:42	sb	11:42	sb	1:42	sb	3:42	sb	4:47	sb	5:42	sb	6:16	sb			7:42	sb	9:42	sb	11:42	sb	1:31	sb
Prairie Crossing	39.3	9:48	sb	11:48	sb	1:48	sb	3:48	sb	↓		5:48	sb	↓				7:48	sb	9:48	sb	11:48	sb	1:37	sb
<i>CN Crossing (by)</i>	39.9	9:50		11:50		1:50		3:50		4:55		5:50		6:22				7:50		9:50		11:50		1:39	
Grayslake	41.1	9:52	sb	11:52	sb	1:52	sb	3:52	sb	4:55	sb	5:52	sb	6:24	sb			7:52	sb	9:52	sb	11:52	sb	1:41	sb
Round Lake	44.1	9:59	sb	11:59	sb	1:56	sb	3:56	sb	5:03	sb	5:56	sb	6:28	sb			7:56	sb	9:56	sb	11:56	sb	1:45	sb
Long Lake	46.1	10:02	fb	12:02	fb	1:59	fb	3:59	fb			5:59	fb					7:59	fb	9:59	sb	11:59	sb	1:48	sb
Ingleside	47.9	10:05	fb	12:05	fb	2:02	fb	4:02	fb	↓		6:02	fb	↓				8:02	fb	10:02	fb	12:02 D2	fb	1:51	fb
Fox Lake	49.6	Ar 10:17	b	Ar 12:17	b	Ar 2:12	b	Ar 4:12	b	Ar 5:13	b	Ar 6:12	b	Ar 6:38	b			Ar 8:12	b	Ar 10:12	b	Ar 12:12 D2	b	Ar 1:57	b



Milwaukee North: Departure Times - Summer Schedule Pilots + Weekday  
Sunday Inbound

Location Name	Distance	MN2600		MN2602		MN2604		MN2680		MN2608		MN2612		MN2614		MN2616		MN2620		MN2622	
Train Symbol		S		S		S		S		S		S		S		S		S		S	
Days of Operation		a.m.		a.m.		a.m.		a.m.		a.m.		p.m.		p.m.		p.m.		p.m.		p.m.	
Leave AM/PM		a.m.		a.m.		a.m.		a.m.		a.m.		p.m.		p.m.		p.m.		p.m.		p.m.	
Fox Lake	49.6	Lv 5:38	b	Lv 6:45	b	Lv 8:45	b	Lv 9:45	b	Lv 10:45	b	Lv 12:45	b	Lv 2:45	b	Lv 4:45	b	Lv 8:25	b	Lv 10:25	b
Ingleside	47.9	5:41	fb	6:48	fb	8:48	fb			10:48	fb	12:48	fb	2:48	fb	4:48	fb	8:28	fb	10:28	fb
Long Lake	46.1	5:44	sb	6:51	sb	8:51	sb	↓		10:51	fb	12:51	fb	2:51	fb	4:51	fb	8:31	sb	10:31	sb
Round Lake	44.1	5:47	sb	6:54	sb	8:54	sb	9:50	sb	10:54	sb	12:54	sb	2:54	sb	4:54	sb	8:34	sb	10:34	sb
Grayslake	41.1	5:51	sb	7:00	sb	9:00	sb	9:56	sb	11:00	sb	1:00	sb	3:00	sb	5:00	sb	8:39	sb	10:39	sb
CN Crossing (by)	39.9	5:53		7:02		9:02		9:58		11:02		1:02		3:02		5:02		8:40		10:40	
Prairie Crossing	39.3	5:55	sb	7:04	sb	9:04	sb	↓		11:04	sb	1:04	sb	3:04	sb	5:04	sb	8:42	sb	10:42	sb
Libertyville	35.6	6:01	sb	7:10	sb	9:10	sb	10:05	sb	11:10	sb	1:10	sb	3:10	sb	5:10	sb	8:48	sb	10:48	sb
Rondout (by)	32.3	6:06		7:15		9:15		10:10		11:15		1:15		3:15		5:15		8:53		10:53	
Lake Forest	28.1	6:11	sb	7:20	sb	9:20	sb	10:15	sb	11:20	sb	1:20	sb	3:20	sb	5:20	sb	8:58	sb	10:58	sb
Deerfield	24.3	6:17	sb	7:26	sb	9:26	sb	10:21	sb	11:26	sb	1:26	sb	3:26	sb	5:26	sb	9:04	sb	11:04	sb
Lake-Cook	23.1	6:20	sb	7:29	sb	9:29	sb	↓		11:29	sb	1:29	sb	3:29	sb	5:29	sb	9:07	sb	11:07	sb
Northbrook	21.2	6:24	sb	7:33	sb	9:33	sb	10:26	sb	11:33	sb	1:33	sb	3:33	sb	5:33	sb	9:10	sb	11:10	sb
Glen/N. Glenview	18.7	6:28	sb	7:37	sb	9:37	sb	↓		11:37	sb	1:37	sb	3:37	sb	5:37	sb	9:14	sb	11:14	sb
Glenview	17.5	6:31	sb	7:40	sb	9:40	sb	10:31	sb	11:40	sb	1:40	sb	3:40	sb	5:40	sb	9:17	sb	11:17	sb
Golf	16.3	6:34	sb	7:43	sb	9:43	sb			11:43	sb	1:43	sb	3:43	sb	5:43	sb	9:20	sb	11:20	sb
Morton Grove	14.4	6:37	sb	7:46	sb	9:46	sb			11:46	sb	1:46	sb	3:46	sb	5:46	sb	9:23	sb	11:23	sb
Edgebrook	11.7	6:41	sb	7:51	sb	9:51	sb			11:51	sb	1:51	sb	3:51	sb	5:51	sb	9:28	sb	11:28	sb
Forest Glen	10.3	6:44	sb	7:54	sb	9:54	sb			11:54	sb	1:54	sb	3:54	sb	5:54	sb	9:31	sb	11:31	sb
Mayfair	9	6:47	sb	7:57	sb	9:57	sb	10:39		11:57	sb	1:57	sb	3:57	sb	5:57	sb	9:34	sb	11:34	sb
Grayland	8.2	6:49	sb	7:59	sb	9:59	sb	10:42	†	11:59	sb	1:59	sb	3:59	sb	5:59	sb	9:36	sb	11:36	sb
Healy	6.4	6:52	sb	8:02	sb	10:02	sb	↓		12:02	sb	2:02	sb	4:02	sb	6:02	sb	9:39	sb	11:39	sb
Tower A-5 (by)	5.4	6:53		8:04		10:04		10:45		12:04		2:04		4:04		6:04		9:40		11:40	
Western Ave	2.9	6:57	sb	8:08	sb	10:08	sb	10:49		12:08	sb	2:08	sb	4:08	sb	6:08	sb	9:43	sb	11:43	sb
Chicago Union Station	0	Ar 7:12	b	Ar 8:22	b	Ar 10:22	b	Ar 11:02	b	Ar 12:22	b	Ar 2:22	b	Ar 4:22	b	Ar 6:22	b	Ar 9:58	b	Ar 11:58	b



Milwaukee North: Departure Times - Summer Schedule Pilot  
Sunday Outbound

Location Name	Distance	MN2601		MN2605		MN2607		MN2611		MN2615		MN2683		MN2621		MN2623		MN2625		MN2627		
Train Symbol		S		S		S		S		S		S		S		S		S		S		
Days of Operation		a.m.		a.m.		p.m.		p.m.		p.m.		p.m.		p.m.		p.m.		p.m.		a.m.		
Leave AM/PM		a.m.		a.m.		p.m.		p.m.		p.m.		p.m.		p.m.		p.m.		p.m.		a.m.		
Chicago Union Station	0	Lv 8:35	b	Lv 10:35	b	Lv 12:35	b	Lv 2:35	b	Lv 4:35	b	Lv 5:35	b	Lv 6:35	b	Lv 8:35	b	Lv 10:35	b	Lv 12:25	b	
Western Ave	2.9	8:44	sb	10:44	sb	12:44	sb	2:44	sb	4:44	sb	5:43		6:44	sb	8:44	sb	10:44	sb	12:34	sb	
Tower A-5 (by)	5.4	8:47		10:47		12:47		2:47		4:47		5:46		6:47		8:47		10:47		12:37		
Healy	6.4	8:49	sb	10:49	sb	12:49	sb	2:49	sb	4:49	sb	↓		6:49	sb	8:49	sb	10:49	sb	12:39	sb	
Grayland	8.2	8:52	sb	10:52	sb	12:52	sb	2:52	sb	4:52	sb	5:49	†	6:52	sb	8:52	sb	10:52	sb	12:42	sb	
Mayfair	9	8:54	sb	10:54	sb	12:54	sb	2:54	sb	4:54	sb	5:51		6:54	sb	8:54	sb	10:54	sb	12:44	sb	
Forest Glen	10.3	8:57	sb	10:57	sb	12:57	sb	2:57	sb	4:57	sb			6:57	sb	8:57	sb	10:57	sb	12:47	sb	
Edgebrook	11.7	9:00	sb	11:00	sb	1:00	sb	3:00	sb	5:00	sb			7:00	sb	9:00	sb	11:00	sb	12:50	sb	
Morton Grove	14.4	9:05	sb	11:05	sb	1:05	sb	3:05	sb	5:05	sb			7:05	sb	9:05	sb	11:05	sb	12:55	sb	
Golf	16.3	9:08	sb	11:08	sb	1:08	sb	3:08	sb	5:08	sb	↓		7:08	sb	9:08	sb	11:08	sb	12:58	sb	
Glenview	17.5	9:11	sb	11:11	sb	1:11	sb	3:11	sb	5:11	sb	5:58	sb	7:11	sb	9:11	sb	11:11	sb	1:01	sb	
Glen/N. Glenview	18.7	9:14	sb	11:14	sb	1:14	sb	3:14	sb	5:14	sb	↓		7:14	sb	9:14	sb	11:14	sb	1:04	sb	
Northbrook	21.2	9:19	sb	11:19	sb	1:19	sb	3:19	sb	5:19	sb	6:05	sb	7:19	sb	9:19	sb	11:19	sb	1:09	sb	
Lake-Cook	23.1	9:23	sb	11:23	sb	1:23	sb	3:23	sb	5:23	sb	↓		7:23	sb	9:23	sb	11:23	sb	1:13	sb	
Deerfield	24.3	9:26	sb	11:26	sb	1:26	sb	3:26	sb	5:26	sb	6:10	sb	7:26	sb	9:26	sb	11:26	sb	1:16	sb	
Lake Forest	28.1	9:31	sb	11:31	sb	1:31	sb	3:31	sb	5:31	sb	6:15	sb	7:31	sb	9:31	sb	11:31	sb	1:21	sb	
Rondout (by)	32.3	9:36		11:36		1:36		3:36		5:36		6:20		7:36		9:36		11:36		1:26		
Libertyville	35.6	9:42	sb	11:42	sb	1:42	sb	3:42	sb	5:42	sb	6:26	sb	7:42	sb	9:42	sb	11:42	sb	1:31	sb	
Prairie Crossing	39.3	9:48	sb	11:48	sb	1:48	sb	3:48	sb	5:48	sb	↓		7:48	sb	9:48	sb	11:48	sb	1:37	sb	
CN Crossing (by)	39.9	9:50		11:50		1:50		3:50		5:50		6:32		7:50		9:50		11:50		1:39		
Grayslake	41.1	9:52	sb	11:52	sb	1:52	sb	3:52	sb	5:52	sb	6:34	sb	7:52	sb	9:52	sb	11:52	sb	1:41	sb	
Round Lake	44.1	9:59	sb	11:56	sb	1:56	sb	3:56	sb	5:56	sb	6:38	sb	7:56	sb	9:56	sb	11:56	sb	1:45	sb	
Long Lake	46.1	10:02	fb	11:59	fb	1:59	fb	3:59	fb	5:59	fb			7:59	fb	9:59	sb	11:59	sb	1:48	sb	
Ingleside	47.9	10:05	fb	12:02	fb	2:02	fb	4:02	fb	6:02	fb	↓		8:02	fb	10:02	fb	12:02 D2	fb	1:51	fb	
Fox Lake	49.6	Ar 10:17	b	Ar 12:12	b	Ar 2:12	b	Ar 4:12	b	Ar 6:12	b	Ar 6:48	b	Ar 8:12	b	Ar 10:12	b	Ar 12:12 D2	b	Ar 1:57	b	

## **EXHIBIT B-5**

**Metra Letter 20190305 to CP re: Peak Period Trains**





547 W. Jackson Blvd. Chicago, Illinois 60661 Telephone: 312-322-6777

March 5, 2019

Robert A. Johnson  
Executive Vice President – Operations  
Canadian Pacific  
Bldg 1, 7550 Ogden Dale Road  
Calgary, AB T2C 4X9

Re: Proposed Changes to the CP/Metra Trackage Agreement

Dear Mr. Johnson:

As recently discussed, Metra desires to pursue a pilot program of new reverse commuting operations between Chicago and Lake Forest, Illinois. This new commuter operation is an experimental solution to a problem of providing an alternate method of transportation to those people residing in the City of Chicago, but with job opportunities in the northern suburbs. These suburbs, Lake County, Pace Bus and others feel strongly enough about this issue to step forward and work together to show others a method to tackle regional issues through a coordinated team effort.

Lake County and Metra have partnered in this pilot program and we feel this new Metra service is one solution to a prevailing issue in the congested Chicago region.

Metra also understands that CP has its own operational capacity issues in the Chicago region. In an effort to reach resolution with CP, Metra is now proposing a change to the Metra Peak Periods as shown and defined on the attached replacement page 14 from the May 27, 1993, Supplemental Agreement between our organizations. Metra feels this revision allows Metra to add new service to its Peak Periods and in turn offers CP new windows for its train operation.

Metra remains ready to meet with you personally, hopefully in the next 30 days, to discuss this solution and others to help both parties address their current operational needs and the infrastructure needs for the future.

Please signify your acceptance and receipt of this proposed change by signing both original counterparts of this letter and returning one to my office.

Sincerely,

James M. Derwinski  
CEO/Executive Director

Acknowledged and Accepted by CP:

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

CUS to B-12 & Big Timber Road - - westbound

5:15 a.m. - 8:30 a.m.

4:00 p.m. - 6:15 p.m.

Rondout to CUS - - southbound

6:00 a.m. - 7:50 a.m.

4:20 p.m. - 6:00 p.m.

CUS to A-20 - - northbound

~~6:25 a.m. - 8:45 a.m.~~ 5:35 a.m. - 7:55 a.m.

~~4:15 p.m. - 6:10 p.m.~~ 3:20 p.m. - 5:15 p.m.

A-20 to Rondout - - northbound

~~7:00 a.m. - 8:15 a.m.~~ 6:05 a.m. - 7:20 a.m.

~~4:30 p.m. - 6:20 p.m.~~ 3:55 p.m. - 5:45 p.m.

Fox Lake to Rondout - - southbound

5:00 a.m. - 8:30 a.m.

Rondout to Fox Lake - - northbound

4:30 p.m. - 6:45 p.m.

Except as required by an emergency, CP shall not interfere or permit any third party to interfere with peak period trains. CP shall not object to Metra's operations of peak period trains on the grounds that those operations unreasonably interfere with CP's or third parties' ability to provide efficient freight or intercity

## **EXHIBIT B-6**

**CP Letter 20190312 to Metra re: Reverse Commute Trains**





Robert A. Johnson  
Executive Vice-President  
Operations

7550 Ogden Dale Road SE  
Calgary Alberta  
Canada T2C 4X9

T 403 319 3600  
C 612 760 1533  
E Robert\_Johnson@cpr.ca

March 12, 2019

Mr. James M. Derwinski  
CEO/Executive Director  
Metra  
547 W. Jackson Boulevard  
Chicago, IL 60661

Re: Metra's Proposed Changes to CP/Metra Trackage Rights Agreement

Dear Mr. Derwinski:

I am writing regarding Metra's request to amend the May 27, 1993 Supplemental Trackage Rights Agreement (the existing Agreement) per your letter of March 5, 2019 and the proposed timetable changes we received from Rich Oppenheim on March 8, 2019 implementing same by adding additional trains in each direction in the Rondout/Chicago Union Station corridor.

First, let me say we understand Metra's desire to explore the addition of reverse commute operations between downtown Chicago and Lake Forest. We live and work in the metropolitan area too and appreciate the transportation challenge that poses. We also appreciate and understand our obligation to serve our current and future customers, and our commitment to keeping the Chicago Rail Terminal fluid.

Given the accommodations and changes we have made to Metra already—which impact our capacity and ability to serve our customers—we are not in a position to accept Metra's proposed changes and cannot agree to them. Allow me to explain.

Under our existing Agreement, CP is limited to non-Peak periods to handle and move its traffic over the CP/Metra Joint Lines in the Chicago Terminal, and even then must share the capacity with Metra giving commuter trains priority. Peak periods are reserved exclusively for commuter trains to the exclusion of all others. The proposed changes would add three Non-Peak trains in the Rondout/Chicago Union Station corridor, a corridor vital to connecting our customer's traffic to Chicago and the national network.

Section 8.16 of the existing Agreement allows for the possibility, subject to CP's consent, of adding two Non-Peak period trains in each direction between Fox Lake and Chicago Union Station (the Rondout/Chicago Union Station corridor). We have done that already. In 1997, CP agreed to add six new reverse commute weekday trains (three in each direction, one Peak and two Non-Peak) as well as two additional Saturday trains and four additional Sunday trains in this corridor.

Since 1997, we have agreed to add other Non-Peak trains on multiple occasions: in 2002 six additional Non-Peak trains on the West Line (equally vital to CP as the north/south Rondout line), in 2006 four additional Peak trains on the West Line, and in 2008 four additional Non-Peak Saturday trains and two Non-Peak Sunday trains in the Rondout/Union Station corridor. Taken as a whole, these

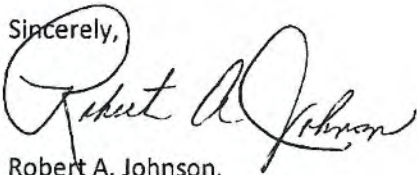
James M. Derwinski  
March 12, 2019  
Page 2

accommodations have negatively impacted our operating capacity, all the more so currently when rail traffic is increasing and expected to continue to increase.

We believe it is now time for Metra to add capacity to meet this and future service expansions—additional capacity from Union Station north to Rondout, and west from Tower A-5 to Tower B-17 and points beyond. This solution would serve Metra's and the metropolitan area's transportation needs, while serving the needs of the national rail network and economy as well.

We certainly intend to continue to abide by the Peak period provisions of the existing Agreement. If Metra can make its proposed changes work within the existing Peak Period windows that may also be an option.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert A. Johnson". The signature is written in a cursive style with a large, looped initial "R".

Robert A. Johnson,  
Executive Vice President, Operations

cc: Tony Marquis

## **EXHIBIT B-7**

**Metra Letter 20190326 to CP re: Reverse Commute Trains**





547 W. Jackson Blvd. Chicago, IL 60661 (312) 322-6900 TTY# 1-312-322-6774

*Office of the CEO/Executive Director*

March 26, 2019

Mr. Robert A. Johnson  
Executive Vice President, Operations  
Canadian Pacific Railroad  
7550 Ogden Dale Road SE  
Calgary Alberta  
Canada T2C 4X9

***Re: Metra Request to Add Reverse Commuter Trains on Milwaukee North Line***

Dear Mr. Johnson:

Thank you for your letter of March 12, 2019, indicating that CP is not in a position to consent to amending Metra's commuter schedule to add two additional reverse commuter trains on the Milwaukee North Line during non-peak hours. While CP has consented to four new trains within the peak period, Metra would like to request CP reconsider Metra's request to shift two of those new trains to the non-peak period.

Since Metra acquired the Joint Lines in 1987, subject to CP's trackage rights, the train schedule has been adjusted many times to accommodate the ebbs and flows of freight and commuter traffic. CP has in the past consented to adding commuter trains, as set out in your letter, but please recall that Metra also made capital improvements at CP's request so that CP's traffic would not be impacted.

More recently, in February, 2018, Metra eliminated two daily weekday peak period North Central Service trains on the Milwaukee West Line and six weekend Milwaukee North non-peak trains. Please note that several times a week CP does run a train during Metra's peak period, so eliminating peak period trains does provide operational benefit to CP. Even more recently, on March 16, 2019, CP began running an additional ten daily freight trains on both Milwaukee North and West lines due to Midwest bridge outages. The point is that traffic evolves with short and long term freight and commuter needs, and those traffic changes have benefited each railroad.

We would like to emphasize that the proposed new trains are part of Metra's response to recent demand from the local businesses and communities for reverse commuter service. These new trains serve employees from major local employers such as AbbVie, Verizon, Tenneco and Grainger. The initial feed back we have received from our local partners on the peak period trains that have been introduced has been very positive. To support the new service, Metra has a public private-partnership agreement in place which, after a two-year pilot period, will provide for 100% of the funding for new universal crossovers just north of the Lake Forest station. This infrastructure improvement will benefit CP, Amtrak and Metra.

The funding of operating and capital investment in partnership with Metra to the benefit of CP and Amtrak by the business community, County of Lake, City of Lake Forest and Village of Deerfield is testimony to just how important this service is to the citizens of Northeast Illinois. There has been



positive local and national press coverage of this service. Further, this service has come to the attention of local, state and federal elected officials who have expressed a positive view of this service.

Metra is very conscious of the impact of additional commuter trains on CP's traffic and does not make this request without having given the matter much thought. Please reference a Metra internal analysis of the impact of the new service on CP's traffic dated February 4, 2019, previously delivered to CP and attached for your convenience. It is a detailed discussion of Metra's understanding of the impact of the new reverse commute trains on CP traffic. The analysis is buttressed by CP's addition of ten daily freight trains without impacting Metra's schedule.

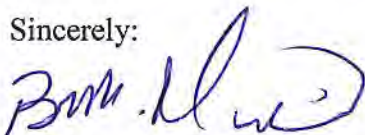
Given the importance of the new service to our local community partners and elected officials, if CP elects to not consent, Metra would appreciate, in return, an analysis in the same degree of detail so that all parties can understand how the mere adding of two trains has resulted in CP's decision. If CP does not consent, Metra is in an awkward position with our local partners and elected officials if we have no explanation beyond a blanket CP refusal.

Metra would like to propose a way forward. First, we would ask that CP agree to permit the additional trains on a pilot basis for one year, effective immediately. At the end of that year, we can assess the true demand and the actual traffic impacts. Again, given that CP has scheduled ten temporary daily additional freight trains without impacting Metra's schedule, there appears to be ample excess capacity on both the Milwaukee North and West lines.

Second, during the pilot period Metra, at Metra's expense, will arrange to have RTC modeling performed on the Milwaukee North and West lines. The modeling will allow us to have future fact based capacity discussions based on minutes of delay per 100 train miles and would be the basis for future capacity and capital improvement discussions. Metra would only ask that CP provide the appropriate train scheduling, movement data and growth assumptions to input into the model. Since CP dispatches the line, this information is not otherwise available to Metra.

Thank you in advance for CP's reconsideration of Metra's requests.

Sincerely:



James M. Derwinski  
CEO/Executive Director





547 W. Jackson Blvd. Chicago, IL 60661 (312) 322-6900 TTY# 1-312-322-6774

## Memorandum

February 4, 2019

TO: Distribution

FROM: R. P. Oppenheim, Assistant Superintendent

SUBJECT: **Addition of Proposed Off-Peak Metra Trains for Lake County Partners Pilot Program**

This has reference to Metra's proposal to add 4 additional trains to the current Metra Milwaukee North Schedule. 2 of the 4 trains operate in the Metra "Peak Period" and 2, 2191 and 2193, operate outside the Peak Period. The addition of non-peak period trains to the existing schedule is addressed in Section 8.16 of the Metra-CP Operating Agreement:

*"Metra may not change the schedule on Attachment 6 without CP's prior written consent, which may not be unreasonably withheld; providing that such change shall not materially interfere with freight operations."*

Metra contends that neither the proposed schedule of Train 2191 nor the proposed schedule of Train 2193 will materially interfere with freight operations. Under current operations, existing windows between scheduled Metra and Amtrak trains in which freight trains may operate without delaying scheduled trains are well defined. As shown below, the addition of neither 2191 nor 2193 will materially change any of the existing freight windows:

### **2191:**

Proposed schedule has 2191 departing CUS 0535, by Tower A5 0547, by Tower A20 0610 arriving Rondout 0627. Currently freight windows for that time of the morning are structured around the schedule of Amtrak 329 who leaves CUS at 0610, passes Tower A5 at 0619, Tower A20 0637 and Rondout 0648. Westward freight traffic operating via Tower A5 typically must clear Tower A5 by 0535 in order to stay ahead of Amtrak 329. If this window is missed, Westward freight still has time to leave A5 behind Amtrak 329 during the 25 minute gap between Amtrak 329 and Metra 2101. With 2191 due Tower A5 0547 and making local stops through Edgebrook, a Westward freight could still operate out of Tower A5 prior to 0535 and stay ahead of 2191 to Rondout. If this window were missed, the existing window between Amtrak 329 and Metra 2101 would remain unchanged and available for Westward freight use.

Similarly, between Tower A20 and Rondout, early morning windows would still be available ahead of Amtrak 329 as they are now, either ahead of or behind 2191. The larger window between Amtrak 329 and Metra 2101 (from 0637 to 0710) would not change in any way.



**2193:**

2193 was purposely scheduled to depart Chicago at 1520, 5 minutes behind Amtrak 337. Westward freight traffic that shows up at Tower A5 at this time of the afternoon is handled in one of two ways:

1. If freight is at A5 in time to follow Metra 2121 at 1447 and early enough to clear inbound Metra 2138 at 1510 it operates out of A5 directly behind 2121. In this window, freight typically stays ahead of Amtrak 337 past Rondout.
2. If freight cannot clear inbound 2138 at Tower A5, the normal move is to bring the Westward freight out of Tower A5 on #2 Main Track to Mayfair. At Mayfair, freight then normally is held for Amtrak 337 to pass at 1528 and UP 623 at 1540. Freight then crosses to #1 Main Track and continues on to Rondout behind 337. With 2193 scheduled out of Chicago at 1520 and due Mayfair at 1539, the same window would still be available at Mayfair behind 2193 and UP 623.

For Tower A20 to Rondout, current existing windows at this time of day are:

- Following Amtrak 337. Sufficient time would still be there to move a Westward freight out of Tower A20 behind Amtrak 337 and ahead of 2193 without delaying 2193 who makes stops at Morton Grove, Glenview, and North Glenview, or there would still be opportunity to move freight behind 2193 and ahead of 2123.
- There are still two more current windows for moving Westward freight out of Tower A20 which would not in any way be affected by 2193's schedule: Behind 2144 and ahead of 2127 at 1640, and behind 2129 and ahead of 2131 at 1710.

In summary, the addition of proposed trains 2191 and 2193 to the current Metra Milwaukee North Line schedule would not significantly reduce any of the existing freight windows, and would therefore not interfere materially with CP freight operations.

Distribution: B. Marcheschi, J. Milano, J. Bauer, R. Bear

## **EXHIBIT B-8**

**CP Letter 20190402 to Metra re: Reverse Commute Trains**



Robert A Johnson  
Executive Vice-President  
Operations

7550 Ogden Dale Road SE  
Calgary Alberta  
Canada T2C 4X9

T 403 319 3600  
C 612 760 1533  
E Robert\_Johnson@cpr.ca

April 2, 2019

Mr. James M. Derwinski  
CEO/Executive Director  
Metra  
547 W. Jackson Boulevard  
Chicago, IL 60661

Re: Metra's Proposed Changes to CP/Metra Trackage Rights Agreement to Add  
Reverse Commuter Trains

Dear Mr. Derwinski:

I am writing with reference to your letter of March 26.

We understand Metra's desire to add additional reverse commuter trains and have offered a way to realize that goal. Under our existing Agreement, which has worked well for decades, Metra enjoys exclusive use of the Joint Lines during the Peak Periods. We have no objection to Metra slotting the additional reverse commuter trains in the Peak Period windows. If that proves difficult, we have indicated a willingness to move the times of the Peak Periods to accommodate the additional trains, but not at the expense of slipping Peak trains into the Non-Peak periods.

The issue is capacity. We have to protect our Non-Peak capacity because CP is limited to the Non-Peak periods to handle and move its traffic, and even then must share Non-Peak capacity with Metra giving commuter trains priority. Protection of capacity is vital. Without it we cannot serve our customers today or in the future. It's important to note too that our business is not static. By all accounts freight rail traffic is growing and will continue to grow especially in the Chicago Terminal, the heart of the national network. Yes, we were able to add ten additional trains recently due to flood related washouts throughout the Midwest. That goes to the point capacity is not an issue confined to today's business and tomorrow's growth. Surge capacity is also necessary to deal with weather related and other challenges we cannot predict or control, but which occur.

We appreciate that the Amtrak Hiawatha project may bring universal crossovers to Lake Forest. This improvement, however, will not address the issues presented by an erosion of CP's Non-Peak capacity. We also appreciate Metra's suggestion regarding modeling of delay minutes per 100 train miles. Modeling is a snapshot in time typically based on past history. It does not capture the dynamics of the business, unpredictable challenges, or the judgment necessary to evaluate capacity. CP is committed to honoring its obligations under the existing Agreement, and has offered Metra a path forward under that Agreement. We also suggest that Metra consider seeking the capital necessary to add additional capacity. This solution would serve Metra's and the metropolitan area's transportation needs, while assisting the needs of the national rail network and economy as well.



James M. Derwinski  
April 2, 2019  
Page 2

We do not intend to engage in a letter writing battle. This is our position in the matter. It is not subject to negotiation or change outside the path forward we have outlined.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert A. Johnson". The signature is stylized with large, flowing loops and is positioned above the printed name.

Robert A. Johnson,  
Executive Vice President, Operations

cc: Tony Marquis

## **EXHIBIT B-9**

**Metra Letter 2008 re: CP Hot Line Dispatcher Phones**



## Memorandum

September 25, 2008

TO: Yardmasters – Track 19

FROM: R. P. Oppenheim, Trainmaster

**SUBJECT: CP Dispatcher “Hot Line”**

At Metra’s request, CP has agreed to provide “Hot Line” access to the CP C&M Dispatcher and the CP Elgin Dispatcher desks. In providing this line for our use, CP has requested, and Metra has agreed, that the following guidelines be followed:

1. The “hot lines” would be made available to the Track 19 Yardmasters and CUSD Company officers **ONLY**. These numbers must not be given out to anyone, including Train Crews, Engineering Department personnel, etc.
2. The existing “traditional” phone numbers will be continued to be used for all normal communications with the Dispatchers. The “hot lines” are only to be used in those situations which require immediate Dispatcher attention. Some examples of this type of situation would be requests for last minute train routings or equipment turns, instructions during accidents or other service disruptions, last minute TGBO needs, etc. In other words, the “hot lines” are **ONLY** to be used for those situations which cannot wait.
3. The “hot lines”, like the traditional lines, are recorded. CP will monitor the use of these lines, and if they determine that the guidelines as outlined above are not being followed, Metra’s access to these lines will be terminated.

The “hot lines” are as follows:

C&M -- 612-xxx-xxxx

ELGIN -- 612-xxx-xxxx

Again, **DO NOT GIVE THESE NUMBERS OUT**, and keep this letter where it will not be seen by others coming in to Track 19. If there are any questions, please let me know.



**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

---

**STB Finance Docket No. 36500**

---

**CANADIAN PACIFIC RAILWAY LIMITED; CANADIAN PACIFIC RAILWAY  
COMPANY; SOO LINE RAILROAD COMPANY; CENTRAL MAINE & QUEBEC  
RAILWAY US INC.; DAKOTA, MINNESOTA & EASTERN RAILROAD  
CORPORATION; AND DELAWARE & HUDSON RAILWAY COMPANY, INC. –  
CONTROL – KANSAS CITY SOUTHERN, THE KANSAS CITY SOUTHERN  
RAILWAY COMPANY, GATEWAY EASTERN RAILWAY COMPANY,  
AND THE TEXAS MEXICAN RAILWAY COMPANY**

---

**COMMENTS AND REQUEST FOR CONDITIONS OF  
THE COMMUTER RAIL DIVISION OF  
THE REGIONAL TRANSPORTATION AUTHORITY D/B/A/ METRA**

---

**VOLUME 3 OF 3  
PUBLIC VERSION**

---

Communications with respect to this pleading  
should be addressed to:

Charles A. Spitulnik  
Christian L. Alexander  
Kaplan Kirsch & Rockwell LLP  
1634 I (Eye) Street, Suite 300  
Washington, DC 20006  
(202) 955-5600  
[cspitulnik@kaplankirsch.com](mailto:cspitulnik@kaplankirsch.com)  
[calexander@kaplankirsch.com](mailto:calexander@kaplankirsch.com)

Sue-Ann Rosen  
Metra  
547 W. Jackson Blvd  
Chicago, IL 60661  
[srosen@METRARR.COM](mailto:srosen@METRARR.COM)

*Counsel for the Commuter Rail Division of the  
Regional Transportation Authority d/b/a Metra*

Dated: March 15, 2022

THIS FILING CONTAINS COLOR IMAGES

## **EXHIBIT C**

**Verified Statement of Thomas D. Crowley and Robert D.  
Mulholland**

BEFORE THE  
SURFACE TRANSPORTATION BOARD

---

DOCKET NO. FD 36500

CANADIAN PACIFIC RAILWAY LIMITED; CANADIAN PACIFIC RAILWAY  
COMPANY; SOO LINE RAILROAD COMPANY; CENTRAL MAINE & QUEBEC  
RAILWAY US INC.; DAKOTA, MINNESOTA & EASTER RAILROAD CORPORATION;  
AND DELAWARE & HUDSON RAILWAY COMPANY, INC. – CONTROL – KANSAS  
CITY SOUTHERN, THE KANSAS CITY SOUTHERN RAILWAY COMPANY, GATEWAY  
EASTERN RAILWAY COMPANY, AND THE TEXAS MEXICAN RAILWAY COMPANY

---

VERIFIED STATEMENT

of

Thomas D. Crowley  
President

and

Robert D. Mulholland  
Senior Vice President

**L. E. PEABODY & ASSOCIATES, INC.**  
ECONOMIC CONSULTANTS

On Behalf Of

**THE COMMUTER RAIL DIVISION OF THE  
REGIONAL TRANSPORTATION AUTHORITY AND NORTHEAST  
ILLINOIS REGIONAL COMMUTER RAILROAD CORPORATION  
(METRA)**

Dated: March 15, 2022



**TABLE OF CONTENTS****PAGE**

I.	Introduction.....	1
II.	Summary of Findings .....	3
III.	Background.....	7
IV.	CP/KCS' Assertions Regarding Impacts on Metra's Service and Lines from the Transaction .....	9
	A. Metra Train Delay Reporting in Context.....	9
	B. Lack of Analysis of Impact on Metra Operations .....	10
	C. Capacity Ownership.....	11
	D. Precision Scheduled Railroading .....	12
	E. The Proposed Merged Network.....	13
V.	Methodology.....	15
VI.	Proposed Merger Volume Increases in Context .....	17
	A. Misstated Projected Line-Haul Train Counts .....	17
	B. Complete Omission of all Passenger Service and Other Classes of Freight Trains .....	20
	1. Passenger Trains .....	20
	2. Local, Foreign and Other Freight Trains .....	22
	C. Cumulative Undercounting of Passenger and Freight Trains.....	23
	D. Impact of Actual Total Train Volumes on Metra Operations.....	25
	1. Metra Commuter Peak Period Operations .....	25
	2. Freight Interference on Metra Lines .....	26
	3. Future Local Train Operations.....	28
	E. CP Train Delays are Already Significant .....	34
VII.	CP/KCS' Methods for Assessing Existing and Projected Rail Line and Yard Capacity Are Grossly Inadequate .....	36
	A. MultiRail-based Operating Plans Must Be Evaluated through Modeling .....	36
	B. The Spreadsheet-Based Capacity Modeling Calculations CP/KCS Used Are Inadequate .....	39
	1. The STB No Longer Relies Upon Simple Mathematical Calculations of Operations .....	41
	2. Simple Mathematical Models Do Not Capture the Nuances of Capacity on Double and Triple-Track Rail Lines .....	46
	3. Applicants Omit Delay Factors and Foreign Railroad Conflicts from Their Capacity Analysis .....	49
	4. Applicants Perform RTC Rail Simulations in the Normal Course of Business .....	51
VIII.	RTC Train Simulation .....	53
	A. RTC Modeling of the Base Case .....	54
	1. Base Case Sensitivity Analysis – Commuter Rush Hour Restrictions .....	62
	B. RTC Modeling of the Posited Future Case.....	62
	1. Future Case Sensitivity Analysis - Evaluation of Reduced Traffic Volumes .....	66
	C. Identification of Required Infrastructure Expansion .....	69
IX.	Other Concerns .....	72

**LIST OF EXHIBITS**

<b>Exhibit No.</b>	<b>Exhibit Description</b>
(1)	(2)
1	Statement of Qualifications of Thomas D. Crowley
2	Statement of Qualifications of Robert D. Mulholland
3	Schematics of Select Metra and CP Rail Lines
4	Review of Metra Provided Freight Train ID's not included in CP Train Event Data
5	Summary of CP Freight Trains Operating Over Metra's Milwaukee District Lines (January 1 through December 14, 2021)
6	Summary of CP Train Delays Incurred on Select Subdivisions, January 1, 2019 through December 14, 2021
7	Summary of CP Delays Attributed to Other Carriers' Operations, January 1, 2019 through December 14, 2021
8	RTC Modeling Inputs and Procedures
9	RTC Simulation Assumptions and Inputs that are Favorable to CP/KCS
10a	Summary of Trains Modeled in Base Case RTC
10b	Summary of Trains Modeled in Future Case RTC

## I. INTRODUCTION

We are Thomas D. Crowley and Robert D. Mulholland, President and a Senior Vice President, respectively, of L. E. Peabody & Associates, Inc. L. E. Peabody & Associates, Inc. is an Economic Consulting Firm that specializes in addressing economic, transportation, marketing, financial, accounting and fuel supply matters. We spent most of our consulting careers of over 50 and 25 years, respectively, evaluating railroad operations, capacity, costs and profitability and pricing issues for shippers, producers, railroads and government agencies. Our credentials are included as Exhibit No. 1 and Exhibit No. 2 to this Verified Statement (“VS”).

Counsel for The Commuter Rail Division of the Regional Transportation Authority and Northeast Illinois Regional Commuter Railroad Corporation (“Metra”) asked us to evaluate certain aspects of the Merger Application filed at the Surface Transportation Board (“STB”) by the Canadian Pacific Railway Company (“CP”) and the Kansas City Southern Railway (“KCS”) (jointly “CP/KCS” or “Applicants”) and their respective affiliates.<sup>1</sup>

Specifically, we were asked to: (1) review and analyze the Merger Application to understand and assess whether CP/KCS properly evaluated the potential impacts of the proposed transaction on Metra’s service and lines; and (2) to conduct an independent analysis, using industry standard modeling techniques, to evaluate the impact of the proposed transaction on Metra’s service and lines, and to identify remedial measures that may be needed to ensure Metra’s service does not deteriorate as a result of the proposed increase in CP freight traffic volumes over Metra’s lines.

---

<sup>1</sup> STB Docket No. FD 36500, *Canadian Pacific Railway Limited; Canadian Pacific Railway Company; SOO Line Railroad Company; Central Maine & Quebec Railway US Inc.; Dakota, Minnesota & Eastern Railroad Corporation; and Delaware & Hudson Railway Company, Inc. – Control – Kansas City Southern, The Kansas City Southern Railway Company, Gateway Eastern Railway Company, and The Texas Mexican Railway Company*, filed October 29, 2021 (“Merger Application”).



Below we provide a background of the lines under study and CP/KCS' claims regarding the impacts of the transaction, our methodology for evaluating those claims, our findings based on our evaluation, the results of our own independent modeling exercise using Berkeley Simulation Software's Rail Traffic Controller ("RTC") modeling software, and a summary of the implications, including support for conditions to be imposed on the proposed transaction in order to mitigate harmful interference with Metra's service due to the impact of the proposed transaction.

## II. SUMMARY OF FINDINGS

Metra's Milwaukee District ("MD") lines are located on one of CP's busiest rail segments. Well over 100 trains operate over Metra's MD lines every day, including Metra commuter passenger trains, Amtrak intercity passenger trains, CP freight trains, and foreign carrier freight trains.

CP/KCS plan to significantly increase the number of daily freight trains operating over Metra's MD lines following the proposed merger. Most notably, they plan to add eight (8) new daily line-haul intermodal and manifest trains serving Bensenville Yard on Metra's Milwaukee District West ("MD-W") line. CP/KCS also project that they will add roughly one unit train per day (on average) to both the MD-W line and the Milwaukee District North ("MD-N") line. The number of trains CP/KCS plan to add to Metra's MD lines is not the only thing that causes operating challenges. The size of the proposed train additions compounds the problem exponentially. Many of the 10 new daily trains CP/KCS plan to add will be exceptionally long, and all eight (8) of the new intermodal and manifest trains will operate into and out of CP's Bensenville Yard, which is located on Metra's MD-W line. Bensenville is already one of the busiest yards on CP's system. Yarding long trains at Bensenville is difficult because the trains exceed the length of the receiving tracks, which requires the CP train crews to break up the trains on arrival. This operation entails throwing a series of yard switches, and sometimes the tail end of an arriving train will remain on—and block—the mainline tracks while the train crew performs the required switching. Often when this happens, Metra's trains get delayed. Introducing multiple additional long trains every day will result in more conflicts in the Bensenville Yard, and it will increase the frequency and/or duration of delays to Metra's trains resulting from blocked mainline tracks.

The following summarizes our findings based on our review of the Merger Application.

1. The proposed CP/KCS network is hourglass shaped. A single line from Shreveport, LA to Sabula Jct., IA, will join the expansive KCS system on the south to the expansive CP system on the north. All north-south traffic will have to be funneled through this line segment. North of Sabula Jct., there are two (2) routing options to access CP's vast northern footprint: (1) over the Marquette Subdivision, which is largely single-tracked and contains timber bridges and other dated structures; or (2) over Metra's MD lines. Because the Marquette Subdivision will be incapable of accommodating CP/KCS' planned volume of post-merger traffic, Metra's MD lines will become the only alternative for moving the significantly increased freight flows that CP/KCS project.
2. Despite CP/KCS' plan to increase the volume of scheduled CP intermodal and manifest trains moving into and out of Bensenville by roughly 50 percent, their operating plan does not add any local trains shuttling blocks of cars between Bensenville and other Chicagoland yards operated by other carriers. Rather, CP/KCS claim, without support, that the local trains currently operating out of Bensenville will be able to handle the additional volume. By ignoring the need for additional local trains, CP/KCS understated the true increase in freight train interference on Metra's lines.
3. CP/KCS failed to demonstrate that the Bensenville Yard will be able to accommodate the additional car handling and blocking activities that will be required following the merger.
4. CP/KCS downplay the impact its planned freight train additions will have on Metra's operations. They claim that there is (or will be) ample capacity to accommodate their proposed increase in freight train volume. However, their claim is unsupported. CP/KCS performed no rail simulations to demonstrate the feasibility of their proposed operating plan, even though a late production of documents in response to Metra's requests for production demonstrates that CP performs rail simulation analyses in the normal course of business. Rather, they made some calculations based on their expected freight train volumes, train speeds for select trains, and length and location of sidings on their mainline track segments. As a result of these calculations, CP/KCS identified locations where they plan to add sidings and other improvements that they claim will resolve any possible capacity issues and accommodate their proposed operations while causing no negative impacts to Metra's service.
5. CP/KCS' capacity analyses did not consider any passenger train volumes or schedules.
6. Train event data provided by CP show that it routinely operates extra trains over Metra's MD lines. As the name implies, extra trains are required when the volume of traffic moving in a lane with scheduled service exceeds the capacity of



the trains that are scheduled to operate in that lane. When this happens, CP will dispatch two (2) trains rather than the one train included in the daily schedule for that route.

7. The CP train event data shows that CP trains traversing Metra's MD lines, particularly trains that originate on other parts of CP's network and arrive in Bensenville, routinely operate behind schedule. The combination of significant volumes of extra trains and trains operating behind schedule demonstrates that real world operations seldom align perfectly with an operating plan. CP train event data also shows that CP freight trains frequently operate on Metra's MD lines during Metra Commuter Peak Periods.
8. The provided CP train event data does not contain data for the many foreign trains that traverse Metra's lines on a daily basis. With only minor exceptions, the descriptions of Chicago operations included in the CP/KCS operating plan are vague and unhelpful with respect to determining the schedules and operations of foreign trains serving Bensenville. Because CP/KCS failed to disclose the significant volume of foreign trains moving over Metra's line segments, their claims regarding available capacity are unsupported.
9. CP's use of Metra's MD line during Metra commuter Peak Periods increased since CP's relatively recent adoption of Precision Scheduled Railroading ("PSR"). Incidents of CP freight train interference on Metra's lines have risen significantly as a result of CP dispatchers implementing directives calling for strict schedule adherence for CP freight trains. The new intermodal and manifest trains that CP/KCS plan to add are high priority freight trains that CP will make every effort to operate on schedule. This will increase the likelihood of conflicts between CP dispatching protocols and Metra schedule adherence.

Because the analyses included in the workpapers supporting the CP/KCS operating plan fail to measure the impact of their proposed operations on Metra's trains, we performed a series of train simulations using the RTC modeling software that the STB used to evaluate operating plans in other proceedings. A summary of the key findings related to our RTC analyses follows.

10. The CP/KCS Operating Plan fails because projected volumes will exceed capacity, even after all of CP/KCS' planned infrastructure expansion projects are completed.
11. Our RTC simulations revealed that CP/KCS' proposed infrastructure additions to the Marquette Subdivision will be woefully insufficient to accommodate the projected increase in train volume moving over that line. The Marquette Subdivision is the middle segment of the only CP/KCS route between St. Paul and Kansas City that avoids Chicago. Although the sidings CP/KCS plan to add to

the Marquette Subdivision are long enough to accommodate the projected unit trains, they are not long enough to accommodate the long intermodal/manifest trains CP/KCS will operate. The topography along the Marquette Subdivision will make it extremely difficult for CP/KCS to make the additional infrastructure investment that would be required to accommodate its planned volume increases on that line.

12. Absent the addition of significantly more infrastructure than CP/KCS plan to add to the Marquette Subdivision (which would be very difficult given the topography on that line segment), CP/KCS will have no choice but to reroute trains from the Marquette Subdivision over the only alternate route, which is via Chicago over Metra's MD lines. Our RTC simulations demonstrate that the alternate Chicago route (over Metra's lines) cannot easily absorb diverted Marquette traffic.
13. The projected volume of trains moving over the MD lines, including the rerouted Marquette trains that are inevitable, will cause reduced train performance for both Metra and CP without additional changes.
14. CP's proposed volume increase cannot be accommodated on Metra's lines as they currently exist and CP has not proposed any infrastructure additions on Metra's lines that would allow for their proposed volume increase while maintaining Metra's current level of service. At Metra's request, we tested the impact of several capacity improvements and found that they would moderate but not eliminate entirely the service level deterioration that is sure to result from the introduction of increased freight train volumes over Metra's lines following the proposed merger.
15. Our future scenario RTC simulations reflect the expected increase in Metra train volumes. Metra voluntarily reduced its train frequency on its MD lines following the onset of Covid in 2020, which freed up some capacity on the lines. However, Metra intends to return to its pre-Covid train volume in the near future. CP/KCS' claim that there is sufficient capacity for their planned freight volume increases, but rail line capacity on Metra's MD lines is not the exclusive property of CP/KCS.
16. Shared use of rail infrastructure will inevitably result in conflicts between freight and passenger operations. CP train dispatchers implement the dispatching protocols that are developed by CP management. Logic dictates that CP management's focus is primarily on its core operations, i.e., moving freight trains. CP/KCS' desire to significantly increase freight volumes over Metra's lines must be weighed against Metra's need to provide high-quality and expanded service to its customers.

### III. BACKGROUND

Metra is the public agency responsible for operating commuter rail service in the Chicagoland area. Among the lines that it operates over are the MD-N line between Chicago Union Station (“CUS”) and Fox Lake, IL, and the MD-W line between CUS and Big Timber, IL (collectively the MD lines). Metra’s North Central Service (“NCS”) also operates over the MD-W line between CUS and Tower B12 at Franklin Park.

Metra acquired these lines following the bankruptcy of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company in the 1980’s. Exhibit No. 3 contains several schematics of Metra and surrounding rail lines including: Metra’s MD lines (page 1); a schematic showing how the Metra lines fit into CP’s freight network (page 2); a schematic showing the CP Subdivision naming conventions for Metra’s track segments and the surrounding CP lines (page 3); a schematic showing Metra’s MD and Connecting Lines with Additional Required Infrastructure (page 4); and a schematic showing CP and Metra Future Case with CP/KCS and Amtrak Planned Infrastructure Expansion (page 5).

Metra acquired the MD lines subject to a 99-year trackage agreement with a predecessor freight railroad to CP, under which dispatching authority was granted to that railroad. Since acquiring a controlling interest in the predecessor railroad, CP has operated over and dispatched the MD lines. CP refers to the Metra-owned MD-W line as the Elgin Subdivision (between Randall Road and Tower A5), and the Metra-owned MD-N line as the Fox Lake Subdivision (between Fox Lake and Rondout) and the C&M Subdivision (between Rondout and CUS).

In 1993, Metra assumed responsibility for the maintenance of these rail lines and modified the trackage agreement to make clear that: (a) CP must recognize the priority of commuter service operations during certain “peak periods” on weekday mornings and evenings and may not interfere



with such trains; and (b) CP is prohibited from making operational changes that unreasonably disrupt or delay non-peak period trains. The 1993 amendment also provided that CP must utilize reasonable operating rules, and that CP may not unreasonably withhold consent to Metra's written requests for schedule changes.

#### **IV. CP/KCS' ASSERTIONS REGARDING IMPACTS ON METRA'S SERVICE AND LINES FROM THE TRANSACTION**

In the verified statements and related documents supporting the Merger Application, CP/KCS state that “CP is keenly aware of the importance to U.S. transportation policy of fostering an expanded network of efficient rail passenger services. CP/KCS will help achieve that goal.”<sup>2</sup> CP/KCS also state that “CP has been a good partner to the passenger service operators that use our lines in the United States and Canada,” and that they “have enabled Metra to achieve greater than 94 percent on-time performance on our lines, providing safe and reliable service to Metra customers in reaching their destinations.”<sup>3</sup>

##### **A. METRA TRAIN DELAY REPORTING IN CONTEXT**

The 94 percent on-time statistic cited by CP/KCS here is misleading for a number of reasons. First, 94 percent represents the portion of Metra trains that did not have a *reportable* delay, and only delays over five (5) minutes are considered reportable.<sup>4</sup> In other words, any Metra train that arrived between one and five (5) minutes late is considered “on-time” for purposes of developing this performance metric. This five (5) minute grace window is referred to as “Tolerance.”

Second, it is standard practice to add additional time in Metra’s schedules at the end of the schedule, just before the final destination. This extra time is referred to as “Rubber” in the schedule. With this in place, a train that is delayed en route can potentially still arrive at the final station on time (or at least within the 5-minute Tolerance window). As a result, if a train is delayed, passengers travelling to intermediate stations may arrive late, even if the train arrives at its final

---

<sup>2</sup> See, Merger Application, APP Vol. 1, pp. 172-174, Creel V.S. ¶¶ 41-45.

<sup>3</sup> *Id.*

<sup>4</sup> See, Oppenheim V.S. ¶ 24. See also Metra, On-Time Performance Reports, <https://metra.com/time-performance-reports> (visited Feb. 16, 2022).

station within the Tolerance window where it would be considered on-time. For example, few passengers on westward trains going to Fox Lake on the MD-N ride all the way to Fox Lake. If a delay occurs early in the route, passengers travelling to stations including Glenview, Northbrook, Deerfield, and Lake Forest – intermediate stations where many people customarily disembark – may be late getting to their station(s) even if the train ultimately gets to Fox Lake within the Tolerance window.

Third, it is a regular practice to include “Construction Schedules” for most midday trains during Construction season, from April through November. When a Construction Schedule is in place, the arrival time at final destination is generally restated to 10 minutes later than the standard scheduled time. Therefore, for more than half of the year, train arrivals at the final destination station can be as much as 15 minutes late (five (5) minutes of Tolerance plus 10 minutes of Construction Schedule time) and still be considered on time for reporting purposes.<sup>5</sup>

## **B. LACK OF ANALYSIS OF IMPACT ON METRA OPERATIONS**

CP/KCS make a number of additional assertions regarding the lack of impact of their proposed merger on Metra’s service in the documents supporting their Merger Application, including the following:

The CP/KCS Transaction will not result in any detrimental impact on Amtrak or commuter operations. To the contrary, it should foster expansion in passenger operations on the CP/KCS system.<sup>6</sup>

The Transaction is projected to increase freight traffic by 7.1 trains per day on the western 24.2 miles of [the MD-W] line, between Almora and CP’s Bensenville Yard. However, there is ample capacity for these additional train frequencies. The [MD-W Line] is double track, with triple track east of Bensenville Yard, and train slot capacity is not a concern given the low

---

<sup>5</sup> See, Oppenheim V.S. ¶ 24.

<sup>6</sup> See, Merger Application, APP Vol. 2, p. 317, Operating Plan ¶ 164.



current freight train frequencies and the ample infrastructure. Metra service will not be adversely affected.<sup>7</sup>

CP/KCS' lack of concern regarding train slot capacity is evidenced by its failure to study the impact of its proposed train additions over Metra-owned track. However, train slot capacity is a major concern to Metra. Metra's trains are routinely delayed by CP freight trains even with current freight train volume. CP/KCS' claims regarding ample capacity are wholly unsupported. Because CP/KCS' workpapers are devoid of analyses supporting its assertions, we conducted an assessment of the impact of the proposed transaction on Metra's service.

### **C. CAPACITY OWNERSHIP**

In response to interrogatory requests from Metra, CP again asserted that interference with Metra's service was not a concern:

Based on CP's expertise and analysis of capacity, the existing infrastructure on this segment of track [Elgin Subdivision] has ample capacity to accommodate the Transaction-related increase in trains without adversely affecting Metra's operations.<sup>8</sup>

Although CP/KCS assert that ample capacity exists to accommodate increased freight train volumes over Metra-owned lines, they also imply that there is no room for additional Metra trains on those lines absent capacity expansion.

Applicants believe that the Transaction will have no effect on Metra's ability to expand its commuter service in the Chicago area. For example, the Transaction will not constrain Metra's ability to add capacity supporting additional service through the construction of rail trackage and facilities and the acquisition of real estate.<sup>9</sup>

It is important to note that Metra significantly reduced its service frequency over the MD lines shortly after the onset of the Covid pandemic in 2020. Specifically, Metra was operating 900

---

<sup>7</sup> See, Merger Application, APP Vol. 2, p. 322, Operating Plan ¶¶ 184-185.

<sup>8</sup> See, Response to Metra's 1<sup>st</sup> Set of Interrogatories, Interrogatory Nos. 8 and 9, pp. 16-18.

<sup>9</sup> See, Response to Metra's 1<sup>st</sup> Set of Interrogatories, Interrogatory No. 14, pp. 23-24.

trains per week (including equipment repositioning runs) before Covid, and is currently running 595 trains per week (including equipment repositioning runs), a reduction of 305 trains, or 34 percent.<sup>10</sup> This Metra service reduction freed up significant line capacity that CP/KCS now seem to claim as theirs exclusively. This is wrong. Much of the capacity that CP/KCS claim is now available to be filled with CP freight trains was directly created by Metra's voluntary, and temporary, scaling back of its operations. CP/KCS cannot wish away Metra's contractual rights to revert to its pre-Covid service frequency.

CP's position that additional Metra service will require additional infrastructure is in keeping with CP/KCS' stance regarding Amtrak trains. During these proceedings, CP/KCS and Amtrak announced a settlement agreement under which Amtrak will support the Application and, in exchange, CP will agree to add trains on Amtrak's Hiawatha route, which runs in part over Metra's MD-N line. On February 2, 2022, Amtrak filed a notice in this proceeding stating that it had come to terms with CP/KCS regarding the expansion of Hiawatha service.<sup>11</sup> The agreement, which was appended to the Amtrak filing, includes a list of capacity expansion projects that will be required to be completed prior to the commencement of expanded Amtrak service.<sup>12</sup>

#### **D. PRECISION SCHEDULED RAILROADING**

Over the past few years, CP has been aggressively implementing an operating practice called PSR.<sup>13</sup> As the name implies, PSR relies on strict adherence to departure schedules and

---

<sup>10</sup> See, workpaper "Metra Train Consist Data\_RTC Inputs\_Future\_02222022.xlsx" at tab "ID Comp."

<sup>11</sup> See, STB Docket No. FD 36500, *Canadian Pacific Railway Limited; Canadian Pacific Railway Company; Soo Line Railroad Company, Central Maine & Quebec Railway US Inc.; Dakota, Minnesota & Eastern Railroad Corporation; and Delaware & Hudson Railway Company, Inc.—Control—Kansas City Southern, The Kansas City Southern Railway Company, Gateway Eastern Railway Company, and the Texas Mexican Railway Company*, filed February 2, 2022 ("Amtrak-CP/KCS Agreement") pp. 1-2.

<sup>12</sup> *Id.*, Exhibit A.

<sup>13</sup> See, e.g., *Canadian Pacific puts faith in PSR and employees* - FreightWaves.

point-to-point delivery methods to achieve high operating efficiency and low operating ratios. This operating environment puts pressure on CP dispatchers to take measures that ensure CP's freight trains run on time, including prioritizing certain CP freight trains over other trains, including passenger trains, which are supposed to receive top dispatching priority.

Since CP began implementing PSR, Metra has noticed a significant increase in CP freight train interference resulting from changes in CP dispatching practices, and Metra has documented instances in which senior CP management has been directly involved in the prioritization of freight operations over Metra's lines.<sup>14</sup>

#### **E. THE PROPOSED MERGED NETWORK**

The proposed CP/KCS network is hourglass shaped. CP is an expansive (coast-to-coast) network in the northern part of North America, and KCS is a coast-to-coast network in the southern part of North America. In the proposed merged network, there is a single line from Shreveport, LA to Sabula Jct., IA, that joins the two (2) parts. North of Sabula Jct., there are two (2) routing options to access CP's vast northern footprint: (1) over the Marquette Subdivision, which is largely single-tracked and contains timber bridges<sup>15</sup> and other dated structures; or (2) over the CP Chicago Subdivision and thence over Metra's heavily trafficked MD lines. If one of these two (2) routing alternatives becomes congested, the other becomes the only alternative for moving the massive volume of international freight flows that CP/KCS project will result from the proposed merger.

CP's C&M, Watertown and Tomah Subdivisions connect the northern end of the Marquette Subdivision to the northern end of Metra's MD lines. CP/KCS plan to significantly increase freight train volume over both of the routes described above. Neither can accommodate the

---

<sup>14</sup> See, Verified Statement of Greg J.M. Godfrey, p. 2, ¶¶ 7 and 8.

<sup>15</sup> See, Merger Application, APP Vol. 2, p. 332, Operating Plan ¶ 215.



projected freight flows in their current form. The Marquette Subdivision is simply incapable of accommodating the projected volumes, even with the capital expansion projects planned by CP/KCS. CP/KCS will have no alternative but to reroute trains over Metra's MD lines.

Metra's service levels will deteriorate even with train volumes CP/KCS project over Metra's lines. If Metra's lines must also absorb traffic that CP/KCS claim will flow over their inadequate Marquette Subdivision, Metra's service levels will only worsen.

## V. METHODOLOGY

To assess the impact of the proposed transaction on Metra's lines over which CP operates and dispatches and test the assertions CP makes regarding that impact, we reviewed the CP/KCS Operating Plan and supporting workpapers and documentation provided along with the Merger Application and in subsequent requests to CP/KCS. We then analyzed existing conditions based on a review of historical data supplied by both Metra and CP (the latter through discovery requests). Finally, we independently developed a RTC model to evaluate existing and projected traffic flows on Metra's lines as a result of the proposed transaction.

Key inputs to our analysis provided by Metra include train consist, route and schedule data, and detailed track and structures data, as well as delay data and related correspondence for the six (6) year period between January 11, 2016 and January 10, 2022.

Through discovery requests, CP/KCS provided nearly 36 months of CP train event and train delay data, dating back to 2019, for trains traversing Metra's MD-W and MD-N rail lines and other Subdivisions proximate to Metra's lines. In addition to the train event and train delay data, CP/KCS provided detailed routing, schedule, and loading and unloading data for local and line-haul freight trains operating over its system both historically and in the future scenario discussed in the Application. CP/KCS also provided detailed track and structures data for the relevant line segments it owns and operates that were critical inputs to our RTC modeling exercise.

CP/KCS workpapers also include analyses conducted to reach the conclusions regarding the impact of the proposed transaction. These workpapers included capacity analyses of individual line segments on the CP system and files containing details regarding the existing and proposed operating plan, including blocking and scheduling practices.

Notably, CP/KCS provided no RTC or similar modeling analysis in support of the Merger Application, and stated in response to interrogatories that they had conducted no RTC or similar modeling on the Elgin or C&M Subdivisions or the adjacent Tomah, Watertown, Chicago and Marquette Subdivisions since 2017. Subsequently, and only after Metra filed a motion to compel production, CP/KCS provided documents related to 39 RTC simulations it conducted between 2014 and 2018, some of which included evaluations of Metra's MD-N line (which CP refers to as its C&M Subdivision), and nearly all of which included evaluations of the Marquette and adjacent Subdivisions identified above. Some of the provided RTC simulations included track for the Tomah, Watertown and Chicago subdivisions, but no trains traversing them.

Our findings regarding our analyses are detailed in the remainder of this Verified Statement.



## VI. PROPOSED MERGER VOLUME INCREASES IN CONTEXT

The train volumes presented by CP/KCS give the false impression that its lines into Chicago are lightly traveled. They are not. As shown in Table 1 below, CP/KCS' presentation implies that a couple dozen trains traverse Metra's MD lines on a daily basis, and concludes that there is ample capacity for several more trains.

<u>Subdivision (Metra Line)</u>	<u>Current Trains Per Day</u>	<u>Future Trains Per Day</u>	<u>Change 1/</u>
(1)	(2)	(3)	(4)
1. Elgin (MD-W)	16.3	23.4	7.1
2. C&M (MD-N)	11.1	12.0	0.9
3. Fox Lake (MD-N)	0.0	0.0	0.0

Source: CP/KCS Operating Plan Appendix A (APP Vol. 2, pp. 364-367).  
1/ Column (3) – Column (2).

In reality, well over 100 trains traverse Metra's MD lines on a daily basis, and the volume causes both Metra and CP to incur multiple train delays daily. The pre- and post-merger train counts cited by the Applicants represent only a small fraction of the trains that traverse those lines. In fact, all of the train count statistics presented by CP/KCS reflect only line-haul freight trains. They exclude many other critical classes of both freight and passenger traffic. In addition, the line-haul train counts are sometimes understated and/or inconsistent throughout the narrative and supporting workpapers, as discussed below.

### A. MISSTATED PROJECTED LINE-HAUL TRAIN COUNTS

As shown in Table 1 above, the operating plan states that CP/KCS intend to add 7.1 additional line-haul freight trains per day over Metra's MD-W line following the merger.

Specifically, “[t]he Transaction is projected to increase freight traffic by 7.1 trains per day on the western 24.2 miles of [the MD-W] line, between Almora and CP’s Bensenville Yard.”<sup>16</sup>

However, the 7.1 daily CP freight train statistic cited by CP/KCS is misleading for two (2) reasons. First, the cited number is based on the portion of the Elgin Subdivision east of Bensenville. CP/KCS project a greater increase in line-haul freight trains on the longer portion of the Elgin Subdivision west of Bensenville. Second, CP/KCS exclude local freight trains from the total. East of Bensenville, local trains make up nearly half of the total freight trains operating on the line.

Table 2 below shows the current and projected freight trains per day by category for the Elgin Subdivision east and west of Bensenville.

<b>Item</b>	<b>Current CP Trains</b>	<b>Projected CP Trains</b>	<b>Change 1/</b>
(1)	(2)	(3)	(4)
<b>A. <u>East of Bensenville</u></b>			
1. Line-Haul IM and Manifest	{{ }}	{{ }}	6.00
2. Line-Haul Unit	<u>{{ }} </u>	<u>{{ }} </u>	<u>1.10</u>
3. Subtotal included by CP/KCS	16.28	23.38	7.10
4. Local Freight	<u>{{ }} </u>	<u>{{ }} </u>	<u>0.43</u>
5. Actual Total Freight	{{ }}	{{ }}	7.53
<b>B. <u>West of Bensenville</u></b>			
1. Line-Haul IM and Manifest	{{ }}	{{ }}	8.00
2. Line-Haul Unit	<u>{{ }} </u>	<u>{{ }} </u>	<u>0.21</u>
3. Subtotal included by CP/KCS	{{ }}	{{ }}	8.21
4. Local Freight	<u>{{ }} </u>	<u>{{ }} </u>	<u>0.00</u>
5. Actual Total Freight	{{ }}	{{ }}	8.21
Source: workpaper “Elgin Actual Growth.xlsx.”			
1/ Column (3) – Column (2).			

<sup>16</sup> See, Merger Application, APP Vol. 2, p. 322, Operating Plan ¶¶ 184-185.

As shown in Table 2 above, while CP/KCS plan to add six (6) line-haul intermodal and manifest trains per day east of Bensenville (Line A.1., Column (4)), they plan to add eight (8) line-haul intermodal and manifest trains per day west of Bensenville (Line B.1., Column (4)), i.e., a {{ }} percent increase over the current volume of {{ }} such trains per day (Line B.1., Column (2)). This is because CP/KCS plan to replace Trains 140 and 141, which currently run into and out of Bensenville from/to the east, with Trains 170 and 171, which will extend their operations beyond Bensenville yard over the western portion of the Elgin Subdivision, and over the Chicago and Davenport Subdivisions (and beyond) to points south on the KCS network. In total, CP/KCS plan to add 7.53 total freight trains per day east of Bensenville (Line A.5., Column (4)), and they plan to add 8.21 total freight trains per day west of Bensenville (Line B.5., Column (4)). Their cited total of 7.1 trains per day for the entire Elgin Subdivision is shown at Line A.3., Colum (4). Most of the new trains will move into and out of Bensenville Yard, which is adjacent to and accessed via Metra's MD-W line, and some will move over connecting tracks onto other carriers' rail systems in the Chicago Terminal area.

With respect to Metra's MD-N line, CP/KCS state in their narrative that there will be no increase in freight trains on the C&M Subdivision, i.e., the southern portion of the Metra-owned MD-N Line. Specifically:

183. Metra operates 18 trains per weekday and nine trains per weekend day in each direction between Rondout and Fox Lake, and 64 trains per weekday and 20 trains per day on weekends between Rondout and Chicago Union Station. The Transaction is not expected to generate additional freight traffic on this segment, and as a result there will be no impact on Metra operations.<sup>17</sup>

---

<sup>17</sup> See, Merger Application, APP Vol. 2, pp. 321-322, Operating Plan ¶¶ 182-183.



Although the CP/KCS operating plan narrative states that it does not plan to operate additional freight trains over Metra's MD-N line, its Appendices and supporting workpapers demonstrate otherwise. Specifically, as shown above in Table 1, the Appendices and workpapers supporting the CP/KCS Application state that CP/KCS plan to add an average of 0.9 additional line-haul freight trains per day to the C&M Subdivision.<sup>18</sup> CP/KCS' operating plan narrative does not project additional regularly scheduled line-haul freight trains, i.e., so-called "operating plan trains," but they project an increase in unit train traffic over the Metra route.

**B. COMPLETE OMISSION OF ALL  
PASSENGER SERVICE AND OTHER  
CLASSES OF FREIGHT TRAINS**

**1. Passenger Trains**

Although CP/KCS acknowledge Metra's daily train volumes, which they estimate to be 90 trains per day over the MD-W and MD-N lines in their narrative,<sup>19</sup> the pre-merger and post-merger train counts identified in the Operating Plan workpapers and other materials supporting the CP/KCS merger exclude Metra passenger trains. Specifically:

1. The pre-merger and post-merger train counts over the Fox Lake Subdivision show zero total trains per day;
2. The pre-merger and post-merger train counts over the C&M Subdivision show 11.1 and 12.0 total trains per day, respectively, but these reflect only long-haul freight trains; and
3. The pre-merger and post-merger train counts over the Elgin Subdivision show 16.3 and 23.4 total trains per day, respectively, but these reflect only long-haul freight trains, and, as discussed above, are based only on the portion of the Elgin Subdivision east of Bensenville.

---

<sup>18</sup> See, Merger Application, APP Vol. 2, p. 365, Operating Plan Appendix A: Trains per day by Subdivision.

<sup>19</sup> See, Merger Application, APP Vol. 1, p. 172, Creel V.S. ¶ 42, and Merger Application, APP Vol. 2, pp. 321-322, Operating Plan ¶ 182. Even this passing mention of Metra's trains understates the volumes because it relies on the reduced COVID schedule implemented in 2020.

As a result, the daily train volumes CP/KCS include in their Operating Plan and supporting analyses over Metra territory equal 27.4 (pre-merger)<sup>20</sup> and 35.4 (post-merger).<sup>21</sup> Metra is currently operating 595 trains per week, i.e., a simple average of 85 trains per day, with weekday totals above that average and weekend totals below it. Adding the daily average of 85 regularly scheduled Metra trains to the train counts presented by CP/KCS would restate them to 112.4 (pre-merger)<sup>22</sup> and 120.4 (post-merger),<sup>23</sup> a three- to four-fold increase.

CP/KCS' failure to account for Metra train volumes in their analysis of the impact of the proposed operating plan over Metra's track results in a gross understatement of actual train volumes. Moreover, when Metra returns to its historical (pre-Covid) service frequency from the reduced Covid schedule of trains it is currently operating, as it is contractually permitted to do, its train counts will increase from the current, historically low levels.

As with Metra's trains, CP/KCS also fail to take into account Amtrak trains operating over Metra's and CP's tracks. CP/KCS' Operating Plan acknowledges that, "the C&M subdivision accommodates CP's freight operations as well as a total of eight Amtrak train pairs per day."<sup>24</sup> Adding these eight (8) train pairs (16 trains per day) to the daily train counts presented by CP/KCS, along with the 85 Metra trains per day CP/KCS excluded, results in a pre-merger daily train count of 128.4<sup>25</sup> and a post-merger daily train count of 136.4.<sup>26</sup> In addition, the Amtrak-CP/KCS Agreement allows Amtrak to introduce additional daily trains in Hiawatha service.<sup>27</sup> CP/KCS have not submitted either a revised operating plan or any other information that would explain how

---

<sup>20</sup>  $0.0 + 11.1 + 16.3 = 27.4$ .

<sup>21</sup>  $0.0 + 12.0 + 23.4 = 35.4$ .

<sup>22</sup>  $27.4 + 85 = 112.4$ .

<sup>23</sup>  $35.4 + 85 = 120.4$ .

<sup>24</sup> See, Merger Application, APP Vol. 2, p. 268, Operating Plan ¶ 21.

<sup>25</sup>  $27.4 + 85 + 16 = 128.4$ .

<sup>26</sup>  $35.4 + 85 + 16 = 136.4$ .

<sup>27</sup> See, Amtrak-CP/KCS Agreement.

the new Amtrak trains will impact operations on Metra's MD-N line, just as the Operating Plan includes no discussion of the expanded commuter operations that Metra has requested.

## **2. Local, Foreign and Other Freight Trains**

---

Deeper analysis reveals significant additional problems with the CP/KCS daily train counts. The unit trains included in CP/KCS' totals are daily averages that smooth out seasonal peaks. Unlike the scheduled merchandise trains, these unit train volumes will not be spread out evenly throughout the year. Rather, they will ebb and flow with seasonal and market-based changes in demand. For example, increased volumes of unit grain trains move after harvest time. As a result, relatively high volume "peak" freight periods for unit train commodities can overwhelm the existing system. CP/KCS do not address this problem.

As discussed above, review of the workpapers supporting CP/KCS' Application and the nearly three (3) years of train event data provided in response to Metra's requests for production reveals that CP also excluded many classes of freight traffic from the daily train count totals it presented to the STB. CP/KCS' estimates of existing and projected train volumes include only regularly scheduled line-haul merchandise trains and unit trains. They do not include CP local trains, yard trains, and work trains, or any foreign freight trains. The CP train event and train route data provided in response to Metra's document requests identify significant numbers of daily yard and local trains operating all over the CP/KCS system, including on Metra-owned line segments. Table 2 above shows the daily volume of local freight trains operating on Metra's lines that CP/KCS failed to acknowledge in their pre- and post-merger train counts (*see*, Table 2, Line A.4).

With just a few exceptions, foreign trains do not appear in either the provided train counts or the provided train event data. For example, the CP/KCS Operating Plan states that both NS and UP regularly provide "direct service into Bensenville" via the Belt Railway Company of Chicago



(“BRC”) and the Indiana Harbor Beltway Company (“IHB”) tracks, respectively.<sup>28</sup> However, the train event data did not include any foreign trains moving over the BRC and IHB connecting tracks onto Metra’s MD-W line, i.e., the Elgin Subdivision, into Bensenville.

We reviewed freight activity logs Metra keeps in the normal course of business for the week that we modeled in the RTC (April 16, 2021 through April 22, 2021), and determined that 96 foreign freight trains operated over Metra’s MD lines during that week (many into and out of CP’s busy Bensenville Yard), and none of them were included in the CP train event data.<sup>29</sup> This equates to 13.7 trains per day, on average, that are unaccounted for in CP/KCS’ train volumes. Exhibit No. 4 to this VS identifies all of the foreign freight trains that operated over Metra’s lines during the week of April 16, 2021 through April 22, 2021 for which CP/KCS provided no train event data.

### **C. CUMULATIVE UNDERCOUNTING OF PASSENGER AND FREIGHT TRAINS**

Table 3 below summarizes the results of our analysis of all train traffic moving over Metra’s MD lines and other proximate rail lines in comparison to CP/KCS’ claimed “current” train volumes.

---

<sup>28</sup> See, Merger Application, APP Vol. 2, p. 270, Operating Plan ¶ 27.

<sup>29</sup> Notably, this includes Wisconsin & Southern Railroad trains T001, T002, and T004 (see lines 34-37 on Exhibit No. 4). These trains operate nightly over Metra’s territory between Fox Lake and Cragin Jct. (on the way to/from BRC’s Clearing Yard). As with the other trains shown in Exhibit No. 4, they are not included in the provided CP train event data. Their absence is particularly relevant because these trains operate over the Fox Lake Subdivision (part of Metra’s MD-N line), which CP/KCS claim hosts no freight traffic, either before or after the merger (daily train volumes of zero).

Table 3  
Identification of Trains Considered and Ignored by CP/KCS

Subdivision (Metra Line)	CP/KCS "Current" Line-Haul Trains per Day by Subdivision 1/	Average Daily 2021 Trains Excluded from CP/KCS Analysis			Total All Trains 5/
		Metra 2/	Amtrak 3/	CP Local Freight 4/	
(1)	(2)	(3)	(4)	(5)	(6)
1. Elgin (MD-W)	16.3	52.4	0.0	{{ }}	{{ }}
2. C&M (MD-N)	11.1	32.6	16.0	{{ }}	{{ }}
3. Fox Lake (MD-N)	0.0	32.6	0.0	{{ }}	{{ }}

1/ See, CP/KCS Operating Plan Exhibit A.

2/ Workpaper "RTC Train Development\_Metra Trains\_Post COVID\_Metra CP Stations.xlsx" at tab "Unique RTC Trains."

3/ Merger Application, APP Vol. 2, p. 268, Operating Plan ¶ 21.

4/ CP/KCS workpaper "2.1.1.11.1.5-FD 36500 - Work Paper - HC - TPD Export - Density -29 Sept 2021.xlsx."

5/ Sum of Columns (2) through (4). This total does not include the 13.7 daily foreign trains observed during the modeled week of April 16, 2021 through April 22, 2021.

As shown in Table 3, Column (2) above, the train volumes identified in the CP/KCS operating plan reflect only the scheduled line-haul and average daily unscheduled unit trains moving over the lines. Columns (3) through (5) show the significant volumes of additional freight and passenger train traffic that also move over these line segments on a daily basis, that CP/KCS failed to consider. Traffic on MD-W and MD-N is more than 500% greater than CP/KCS represent.<sup>30</sup> This does not even consider the dozen or so daily foreign trains that move over Metra's MD lines according to the one week of Metra activity logs we evaluated (our historical RTC simulation period).

<sup>30</sup> {{ }} on the MD-W line.

## **D. IMPACT OF ACTUAL TOTAL TRAIN VOLUMES ON METRA OPERATIONS**

When considering the total volume moving over Metra's lines rather than the grossly understated line-haul freight train totals presented by CP/KCS, Metra's operational challenges are easily understandable.

### **1. Metra Commuter Peak Period Operations**

As confirmed by CP's train event data, CP often runs its own trains over Metra-owned lines during designated commuter Peak Periods, during which CP has acknowledged that it is contractually required to prioritize Metra service. Table 4 below shows the number and percentage of CP freight trains operating during Metra weekday Peak Periods in 2021, according to CP's event data.

<b>Train Group</b>	<b>Total CP Freight Trains Operating over Metra Milwaukee District Lines</b>	<b>CP Freight Trains Reporting Arrival / Departure Event During Metra Weekday Peak Periods</b>	<b>Percent of CP Freight Trains Reporting Arrival/Departure Event During Metra Peak Period</b>
(1)	(2)	(3)	(4)
1. Manifest/Intermodal	{{    }}	{{    }}	8%
2. Local Freight	{{    }}	{{    }}	10%
3. Bulk Unit	{{    }}	{{    }}	<u>13%</u>
4. Total CP Freight	{{    }}	{{    }}	9%

Source: Exhibit No. 5.

As shown in Table 4 above, CP routinely uses designated commuter Peak Period track capacity to operate CP freight trains. As shown on Line 3, Column (4), unscheduled unit trains



operate over the Metra lines during Metra commuter Peak Periods with the greatest regularity (13 percent of the time). This is not surprising, as CP dispatchers must fit them in whenever they happen to arrive. Exhibit No. 5 contains a breakdown of Peak Period incursions by CP train symbol.

## **2. Freight Interference on Metra Lines**

Data provided by Metra confirm that CP's operational and dispatching practices cause significant delays and interference with Metra's service on a regular basis. This is not only to peak Metra service, which CP is required to prioritize, but also with non-peak service, with which CP is prohibited from interfering.

Based on its own delay data, Metra estimates that between January 2016 and October 2021, passengers accrued over 52,000 hours of delay as a result of freight interference on Metra's MD-N and MD-W lines, with an average of 40 passenger delay hours per delay event.<sup>31</sup> Metra's data and documentation also indicated that CP operations and dispatching caused not just delays to Metra trains, but that CP's practice of dispatching Metra and freight trains on tracks other than the ones normally used resulted in obstructing passengers at stations, requiring passengers to cross rail tracks or circumnavigate slow or idling freight trains.<sup>32</sup> Despite years of Metra engagement with CP to alleviate CP's negative impact on Metra's service, freight traffic continues to regularly impede Metra's trains.

The continual interference of CP freight trains with Metra Peak Period trains, in particular, indicates that even with baseline freight train volumes, CP cannot keep its trains from interfering with Metra's commuter Peak Period operations. As discussed below in Section VII, CP's capacity

---

<sup>31</sup> Maertins V.S. ¶ 7.

<sup>32</sup> Oppenheim V.S. ¶¶ 39-43.

analysis failed to account for Metra commuter Peak Periods, rendering CP/KCS' claims regarding its ability to add more trains without negatively affecting Metra operations unsupported. Adding multiple, long CP freight trains to the Metra-owned line segments will only increase the likelihood and frequency of freight train incursion into Metra commuter windows.

Despite the problems with the CP/KCS train count data, even if taken at face value, CP/KCS' projections indicate increased interference with Metra's service. Most of the 8.2 daily trains CP/KCS plan to add to the Elgin Subdivision, i.e., the Metra-owned MD-W Line, will be routed into/out of CP's Bensenville Yard, one of the busiest yards on CP's system.

Many of the line-haul intermodal and merchandise trains that CP/KCS operate into and out of Bensenville are exceptionally long, i.e., they are regularly over two (2) miles long and sometimes over 13,000 feet (2.5 miles). The proposed additions will also be long trains. Yarding long trains at Bensenville is difficult because the trains exceed the length of the receiving tracks, which requires the CP train crews to pull the head end all the way (or nearly all the way) through the yard and break up the trains on arrival. This operation entails throwing a series of yard switches, and sometimes causes the tail end of arriving trains to hang out and block the mainline track while the train crew performs the required switching. Often when this happens, Metra's trains get delayed and/or rerouted to the opposite mainline track.<sup>33</sup>

There are no sidings on the MD-W Line, and few on CP's adjoining Chicago Subdivision that are long enough to hold the daily intermodal and manifest trains that CP/KCS propose to add. CP/KCS propose adding one new 12,000-foot-long siding on the Chicago Subdivision, west of the

---

<sup>33</sup> Oppenheim V.S. ¶¶ 36-38.

MD-W line,<sup>34</sup> but the CP event data shows that CP line-haul merchandise trains regularly exceed 12,000 feet.<sup>35</sup>

On the C&M Subdivision, i.e., Metra-owned MD-N Line, CP/KCS project an increase of 0.9 trains per day. However, as discussed below in Section VIII, traffic congestion on the Marquette Subdivision (where CP/KCS plan to add an average of 6.6 daily line-haul freight trains) will also lead to train diversions causing higher train volume on both of Metra's MD lines.

CP/KCS identify several capacity-expansion projects that are required to move the projected volume increases over the Marquette Subdivision and they include a construction schedule for those projects that makes it clear that their proposed remedy will take years to implement. As discussed in Section VIII, our analysis demonstrates that the Marquette Subdivision will be operating well over capacity following the merger, even after CP/KCS proposed infrastructure has been added. As a result, CP/KCS will be forced to reroute traffic via Chicago, i.e., over Metra's MD lines.

We accounted for CP/KCS' failure to acknowledge the Marquette Subdivision (and other) capacity limitations in our RTC modeling exercise by performing analyses in which we removed trains from the simulation until the RTC model was able to successfully dispatch the remaining trains. We had to remove more than one train per day in order for the RTC simulation to run to completion.<sup>36</sup> The results of our analysis are discussed in Section VIII below.

### **3. Future Local Train Operations**

CP/KCS' presentation of its approach to evaluating changes in local train service is telling:

---

<sup>34</sup> See, CP/KCS opening workpaper "2.1.33-FD 36500 – Work Paper – HC – Capacity-Methodology.pdf," ("Capacity Methodology") p. 7.

<sup>35</sup> See, workpaper "Train actuals 2019 to current - Actual vs Plan.xlsx" at "Bensenville >12K Feet" showing {{ }} line-haul freight trains at Bensenville or Bensenville IMS recording a total length greater than 12,000 feet between January 1, 2019 and December 14, 2021.

<sup>36</sup> See, Exhibit 10b, footnote 1 for specific trains disabled in the RTC simulation.



The majority of yards on the combined network will see only minor increases in the volume of cars processed or number of blocks made even with the anticipate [sic] traffic increases. Most CP/KCS system yards will continue to operate at volume levels similar to those operated today.<sup>37</sup>

The problem for Metra is that Bensenville is a notable exception to this general rule. Although CP/KCS acknowledge that “Chicago remains vulnerable to disruptions that can create chokepoints for multiple carriers,” they claim that “the impact of the Transaction will be minimal” at Chicago. They further claim that the “only effects will arise from changes in traffic volumes... in and out of CP’s terminals (Bensenville and Schiller Park) on the northwest edge of Chicago using CP’s underutilized Elgin Subdivision.”<sup>38</sup>

As discussed above in Section VI, CP/KCS’ characterization of the Elgin Subdivision as “underutilized” is a blatant misrepresentation of the facts. What CP/KCS refer to as the Elgin Subdivision is Metra’s busy MD-W line. Moreover, CP/KCS’ description of the movements into/out of Bensenville “on the edge of town” neglects to consider the local train operations that are required to move freight between CP’s Bensenville and Schiller Yards and other major yards in the Chicago Terminal.

The Merger Application Appendix I indicates that following the proposed merger, eight (8) new high-priority intermodal/manifest CP/KCS trains will serve Bensenville every day, moving 32 new blocks of cars to/from Chicago, as follows:

1. 162 – Bensenville IMS to Wylie Daily
  - 1.1. Bensenville IMS to Wylie block
  - 1.2. St. John to IFG IMS block (from Schiller, 143)
  - 1.3. Bensenville to Shreveport manifest block
2. 163 – Wylie to Bensenville IMS Daily

---

<sup>37</sup> See, Merger Application, APP Vol. 2, p. 305, Appendix I.

<sup>38</sup> *Id.*, pp. 312-313.

- 2.1. Wylie to Bensenville IMS block
- 2.2. Wylie to Vaughan IMS block (to Schiller, 142)
- 2.3. IFG to St. John IMS block (to Schiller, 142)
  
3. 170 – Lazaro Cardenas to Toronto Daily (Replaces 140 from Bensenville to Toronto)
  - 3.1. Puerto Mexico to Bensenville IMS block
  - 3.2. Silao to Detroit IMS block (to Schiller, 142)
  - 3.3. Interpuerto to Vaughan IMS block (to Schiller, 142)
  - 3.4. Rojas to Bensenville IMS block
  - 3.5. Rojas to Detroit IMS block (to Schiller, 142)
  - 3.6. Salinas Victoria to Detroit IMS block (to Schiller, 142)
  - 3.7. IFG to St. John IMS block (to Schiller, 142)
  
4. 171 – Toronto to Lazaro Cardenas Daily (Replaces 141 from Toronto to Bensenville)
  - 4.1. Bensenville to Puerta Mexico IMS block
  - 4.2. Detroit to Salinas Victoria block (from Schiller, 143/G34)
  - 4.3. Detroit to Rojas block (from Schiller, 143/G34)
  - 4.4. Detroit to Silao IMS block (from Schiller, 143/G34)
  
5. 174 – Bensenville IMS to Interpuerto Daily
  - 5.1. Bensenville to Sanchez manifest block
  - 5.2. Bensenville to Monterrey manifest block
  - 5.3. Bensenville to San Luis Potosi manifest block
  - 5.4. Bensenville IMS to Laredo block
  - 5.5. Bensenville IMS to Interpuerto block
  - 5.6. Bensenville IMS to Pantaco block
  
6. 175 – Interpuerto to Bensenville IMS Daily
  - 6.1. Interpuerto to Bensenville IMS block
  - 6.2. Pantaco to Bensenville IMS block
  - 6.3. Sanchez to Schiller Auto block
  - 6.4. Sanchez to Bensenville manifest block
  
7. 176 – Bensenville IMS to Lazaro Cardenas Daily
  - 7.1. Bensenville IMS to Encantada block
  - 7.2. Bensenville IMS to Lazaro Cardenas IMS block
  
8. 177 – Lazaro Cardenas to Bensenville IMS Daily

- 8.1. Lazaro Cardenas to Bensenville IMS block
- 8.2. Encantada to Bensenville IMS block
- 8.3. Salinas Victoria to Bensenville IMS block<sup>39</sup>

The additional eight (8) daily trains operating into and out of Bensenville represent an increase of {{ }} percent compared to 2021.<sup>40</sup> According to the list above (from the Merger Application Appendix I):

- Bensenville IMS will handle 15 new intermodal blocks daily (build seven (7) and receive eight (8));
- Bensenville Yard will handle five (5) new manifest blocks daily (build four (4) and receive one (1)); and
- Bensenville will also handle 12 new blocks daily that must be transferred to/from Schiller Park (forward eight (8) and receive four (4)).

Despite stated plans to introduce eight (8) new daily intermodal trains to Bensenville and 32 mostly new blocks of cars, CP's operating plan includes no provision for expanded local train service into/out of Bensenville yard. Rather, CP states:

The growth plan as presently constituted is able to provide effective service to the combined network traffic using the same local service designs that CP and KCS operate today. As CP/KC integrates its two networks, in-depth reviews of local service levels may reveal opportunities to adjust local assignments to provide further improvements in the service provided to customers. CP plans to approach this process – referred to as “white-boarding” – on a customer-specific basis to design services that consider end-to-end customer transit time along with the service timing and frequency that meets customer's needs.<sup>41</sup>

CP/KCS should have conducted “in-depth reviews” of local service before the merger. Their promise to adjust local assignments through “white-boarding” at some later date is not a plan. CP/KCS claim that:

---

<sup>39</sup> *Id.*, pp. 440-441. It is unclear why these new blocks of cars are listed in Appendix I but not in Appendix F.

<sup>40</sup> *See*, workpaper “Growth Plan Trains w 2021 Route Delays and Consist\_RTC Trains\_02222022.xlsx” at tab “ROSTER.”

<sup>41</sup> *See*, Merger Application, APP Vol. 2, p. 304, Appendix I.



[M]ost of these cars will be classified for movement beyond Chicago to other parts of the CP/KCS system... there will be no material impact on the transfer operations in Chicago terminal or yard processing demands at other carriers' facilities across the terminal, and no impact on terminal congestion.<sup>42</sup>

Although the 11 blocks of cars Bensenville will build will, in fact, move to other parts of the CP/KCS system, the nine (9) blocks it receives from KCS and KCSM and the 12 blocks it transfers to/from Schiller Park (21 total daily blocks) will need to move through the Chicago terminal. CP/KCS state:

Some of this new traffic will continue east of Bensenville/Schiller Park via CP's operating rights on NS and haulage rights on CSX. But that traffic will not burden the Chicago terminal, as it will bypass Chicago interchanges by routing via the IHB and BRC through routes on existing train services.<sup>43</sup>

This is wishful thinking. The transfer of cars between Schiller Park and Bensenville requires movement over a short section of Metra's MD-W line. The trains routed via IHB and BRC also must traverse Metra's MD-W line between Bensenville and the turnouts for those track segments (Tower B12 and Cragin Jct., respectively), as shown on Exhibit No. 3, page 1.

As shown in Exhibit No. 5, the local trains that are scheduled to operate once daily out of Bensenville to move all of the existing blocks of traffic over these routes already operate an extra train on a regular basis. Specifically, CP operated {{ }} G45 trains, {{ }} G52 trains, {{ }} G41 trains, {{ }} G57 trains, and {{ }} G59 trains in the 348 days between January 1, 2021 and December 14, 2021.

All five (5) of these local trains shuttle blocks of cars between Bensenville and other yards in the Chicago terminal over the BRC and IHB tracks on a more than daily basis with the current volume of traffic. CP/KCS' statements that Bensenville will be tasked with building new blocks

---

<sup>42</sup> *Id.*, p. 315.

<sup>43</sup> *Id.*

of merchandise cars following the merger, and that “Bensenville will also face additional demand from anticipated growth in automotive and intermodal traffic,”<sup>44</sup> cannot be squared with their insistence that “there will be no material impact on the transfer operations in Chicago terminal or yard processing demands at other carriers’ facilities across the terminal.” CP/KCS made no showing that Bensenville Yard will be able to handle its expanded post-merger role. Their only accommodation for the significant increase in Bensenville traffic volume is an already planned yard expansion and “support” from “CP’s nearby Schiller Park intermodal terminal and other CP facilities so as to avoid overloading Bensenville.”

Increasing the Bensenville volume by the amount contemplated by CP/KCS will not just increase Bensenville yard activity – it will undoubtedly increase the demand for local yard transfer service into and out of Bensenville. As a result, CP/KCS’ claims regarding the number of trains it will have to add to Metra’s operating territory in order to accommodate Bensenville’s expanded role are understated. The local trains currently operating into and out of Bensenville are already long and heavy trains, so adding cars to them will not be a realistic option. The only possible solution will be to add more “extra” local trains serving Bensenville over Metra’s MD-W line every day.

Although we modeled the existing local train operations in the Future Case RTC simulations, we believe this understates the future train volumes operating from Bensenville. As a result, future freight train interference is underrepresented in our RTC modeling.

---

<sup>44</sup> *Id.*, p. 306.

## **E. CP TRAIN DELAYS ARE ALREADY SIGNIFICANT**

We reviewed 35 months of train delay data provided by CP for trains traversing the rail lines we modeled, including Metra's MD-W and MD-N lines. This data reveals that CP itself experiences significant delays, both on Metra's MD-N and MD-W lines as well as neighboring CP Subdivisions whose operations could be expected to impact Metra's lines.

The CP data show that over the period from January 1, 2019 through December 14, 2021, CP incurred {{ }} delays ({{ }} per day, on average) on the Elgin Subdivision, accounting for {{ }} delay minutes ({{ }} delay minutes per day, on average), over Metra's MD-W line.<sup>45</sup> There were also {{ }} delays ({{ }} per day, on average) on the C&M Subdivision (which includes Metra's MD-N line), accounting for {{ }} delay minutes ({{ }} delay minutes per day, on average), and another {{ }} delays ({{ }} per day, on average) on the adjacent C&M West Subdivision, accounting for {{ }} delay minutes ({{ }} delay minutes per day, on average).<sup>46</sup> Obviously, there were many days on which the actual daily number of delays and delay minutes exceeded these averages.

In addition, there were {{ }} delays on the Marquette Subdivision, accounting for 505,531 delay minutes. This equates to {{ }} delays and {{ }} minutes ({{ }} hours) of train delay per day, on average.<sup>47</sup> CP/KCS plan to add significant train volumes to the Marquette Subdivision, and when they encounter delays over that route, as our modeling demonstrates will happen frequently CP/KCS will likely explore alternate routes for those trains, including the route over Metra's MD lines.

---

<sup>45</sup> See, Exhibit No. 6, Line 5.

<sup>46</sup> *Id.*, Lines 1 and 2.

<sup>47</sup> As noted above, Metra is concerned with the possibility that the Marquette Subdivision will not be able to accommodate the projected increase in traffic, which could result in diversions over Metra's MD line. See, Exhibit No. 6, Line 6.



Exhibit No. 6 shows a breakdown of the delays reported in CP's train delay data for: (1) the critical line segments it uses to access the Chicago Terminal (the C&M, C&M West, Elgin, and Chicago Subdivisions and connections to BRC and IHB track); (2) the route CP proposes to use to avoid Chicago (Marquette Subdivision); and (3) the alternate route CP would use if the Marquette Subdivision proves unable to accommodate the significant increase in train volumes CP/KCS project (the Watertown, Tomah, Tomah West, and River Subdivisions). In total, there were {{ }} delays ({{ }} per day, on average), accounting for {{ }} delay minutes ({{ }} delay minutes, or {{ }} hours of train delays per day, on average) during the January 1, 2019 through December 14, 2021 time period.

## **VII. CP/KCS' METHODS FOR ASSESSING EXISTING AND PROJECTED RAIL LINE AND YARD CAPACITY ARE GROSSLY INADEQUATE**

CP/KCS used a planning tool called MultiRail to develop its railcar blocking and train operating plans. After developing the operating plan, CP/KCS used a mathematical capacity analysis framework to determine where capacity expansion projects will be required to accommodate the projected increase in traffic. The capacity analyses and operating plan details supplied by CP/KCS are insufficient for purposes of demonstrating that the proposed merger will have no impact on Metra's service.

### **A. MULTIRAIL-BASED OPERATING PLANS MUST BE EVALUATED THROUGH MODELING**

In the CP/KCS Operating Plan, CP explains that "MultiRail was used as the primary tool to design efficient blocking and train service for an integrated CP/KCS system" and describes MultiRail as "a standard software application for railway operating plan development with a long history of intensive use at CP and other railroads."<sup>48</sup>

What CP does not state is that MultiRail is used most often and most effectively as a scoping tool, not a modeling tool. For example, MultiRail is not, by itself, able to confirm the ability of a yard to process the train service plan it develops. As UP, in its Petition to Reject the Application as Incomplete, aptly states:

Applicants say "MultiRail was used as the primary tool to design efficient blocking and train service for an integrated CP/KCS system." But MultiRail does not take existing or projected traffic flows and spit out efficient blocking and train plans. MultiRail analyzes outcomes that would be produced when blocking and train service plans are changed. For example, MultiRail will show how many cars would move through yards if blocking patterns or train services are changed. However, MultiRail does not show whether a yard has the capacity to process those cars or build the designated blocks-that determination requires an analysis of a yard's physical structure

---

<sup>48</sup> See, Merger Application, APP Vol. 2, p. 280, Operating Plan ¶ 66.

and car dwell times. Applicant's Operating Plan does not address those details.<sup>45</sup>

---

<sup>45</sup> Applicants merely assert that "[t]he number of blocks was set taking into consideration the capacity of each yard (*i.e.*, the number and length of classification tracks in the yard." *Id.*, p. 28; *See also id.*, p. 43 ("The total number of blocks a given yard can build daily is a function of the number of classification tracks in the yard, the length of each track, and the number of times per day the traffic is pulled from the tracks and departed."))<sup>49</sup>

MultiRail does not determine what is actually feasible. Most significantly for the purposes of this transaction, it does not fill the role that RTC modeling plays in determining capacity.

In Docket No. NOR 42125, the STB stated that:

MultiRail is used to help develop a comprehensive blocking and train service plan, which then establishes the requirements for the network of yards and other facilities necessary to serve the selected traffic. But it does not replace the Board's traditional RTC simulation that must still be run to confirm the feasibility of the operating plan developed.<sup>50</sup>

Significantly, the STB understood that MultiRail will model traffic flows only based on user-defined operational inputs and constraints and does not show whether the physical infrastructure can support these flows.

One way to quantify the difference between MultiRail plans and real-world train operations is to compare the planned train starts to historical train movements. For example, CP trains 286 and 287 are bidirectional trains that are scheduled to provide daily service between Chicago and St. Paul. However, although the operating plan calls for one train per day in each direction, CP operated {{ }} regularly scheduled 286 trains, plus {{ }} extra 286 trains between January 1, 2021 and December 14, 2021. CP also operated {{ }} regularly scheduled 287 trains, plus {{ }} extra 287 trains between January 1, 2021 and December 14, 2021.<sup>51</sup> These {{ }} extra

---

<sup>49</sup> *See*, UP Petition to Reject, pp. 11-12.

<sup>50</sup> *See*, STB Docket No. NOR 42125, *E. I. DuPont de Nemours and Company v. Norfolk Southern Railway Company*, decided March 21, 2014 p. 41. *See also*, STB Docket No. 42130, *SunBelt Chlor Alkali Partnership v. Norfolk Southern Railway Company*, decided June 18, 2014 p. 17.

<sup>51</sup> *See*, workpaper "Train Actuals 2019 to Current – Actual vs Plan.xlsx" at tab "CM-E 21 Unique Trains."



trains<sup>52</sup> are not reflected in the operating plan. In total, CP operated {{ }} regularly scheduled operating plan trains, plus {{ }} extra manifest and intermodal trains over Metra's MD lines between January 1, 2021 and December 14, 2021.<sup>53</sup>

Similarly, local train G45 is scheduled to provide once-daily service between CP's Bensenville Yard and BRC's Clearing Yard. CP operated {{ }} regularly scheduled G45 trains, plus {{ }} extra G45 trains between January 1, 2021 and December 14, 2021 over this busy route.<sup>54</sup> In total, CP operated {{ }} regularly scheduled local trains, plus {{ }} extra local trains over Metra's MD lines between January 1, 2021 and December 14, 2021.<sup>55</sup> Exhibit No. 5 contains a summary of the regularly scheduled and extra trains that operated over Metra's lines in 2021.

We also evaluated the scheduled and actual timestamps reported in the train event data for operating plan trains to determine the extent to which CP trains operate on schedule. Returning to trains 286 and 287 in the example above, train 287, which operates from Bensenville to St. Paul, operated on schedule (on average) on Metra's lines throughout 2021. However, train 286, which operates from St. Paul to Bensenville, operated {{ }} minutes behind schedule (on average) on Metra's lines throughout 2021.<sup>56</sup> Although these trains generally left St. Paul on schedule, they were consistently and significantly behind schedule when they arrived on Metra's lines. Exhibit No. 5 includes a summary of the schedule adherence for regularly scheduled and extra trains that operated over Metra's lines in 2021.

---

<sup>52</sup> {{ }}.

<sup>53</sup> See, Exhibit 5, Line 58.

<sup>54</sup> *Id.*, Line 21.

<sup>55</sup> *Id.*, Line 59.

<sup>56</sup> See, workpaper "Train Actuals 2019 to Current – Actual vs Plan.xlsx" at tab "CM-E 21 Unique Trains."

The differences in both the number of trains operating and the times at which they operate compared to the plan underscore the importance of conducting RTC modeling to evaluate the current and proposed operations. Although MultiRail is a good tool for scoping an operating plan, it simply does not demonstrate that the operating plan is feasible.

**B. THE SPREADSHEET-BASED  
CAPACITY MODELING  
CALCULATIONS CP/KCS USED ARE  
INADEQUATE**

CP/KCS explained that they modeled subdivision capacity based upon a simple mathematical formula that is based on the estimated time it takes for two (2) trains moving in opposite directions to traverse the longest segment between sidings on the subdivision.<sup>57</sup> CP/KCS use this time estimate to calculate the maximum number of trains that can operate over a “single-main bi-directional section” of track within a 24 hour period.<sup>58</sup> This theoretical maximum capacity for a section of rail line is calculated using the following four (4) primary inputs:

1. The number of minutes in a day (1,440);
2. The average northbound train run time in minutes operating on the section;<sup>59</sup>
3. The average southbound train run time in minutes operating on the section; and
4. An assumed “meet factor” in minutes required for the trains to clear into sidings.

Specifically, CP/KCS calculate a line segment’s theoretical maximum capacity in trains per day (“TPD”) by dividing the number of minutes in a day (1,440) by the sum of the average northbound train run time for a group of selected trains, the average southbound train run time for a group of selected trains, and an assumed meet time at the end of the studied track section

---

<sup>57</sup> See, Merger Application, APP Vol. 2, p. 340, Operating Plan ¶ 237.

<sup>58</sup> See, Capacity Methodology p. 2.

<sup>59</sup> CP/KCS use the terms “Northbound” and “Southbound” to denote trains operating in opposite directions on the same section of track regardless of the actual geographical orientation of a line segment. We adopt CP/KCS’ nomenclature here for consistency.

multiplied by two (2).<sup>60</sup> CP/KCS then multiply the theoretical maximum TPD by 65 percent to determine what they call “sustainable capacity,” or the maximum TPD that avoids significant train delays, avoids congestion and reduces blocked crossing times.<sup>61</sup> CP/KCS offer no source for the 65 percent factor, and make no demonstration that it actually ensures the avoidance of train delays, congestion, or crossings. It appears to be more of a rule of thumb than an actual measure of performance.

CP/KCS assert that their modeling of capacity using this strictly mathematical approach allows them “sufficient flexibility to manage engineering work blocks, unplanned outages and other impacts that can create surges in traffic and congestion in each subdivision.”<sup>62</sup>

As a threshold matter, CP/KCS’ capacity analysis of the Elgin Subdivision did not take into consideration Metra’s priority use of Metra’s line segments during commuter Peak Periods as defined in the CP trackage rights agreement. CP/KCS’ mathematical capacity model implicitly assumes that Metra’s lines are available to host freight traffic 24 hours per day as shown by the inclusion of the 1,440 minutes included in the equation.<sup>63</sup> To calculate the capacity available to freight traffic on the CP Elgin Subdivision, the 1,440 minutes included in CP/KCS’ formula would need to be reduced to reflect the time periods during which Metra trains have priority use of Metra’s track.

Regardless of this formulaic error, CP/KCS’ claim that the MD-W line has ample capacity to handle additional freight traffic without impairing Metra’s operations is based on the purely mathematical calculation of the estimated sustainable capacity on the line. The STB long ago

---

<sup>60</sup> Maximum capacity = 1,440 minutes in a day ÷ [(Average northbound run time + Average southbound run time + Meet Factor) x 2]. See, Capacity Methodology p. 3.

<sup>61</sup> See, Capacity Methodology p. 3.

<sup>62</sup> See, Merger Application, APP Vol. 2, p. 340, Operating Plan ¶ 238.

<sup>63</sup> See, Capacity Methodology p. 2



moved away from using purely mathematical calculations to determine track capacity and operating requirements, and has instead adopted the more sophisticated approach of rail traffic simulation to determine a rail line's capacity.

**1. The STB No Longer Relies Upon Simple Mathematical Calculations of Operations**

CP/KCS relied upon their simple mathematical capacity calculation to conclude that Metra's rail lines, over which CP and Metra operate, have sufficient capacity to accommodate the forecasted additional freight traffic without impacting Metra's passenger trains. There is nothing wrong with simple mathematical models, *per se*, as they are commonly used in different fields, including engineering and economics, to identify potential problem areas within a system. In other words, they are used as scoping tools to identify areas for further study by more sophisticated approaches. Relying upon simple mathematical models that use a small number of broad inputs for assessments beyond initial scoping can lead to erroneous conclusions due to a lack of specificity within the model. This is exactly what has happened with CP/KCS' conclusions about the capacity for additional traffic on Metra's lines.

For example, in *FMC Wyoming Corporation and FMC Corporation*, the shipper calculated the stand-alone railroad's ("SARR") locomotive capacity requirements using a simple mathematical model that took into consideration average train transit times, average number of locomotives on a train, the number of hours in a year and an availability factor in the FMC case.<sup>64</sup>

---

<sup>64</sup> See, STB Docket No. 42022, *FMC Wyoming Corporation and FMC Corporation v. Union Pacific Railroad Company*, served May 12, 2000 ("FMC") p. 150. The fact that this portion of the FMC decision addresses locomotive capacity requirements and not rail line capacity does not diminish the point that using simple mathematical models can lead to incorrect conclusions. Determining the number of locomotives required to operate a railroad is just a different type of capacity problem customarily incurred by railroads. In addition, the broad average transit time and locomotive requirements used by FMC are very similar to the broad average run times and meet factors used by CP/KCS in their capacity model.

The STB rejected the shipper's simple mathematical calculation of locomotive capacity requirements because the inputs were based on broad averages and assumptions. The STB determined that FMC's mathematical model did not take into consideration a number of factors that influenced locomotive capacity including, but not limited to, peak operating periods, changes in demand by commodity, and changing train sizes.<sup>65</sup>

CP/KCS' simple mathematical rail capacity model relies upon similar broad inputs and assumptions that the STB rejected in its *FMC* decision. The CP/KCS model assumes that all trains operating over a line segment will travel at the same speed, but CP's own timetables show that this is not the case. CP's timetables show that, in most cases, passenger trains operate at different speeds than freight trains on the Elgin Subdivision and that some freight trains operate at different speeds than other freight trains.<sup>66</sup> In addition, while the CP methodology attempts to differentiate between trains operating on a segment by using more than one observation, it does not require that the train speeds reflect all train types operating over a segment.<sup>67</sup> CP also did not provide any support for the train speeds it included in its capacity calculations, even though its own process states all train speed calculations should be noted and included in the capacity model spreadsheet.<sup>68</sup>

The CP/KCS simple mathematical capacity model also assumes average meet factors will be the same for all trains. However, the time it takes trains to clear into sidings is impacted by numerous factors including train length, train weight, and turnout type and configuration that are not included in the CP/KCS model. The CP/KCS model is based on such broad inputs and

---

<sup>65</sup> See, FMC p. 152.

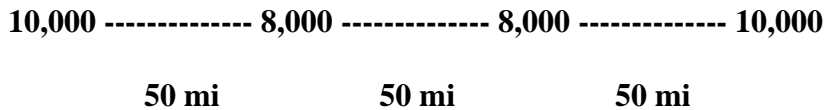
<sup>66</sup> See, CP US East & US West Timetable No. 2, effective at 0001 March 25, 2021. CP/KCS workpaper "10.4.1-CP-P-0003522.pdf" p. 69.

<sup>67</sup> See, Capacity Methodology p. 3, "[c]omplete [the train observations] with multiple trains/locomotives so that calculations are not being made from a signal train."

<sup>68</sup> See, Capacity Methodology p. 3, "[r]ecord [the train time] in the excel spreadsheet that contains the siding segment."

assumptions as to provide nothing but the most basic indication of a line’s actual sustainable capacity.

In addition, CP/KCS’ capacity analysis is a function of the length of sidings at the endpoints of studied segments and size of trains operating over those segments. Specifically, if the segment of track being evaluated has an 8,000-foot siding at either end, all trains included in the analysis must be shorter than 8,000 feet in order for the evaluation to be valid, because the evaluation rests on the presumption that the train can be moved off the mainline when it reaches the segment end. If the length of studied trains exceeds the length of available sidings for a given segment, the segment needs to be redefined (extended) until each end has a siding long enough to accommodate train meets/passes. For example, assume a 150-mile line segment has a 10,000-foot siding at either end, and two 8,000-foot sidings spaced equally between them, as shown below.



If the trains being studied are all under 8,000 feet in length, there are four (4) locations available for train meets, and each of the three 50-mile subsegments can be evaluated individually. However, if the trains being studied are all over 8,000 feet in length, there are only two (2) locations available for train meets (the short intermediate sidings cannot be used), and the entire 150-mile line segment must be evaluated as a single entity.

CP/KCS workpapers show that they considered at least two (2) different train length scenarios in their evaluation, and they produced very different results. Specifically, CP’s workpapers include a tab called “CP Runtimes” and a tab called “CP Runtimes 10k ft length.” Tab “CP Runtimes” evaluates each siding-to-siding sub segment regardless of siding length. Based on



these parameters, the Chicago Subdivision is assumed to have excess capacity on each of the five (5) subsegments from end-to-end to accommodate the projected train count. However, tab “CP Runtimes 10k ft length” evaluates longer segments that can accommodate a 10,000-foot train at either end. Based on these parameters, the Chicago Subdivision is assumed to have excess capacity on the 19.5-mile western leg between Plum and Kittredge, but not enough capacity on the eastern leg between Kittredge and Randall Road.<sup>69</sup>

Many of the line-haul merchandise trains that currently traverse Metra’s MD lines and trains that CP/KCS plan to add are exceptionally long – sometimes over 13,000 feet. Unless the CP/KCS capacity analysis was configured to accommodate 13,000+ foot trains, it is not applicable to the trains CP/KCS intend to add to their combined system. There is no evidence that CP/KCS performed a capacity analysis sensitivity based on 13,000-foot trains, like those that routinely operate over Metra’s MD lines.

Recognizing the limitations simple mathematical models have in identifying railroad capacity issues, the STB now relies upon and endorses more sophisticated train simulation models to evaluate rail line capacity. In its decision in STB Docket No. 42057, the STB noted the existence of several rail simulation tools, including the RTC model, to evaluate rail line capacity.<sup>70</sup> The RTC model has since become the dominant rail simulation model used by parties in proceedings before the STB.<sup>71</sup> Users adopted the RTC model because it provides greater levels of granularity for evaluating capacity requirements than simple mathematical models.

---

<sup>69</sup> See, CP/KCS workpaper “10.5.22-CP-HC-00006490.xlsx.”

<sup>70</sup> See, *Public Service Company Of Colorado d/b/a Xcel Energy v. The Burlington Northern and Santa Fe Railway Company*, served June 8, 2004 (“Xcel”) pp. 26-27.

<sup>71</sup> See, for example, Xcel p. 27; STB Docket No. 42071, *Otter Tail Power Company v. BNSF Railway Company*, served January 27, 2006 (“Otter Tail”) p. 18; STB Docket No. 42088, *Western Fuels Association, Inc. and Basin Electric Power Cooperative v. BNSF Railway Company*, served February 18, 2009 (“WFA/Basin”) p. 16; and Docket No. NOR 42125, *E.I. DuPont De Nemours and Company v. Norfolk Southern Railway Company*, served

In fact, the STB utilized the greater accuracy and accountability of rail simulations as compared to simple mathematical calculations in its evaluation of the Canadian National Railway Company's ("CN") acquisition of the Elgin, Joliet and Eastern Railway Company ("EJ&E").<sup>72</sup> To evaluate CN's proposed operation of the former EJ&E lines after CN's acquisition and construction of proposed additional infrastructure, the STB's Section of Environmental Analysis ("SEA")<sup>73</sup> undertook independent analyses of the maximum capacity of the EJ&E's rail lines. The SEA first conducted a qualitative analysis of the potential constraints on the EJ&E lines and determined that some lines could be close to capacity.<sup>74</sup> The SEA next undertook a mathematical analysis of certain sections of the EJE's rail line using a Line Occupancy Indexes ("LOI") approach. The LOI approach consists of dividing a rail line into segments of like capacity, applying to each segment a maximum practical capacity based on its number of main tracks and other characteristics, and comparing that capacity to the proposed capacity. The ratio between the practical capacity and the proposed capacity is the LOI, and is expressed as a percentage, e.g., an LOI of 50 implies that the rail line segment is hosting 50 percent of its maximum practical train capacity.<sup>75</sup> The STB noted that, while the LOI approach helped to identify certain segments of the EJE that were approaching practical capacity, it needed greater accuracy on the rail line capacity in order to make a final determination about the rail line capacities.

---

March 24, 2014 ("DuPont") p. 36. Outside of maximum reasonable rate proceedings before the STB, parties have used the RTC model to test rail line capacity in Docket No. FD 36496, *Application of The National Railroad Passenger Corp. Under 49 U.S.C. § 24308(E) – CSX Transportation, Inc. And Norfolk Southern Corporation*, filed March 16, 2021 ("Amtrak Gulf Coast Service") and Docket No. NOR 42104, *Entergy Arkansas, Inc. & Entergy Services, Inc. v. Union Pacific Railroad Company, Missouri & Northern Arkansas Railroad Company, Inc., & BNSF Railway Company*, served November 26, 2012 ("Entergy").

<sup>72</sup> See, STB Finance Docket No. 35087, *Canadian National Railway Company and Grand Trunk Corporation – Control – EJ&E West Company* ("CN/EJ&E").

<sup>73</sup> The STB has since changed SEA's name to the Office of Environmental Analysis.

<sup>74</sup> See, CN/EJE Draft Environmental Impact Statement, Attachment B4, Page 3.

<sup>75</sup> See, CN/EJE Draft Environmental Impact Statement, Attachment B4, p. 4. The STB also noted that the LOI approach was very similar to the Grid Analysis undertaken by CN in its application.

Based on the results of the LOI, SEA confirmed the conclusions from the bottleneck analysis and also determined that it needed to evaluate the capacity of the EJ&E rail line using a more robust and sophisticated modeling tool called a Rail Traffic Controller (RTC).<sup>76</sup>

The SEA ran the RTC under several different scenarios addressing different operating assumptions made by CN after its acquisition of the EJ&E. The RTC modeling performed by the SEA allowed the STB to identify that the EJ&E rail line would be operated at or very near to capacity, and that there was little, if any, room for growth in the anticipated daily train volumes.<sup>77</sup>

## **2. Simple Mathematical Models Do Not Capture the Nuances of Capacity on Double and Triple-Track Rail Lines**

Even if the STB were still relying upon purely mathematical methods to study rail line capacity, CP/KCS' calculations of rail capacity use a model that is not well suited to evaluating rail segments with multiple main line tracks. CP/KCS used their simple mathematical capacity model to calculate the estimated capacity of the Elgin Subdivision in 2017.<sup>78</sup> The model is designed to estimate the capacity of single-track rail lines, but the Elgin Subdivision uses double and triple-track along its length. Calculating the sustainable capacity of a rail line segment with double and triple track, such as CP's Elgin Subdivision, is not as straightforward as determining the capacity of a single-track rail line.

A 2014 study undertaken by the National Cooperative Highway Research Program under the auspices of the Transportation Research Board ("TRB") reviewed strictly mathematical models to determine rail line capacity, and these model's limitations.<sup>79</sup> The TRB Report found that, while

---

<sup>76</sup> See, CN/EJE Draft Environmental Impact Statement, Attachment B4, pp. 3-4.

<sup>77</sup> See, CN/EJE Draft Environmental Impact Statement, Attachment B4, p. 23.

<sup>78</sup> See, CP/KCS workpaper "Elgin Sub (July 2017).xlsx." CP/KCS did not provide a capacity calculation for the C&M Subdivision in their workpapers.

<sup>79</sup> See, "Capacity Modeling Guidebook for Shared-Use Passenger and Freight Rail Operations," NCHRP Report 773, Transportation Research Board, 2014 ("TRB Report"). The TRB undertook the study to provide state



estimating the capacity of a single-line track is relatively straightforward using a simple mathematical model, the calculation of capacity on double and triple-track line segments is more nuanced.

The TRB Report called its single-track capacity analysis a Grid Time Analysis, and described the analysis as follows:

The theoretical capacity to handle traffic on single track is dictated by the time it takes a train to travel the distance between two sidings and clear the way for an opposing train. The time a train takes to traverse the single track section and be in the clear for the opposing movement is called the one-way grid time. The grid time varies as a function of the spacing between sidings and the average of train speeds in each direction. The single track segment on which the trains take the highest amount of time dictates how many trains can traverse a line in a day. This segment defines the capacity over the line as the number of trains that can be handled daily.

The TRB's Grid Time Analysis is essentially the same as the CP/KCS' capacity model and is mathematically equivalent to CP/KCS' capacity model formula. The TRB noted that the theoretical capacity on double and triple-track rail lines is extremely high because trains can fleet behind one another, unimpeded by opposing traffic and limited only by the train speed and by the spacing between trains provided by the signal system. The theoretical capacity may appear to be extremely high. The TRB found in practice, however, numerous other factors combine to reduce the effective capacity of multiple track segments. The most important ones are traffic mix (trains with different speeds, characteristics and customer requirements); track outages for repairs and maintenance; spacing between block signals and interlockings; and queuing at entrances of terminals and junctions.<sup>80</sup>

---

departments of transportation with technical guidance to aid in their understanding of the methods host railroads use to calibrate and apply capacity models to determine if adequate capacity exists to support new or increased passenger rail service,

<sup>80</sup> See, TRB Report pp. 29-30.

Several of these capacity constraining factors are present on the Metra MD lines over which Metra and CP operate. CP/KCS' workpapers show that a varied mix of freight train types operate on the Elgin Subdivision, including unit trains, line-haul manifest, intermodal, and automotive trains, and local trains. More importantly, the train figures for the Elgin Subdivision included in the CP/KCS' workpapers do not include Metra or Amtrak passenger trains. The presence of significant passenger train volumes in the mix of traffic moving over this line make the capacity issue even more complex, given passenger train's contractual priority and significantly different operating characteristics of all the train types that actually use the line segments being studied. CP/KCS' omission of these trains from the calculations shows both CP's persistent attitude of diminishing the attention these trains require under the current agreement and the inadequacy of the analyses that they performed.

The Elgin Subdivision also is the location of CP's Bensenville Yard. The Bensenville Yard is CP's only main yard in the Chicago Terminal area and is one of the busiest yards on the CP network.<sup>81</sup> The Bensenville Yard sees a wide range of train types moving into, out of, and through the yard including yard, local, manifest, bulk, and intermodal trains.<sup>82</sup> Congestion within the busy Bensenville Yard often causes delays on the Elgin Subdivision main line where entering trains block mainline tracks, which reduces the capacity of the line.

---

<sup>81</sup> See, Verified Statement of James D. Clements in STB Docket No. 36075, *The Illinois State Toll Highway Authority – Petition for Declaratory Order*, filed February 23, 2017 p. 5.

<sup>82</sup> See, Verified Statement of Thomas C. Albanese in STB Docket No. 36075, *The Illinois State Toll Highway Authority – Petition for Declaratory Order*, filed February 23, 2017 pp. 2-6.

### **3. Applicants Omit Delay Factors and Foreign Railroad Conflicts from Their Capacity Analysis**

CP/KCS' simple mathematical capacity model calculations are based on the speed at which unimpeded trains move between sidings. This model does not consider upstream and downstream events that cause trains to sit idle in yards, sidings and sometimes on mainline tracks. In fact, CP/KCS make no mention of delays in their capacity analysis, and their capacity model appears to factor out any delays a train may incur while operating over the studied segments. Even more concerning is CP/KCS' failure to consider the impact of other railroads' operations, both on jointly operated track segments and on downstream, offline track segments owned by foreign carriers, on CP's operations.

The Chicago Terminal is the predominant interchange terminal in North America. In their description of CP's current Chicago operations, CP/KCS state the following:

Between 75 and 80 percent of CP carloads passing through Chicago either originate or terminate on another railroad. With the majority of rail yards in the region lying to the south of downtown Chicago, much of CP's interchange volumes depart CP's network to connect with yards further south, sharing the same highly trafficked corridors as other Class I carriers.<sup>83</sup>

This raises a critical point that CP/KCS ignore entirely in their proclamations regarding the existence of sufficient capacity. Even if CP/KCS demonstrated that the line segments they dispatch, including Metra's MD-W and MD-N lines, have sufficient capacity (which they failed to demonstrate), CP/KCS made no effort to ascertain whether connecting railroads can accommodate their proposed increase in interline traffic.

---

<sup>83</sup> See, Merger Application, APP Vol. 2, p. 269, Operating Plan ¶ 27.

CP provided train delay data for select subdivisions in response to Metra's requests for production in this proceeding. The CP delay data attributes a significant portion of the train delays that CP incurred over the critical line segments for which it provided data to interference from other carriers' equipment and operations during the January 1, 2019 through December 14, 2021 time period.

As shown on Exhibit No. 7, CP attributed {{ }} delays ({{ }} per day, on average), accounting for {{ }} million delay minutes ({{ }} hours<sup>84</sup> of train delays per day, on average), to other railroads' operations and/or equipment. This means that CP identified other carriers as a cause for more than a third<sup>85</sup> of CP train delays and total delay time CP trains accrued on these line segments. Specifically, these are train delays that CP attributed to IHB, BRC, NS, CSXT, BNSF, UP, CN, Amtrak, and Metra.

CP/KCS apparently presume that the additional volume they plan to add will not impact the operations of the carriers with whom they interchange traffic and/or share trackage, and will not be impacted by delays on those other carriers' lines. However, as documented in their own delay data, the current volume of traffic moving over these critical line segments already causes substantial delays to CP (and Metra). Moreover, although we do not have the delay data of the connecting carriers to evaluate, the train conflicts recorded in CP's train delay data obviously cause delays on all of the other systems as well.

CP/KCS workpapers provided in this proceeding indicate that CP annually interchanges {{ }} railcars with CSXT; {{ }} railcars with NS; {{ }} railcars with UP; {{ }} railcars with BNSF; {{ }} railcars with CN; and {{ }} railcars with

---

<sup>84</sup> 1,299.5 daily delay minutes ÷ 24 hours per day. *See*, Exhibit No. 7, Line 7, Column (12).

<sup>85</sup> {{ }}. *See*, Exhibit No. 6 and Exhibit No. 7.



various other Chicago area terminal short line and regional railroads.<sup>86</sup> CP/KCS made no effort to study the impact on these connecting carriers' systems.

In most capacity models, train delay times are normally considered either implicitly or explicitly in determining train capacity. In rail simulation models, such as the RTC, train delays are explicitly considered either as a result of the rail simulation as trains encounter other trains or as direct inputs for such things as maintenance delays or bridge openings. In less sophisticated models, such as the simple mathematical capacity model used by CP/KCS, delays can be implicitly accounted for by including delay times in the development of average train speeds or transit times.

However, the operating instructions for the CP/KCS mathematical model explicitly exclude delay times in considering line capacity. CP/KCS capacity methodology states that when selecting trains to include in the calculation of transit time inputs to the capacity model, “[r]eview the event recorder speed to determine if the train stopped between sidings and was moving at track speed and discount the time or use another download.”<sup>87</sup> In other words, CP/KCS’ capacity methodology calls for excluding trains that were stopped and delayed while moving over the subject line segment, and including only trains that were not delayed. This traffic selection rule explicitly overstates the capacity on the line segment.

#### **4. Applicants Perform RTC Rail Simulations in the Normal Course of Business**

In response to Metra’s requests for production, CP/KCS belatedly provided a series of 39 separate RTC rail simulations that it performed between 2014 and 2018 to evaluate operating

---

<sup>86</sup> See, workpaper “2.1.2.2.1-FD 36500 -Work Paper- Interchange Data (Chicago Interchange by Carrier).xlsx.” CP/KCS’ workpaper indicates in some cases a Chicago terminal railroad such as the BRC or the IHB interchanged the railcar with another Class I railroad besides CP. In those cases, the railcar was counted as interchanged with the Class I railroad and not the terminal carrier.

<sup>87</sup> See, Capacity Methodology p. 2.

scenarios on many of the same subdivisions that we modeled in our evaluation of the proposed merger. These simulations were provided in usable format just days before the February 28, 2022 deadline for filing comments in this proceeding. We reviewed the provided simulations and determined that CP considered Metra's operations in only one of the 39 modeling scenarios that it provided. We also determined that only 10 of the 39 provided RTC simulations ran to completion and two (2) of the 10 completed runs contained fatal errors. This could indicate that CP was exploring potential operating solutions for the capacity-constrained Marquette Subdivision.

### VIII. RTC TRAIN SIMULATION

Because CP's capacity analysis regarding the proposed transaction was insufficient, we conducted the analyses required to quantify the impact of the anticipated increase in CP/KCS train volumes on Metra train operations, and to identify the modifications to infrastructure and operating practices required to prevent service deterioration for Metra and its customers. To do this we ran a series of simulations. We used RTC model for this exercise, which is the STB's preferred model for demonstrating the validity of proposed operating plans and developing operating statistics in stand-alone maximum reasonable rate cases.<sup>88</sup>

Our RTC analysis evaluates and quantifies both the current operations (based on current track and structures and actual 2021 train volumes ("Base Case")), as well as the proposed future operations (based on proposed additions to track and structures and projected train volume increases ("Future Case")).<sup>89</sup> These before and after scenarios allow us to measure the impact of CP's proposed increase in train volumes on train performance, while accounting for changes in infrastructure. Comparing the pre-merger and the post-merger scenarios reveals the change in Metra service levels that will result from the proposed merger. Exhibit No. 8 contains a detailed outline showing the data sources and processes that we used to develop inputs to and run the RTC simulations.

---

<sup>88</sup> CP/KCS' failure to perform an RTC-based modeling exercise to demonstrate the feasibility of its proposed operating plan would constitute a critical flaw in an operating plan posited for a hypothetical Stand-Alone Railroad ("SARR") in a maximum reasonable rate proceeding before the STB. In fact, the STB would not accept a MultiRail-based operating plan in a rate case without an accompanying RTC model demonstrating that the posited operating plan was feasible. Nor would the STB accept an operating plan that excluded an entire class of trains (in this case Metra trains) from its operating plan and accompanying simulation. Clearly such an exercise is equally applicable when the proposed operations are for a real-world railroad, not a hypothetical railroad as in a maximum reasonable rate case.

<sup>89</sup> Future operations exclude significant volumes of traffic of foreign freight trains from other carriers that were not included in the train event data provided by CP in discovery.

This approach is consistent with the TRB Report's findings for testing the effect of adding trains over a corridor of mix-used rail traffic. The TRB Report noted:

That is, RTC is run first with the base case or existing train pattern operating over the corridor. The base case includes all current freight traffic, mixed freight and passenger trains, and local freights. Subsequent simulation runs test the effects to the overall operations under increased traffic patterns (viz., planned freight traffic growth and introduction of passenger traffic). This testing allows for the determination of operational effects that occur to existing freight traffic, while prioritizing passenger trains.<sup>90</sup>

We follow the approach advocated by the TRB Report as discussed below.

#### **A. RTC MODELING OF THE BASE CASE**

In the first step in our RTC analysis, we entered detailed track and structures data into the RTC model using geospatial and other electronic and hard-copy location and infrastructure data provided by both CP (for CP-owned line segments and yards) and Metra (for Metra-owned line segments). The electronic track charts and related materials for CP-owned segments were provided in response to Metra's requests for production.<sup>91</sup> Our simulation covered the portions of CP's and Metra's rail lines shown in Exhibit No. 3, which includes, but is not limited to, the MD-N and MD-W lines. In addition, we developed and included track and structures data for the short UP line segment between Tower A20 on Metra's MD-N line and the connection with CP at Bryn Mawr, which is north of Metra's MD-W line and Bensenville Yard, because a significant number of CP trains routed to Bensenville from Milwaukee follow this route via CP trackage rights.

Next, we developed a base period train list using a combination of data sources. For CP freight trains, we used historical CP train event data, CP Local Operating Plans ("LOP") detailing the routes and customers served by CP local trains, CP car events showing time stamps for actual

---

<sup>90</sup> See, TRB Report p. 37.

<sup>91</sup> See, Metra's First Set of Discovery Requests No. 2.



placement and release of railcars at customer facilities, i.e., loading and unloading data, and additional information CP provided in response to Metra's requests for production and interrogatories. For Metra and Amtrak trains, we used Metra train schedules and Amtrak train schedules for trains that were operating in the base period. CP's train event data was missing data for foreign freight trains. We conservatively added two (2) daily foreign freight trains in the form of daily round trip local trains, one UP train operating between Proviso Yard and Bensenville Yard over the IHB, and one NS train operating between Calumet Yard and Bensenville Yard over the BRC, in accordance with CP/KCS' description of its Chicago interchange operations:

CP delivers manifest and intermodal traffic directly into NS' Calumet Yard via BRC and into UP's Proviso Yard via IHB. Both railways reciprocate with direct service into Bensenville.<sup>92</sup>

Metra provided freight activity logs which confirmed that several additional foreign trains operated over Metra's lines into Bensenville on a daily basis during the modeled week. Exhibit No. 4 contains a list of the foreign trains logged by Metra during the week of April 16, 2021 through April 22, 2021. However, CP/KCS provided no train event data for any of these trains and with the exception of one daily NS and one daily UP train, they provided no description of their operations in the Operating Plan. The Exhibit No. 4 train list includes, but is not limited to, foreign trains which perform daily reverse moves adjacent to Bensenville Yard, i.e., stopping on the mainline in order to reverse direction.<sup>93</sup> As a result of CP/KCS' failure to provide any event data for foreign trains, our simulations include fewer freight trains than operate in the real world, and fewer disruptive operations such as the reverse moves described above, so they reflect notably less freight train interference than Metra trains actually encounter.

---

<sup>92</sup> See, Merger Application, APP Vol. 2, p. 270, Operating Plan ¶ 27.

<sup>93</sup> See, Trains T001, T002, and T004 on Exhibit No. 4, Lines 44-46.

In fact, this is just one of many assumptions and inputs to our RTC simulations that are extremely favorable to CP/KCS, all of which result in overstated train performance (in both the pre-merger and post-merger evaluations). Exhibit No. 9 lists many of the conservative assumptions we made in our RTC modeling that are favorable to CP/KCS.

The Base Case train list includes the actual historical trains that operated over the modeled track during the week of April 16, 2021 through April 22, 2021, plus a two-day warm up period, and a one-day cool down period.<sup>94</sup> The warm-up and cool-down periods are required to ensure the simulated rail network is fully populated with trains both before and after the observed statistical period. This prevents trains that are dispatched early (or late) in the peak week from entering a system that is unrealistically void of traffic. This is the standard procedure used by parties in STB maximum reasonable rate cases.

We selected the modeling week after reviewing the train event data for January 2019 through December 14, 2021 that CP provided in response to Metra's requests for production. We observed that train volumes were higher in 2019 and 2020 than in 2021, and determined that this change was attributable to several factors. First, CP's roster of scheduled merchandise, intermodal, and automotive trains, i.e., operating plan trains, has changed since 2019. This is consistent with CP's implementation of PSR. Second, there has been a notable decline in unit crude train and unit coal train volumes over the studied routes since 2019 and 2020. Upon review of these trends, we selected the relatively lower-volume 2021 as the base year because it accurately reflects current train operations.

After restricting our modeling period to 2021, we identified a week in which train volumes were higher than average to ensure we observed and accounted for the volume peaks that arise in

---

<sup>94</sup> See, Exhibit No. 10a.

the normal course of business as a result of seasonal traffic ebb and flow. This is consistent with the RTC modeling parameters the STB requires in maximum reasonable rate cases.<sup>95</sup> However, we were careful to avoid selecting a week in which anomalous events caused unusual volumes and/or train delays.

We used the provided CP train event and train delay data in conjunction with historical weather data from the National Weather Service<sup>96</sup> to ensure we did not select a week in which anomalous weather events caused unusual delays during our base period. Specifically, we rejected the high-volume week of February 17, 2021 through 23, 2021 because record-setting heavy snow fell in the Chicago area in the preceding three (3) weeks, which led to unusually high volumes and congested corridors.<sup>97</sup> Similarly, we rejected the high-volume week of March 26, 2021 through April 1, 2021 because BNSF<sup>98</sup> and UP<sup>99</sup> noted heavy snowfall in Wyoming and Colorado from March 15, 2021 through 17, 2021 that may have caused cascading delays into Chicago through the month of March. By selecting a peak period in the middle of April 2021, we eliminated the need to reduce speed limits for much of the modeled network where speed limit exceptions are enforced in below-freezing weather.

We also conducted a review of non-weather events that may have contributed to an anomalous week. For example, we rejected the high-volume week of August 18, 2021 through August 24, 2021 because multiple press releases indicated that cascading delays from the Suez

---

<sup>95</sup> See, STB Docket No. 42088, *Western Fuels Association, Inc., And Basin Electric Power Cooperative v. BNSF Railway Company*, decided September 7, 2007, and STB Docket No. 42071 *Otter Tail Power Company v. BNSF Railway Company*, decided January 25, 2006.

<sup>96</sup> See, [www.weather.gov](http://www.weather.gov).

<sup>97</sup> See, February 14-16, 2021: *Heavy Snowfall in Northeast Illinois and Northwest Indiana* ([weather.gov](http://www.weather.gov)).

<sup>98</sup> See, Intermodal Network Update for Friday, March 19, 2021 *Customer Notifications BNSF*.

<sup>99</sup> See, e.g., UP: All Customer News.

Canal backup reached Chicago in July,<sup>100</sup> in addition to localized flooding and wind damage reported in the Chicago area on August 24.<sup>101</sup>

After identifying the modeling week, the next step in our analysis was to review and incorporate the historical maintenance outages, slow orders, and delays caused by draw bridge interference, and track or equipment failures on the modeled segments that occurred during the base period. We used delay data provided by both CP and Metra to identify the timing and location of these events. For example, CP Delay data reported a {{ }}-minute delay at Bensenville to train {{ }} on {{ }} at {{ }} with the following note:

{{  
  
}}.

Next, we reviewed historical loading and unloading data and local train operating schedules for the base period that were provided by CP to ensure that our modeling exercise properly reflected the timing and location of industry switching performed by local train crews at shipper facilities located on or adjacent to Metra operating territory and the CP territory included in our modeling exercise. This ensures that we modeled industry switching operations only when industry gates were open.

With all of the base period modeling inputs described above, we performed our initial simulation.<sup>102</sup> To evaluate the results of the simulation, we developed four (4) primary metrics for each class of train, including Metra trains. These metrics are: (1) average train speed; (2) delay

---

<sup>100</sup> See, e.g., *Supply-Chain Backlogs Turn Chicago Into New Chokepoint* - WSJ.

<sup>101</sup> See, August 24, 2021: *Thunderstorms Produce Wind Damage and Localized Flooding in Northern Illinois* (weather.gov).

<sup>102</sup> We conservatively modeled the entire network without signals, which the RTC model will dispatch similar to a fully PTC equipped network. This assumption results in more fluid modeled operations than a conventionally signaled system.



percentage; (3) delay per 100 train miles; and (4) total delay hours. Each of these metrics is further explained below.

1. Average train speed calculates the simple average of all train speeds within a train category taking into consideration all delays.
2. Delay percentage is the delay time represented as a percent of total transit time and is a valuable indicator of congestion on the modeled network, where a delay of 10 minutes is less significant for a 10-hour movement than it is for a one-hour movement.
3. Delay per 100 train miles measures delays on a normalized basis taking into consideration the impact on long-haul through trains and short distance local trains.
4. Total delay hours provide an indicator of increased congestion across all train types.

These metrics are common and recognized approaches to analyzing the results of rail simulations.<sup>103</sup>

Table 5 below shows the average train speeds, delay percentages, delay per 100 train miles and total delay hours for the RTC Base Case, separated by train type for the entire simulated network. A complete list of trains included in our Base Case scenario is included Exhibit No. 10a.

---

<sup>103</sup> See, TRB Report pp. 54-56.

<u>Train Group</u>	<u>Average Speed (MPH)</u>	<u>Delay Percent 1/</u>	<u>Delay Per 100 Train-Miles (Minutes)</u>	<u>Total Delay (Hours)</u>
(1)	(2)	(3)	(4)	(5)
1. Metra	31.52	0.56%	1.06	3.6
2. Amtrak	57.68	2.66%	2.70	2.9
3. Unit Train	25.32	28.18%	52.67	132.3
4. Local	17.89	26.99%	70.41	59.2
5. Operating Plan	21.82	17.74%	41.44	139.1
6. Other	<u>25.88</u>	<u>38.85%</u>	<u>64.87</u>	<u>4.9</u>
7. Total	26.18	15.33%	30.46	341.9

Source: workpaper "Summary Tables for Successful RTC Cases.xlsx."  
1/ Delay Percent = 100 x True delay ÷ Total elapsed ideal seed run time.

Table 5 includes statistics for all trains operating over the simulated network for all subdivisions included in the RTC model. The Base Case simulation shows 3.6 hours of delay for Metra trains,<sup>104</sup> even though the RTC includes a pronounced disparity in priority between Metra's trains and CP's freight trains that is not always enforced by CP dispatchers in real-world operations.<sup>105</sup> Metra's observed interference from CP freight trains is reduced in the model by the hierarchical dispatching protocols programmed into RTC, which largely prevent this interference in the Base Case, and completely prevent this interference when rush-hour restrictions are applied to CP's freight (discussed further below). Despite the disparity in priority between Metra's passenger trains and CP's freight trains, we observed several instances where the dispatch plan generated by the RTC resulted in Metra trains being delayed by CP trains, including one instance

<sup>104</sup> See, Table 5, Line 1, Column (5).

<sup>105</sup> Specifically, in the Base Case simulation, Metra trains are coded with an "Rank 1 - Elite" priority with a minimum priority level of 9000, where the priority level for CP's trains are "Rank 6 - High Priority" with minimum priority levels ranging from 2500 to 5000. These settings ensure that Metra's trains always receive dispatching priority in the simulation.

where three (3) Metra trains were delayed simultaneously near Metra's Chicago Street Station behind one of CP's Manifest trains.<sup>106</sup>

Separating the above statistics by train type and CP subdivision shows that the delays are not evenly distributed across the network.

Table 6  
**Base Case RTC Results for Marquette Subdivision and All Other Subdivisions**

<b>Train Group</b>	<b>Average Speed (MPH)</b>	<b>Delay Percent 1/</b>	<b>Delay Per 100 Train-Miles (Minutes)</b>	<b>Total Delay (Hours)</b>
(1)	(2)	(3)	(4)	(5)
<b>Marquette Subdivision</b>				
1. Metra	xxx	xxx	xxx	xxx
2. Amtrak	xxx	xxx	xxx	xxx
3. Unit Train	22.43	40.31%	76.84	73.4
4. Local	15.18	29.52%	90.11	27.3
5. Operating Plan	17.17	30.21%	81.05	31.2
6. Other	<u>25.43</u>	<u>41.28%</u>	<u>68.93</u>	<u>3.2</u>
7. Total	19.47	35.03%	79.96	135.1
<b>All Other Subdivisions</b>				
8. Metra	31.52	0.56%	1.06	3.6
9. Amtrak	57.68	2.66%	2.70	2.9
10. Unit Train	26.98	20.50%	37.84	58.9
11. Local	20.33	25.14%	59.29	31.8
12. Operating Plan	22.61	15.85%	36.31	107.9
13. Other	<u>26.62</u>	<u>34.96%</u>	<u>58.40</u>	<u>1.7</u>
14. Total	27.89	11.21%	21.69	206.8

Source: workpaper "Summary Tables for Successful RTC Cases.xlsx."  
1/ Delay Percent = 100 x True delay ÷ Total elapsed ideal seed run time.

As shown in Table 6 above, the majority of the delays in the RTC Base Case, as represented by the Delay Percent and Delay Per 100 Train-Miles, stem from CP's operations along the Marquette Subdivision. In fact, we were forced to move trains off the Marquette Subdivision onto the Mason City Subdivision (at Marquette) to accommodate train meet/pass events in the RTC

<sup>106</sup> See, workpaper "CP TRAIN DELAYING 3 METRA TRAIN.jpg."

model. Review of the RTC simulations provided by CP that included the Marquette Subdivision reveals that in CP's simulations, long trains that could not be sided were held on the Marquette mainline.<sup>107</sup> As discussed in Section VI above, the Marquette Subdivision is presently at or near capacity, and CP/KCS' proposed addition of significantly more trains along this section of the merged railroads' network will only lead to increased future delays along the Marquette Subdivision's lines, and adjoining subdivision lines, even with the planned capacity expansion.

**1. Base Case Sensitivity Analysis –  
Commuter Rush Hour Restrictions**

In our Base Case scenario, we dispatched CP freight trains based on the first departure/arrival times reported at stations on the portions of the CP network we modeled, as included in the provided CP train event data, for all CP freight trains. This ensured that we obtained an accurate representation of CP's current day-to-day operations. After completing the Base Case analysis, we attempted to test a scenario in which CP trains were forced to observe the commuter peak periods, i.e., rush hour, specified in the 1993 Supplemental Agreement between Metra and CP. However, after imposing the restrictions on CP freight trains in the commuter peak periods, the RTC simulation would not run to completion. This explains why CP's dispatchers are forced to move CP freight trains during the commuter peak periods in the real world. CP's dispatching incentives are at odds with Metra's.

**B. RTC MODELING OF THE POSITED  
FUTURE CASE**

After we ran our Base Case simulation, we added merger-related growth trains to the Base Case train list to reflect the freight train volume increase projected by CP/KCS. We started by adding the new scheduled intercity freight trains (operating plan trains) identified by CP/KCS in

---

<sup>107</sup> See, workpaper "CP RTC 181102 No YL Train N475GT8500-02 ML Switching Work.jpg"



Appendix G to the Operating Plan, based on the projected train routes and schedules<sup>108</sup> that were provided in response to Metra's requests for production.<sup>109</sup> Train size, i.e., trailing length and weight, for growth intermodal and manifest trains reflect the train sizes of corresponding historical 2021 trains that traversed the line segments over which CP/KCS project train volume increases. In other words, we conservatively assumed future intermodal and manifest trains will not grow in size, but instead remain at current train sizes.

Next, we added unit trains in accordance with CP/KCS' projected average daily increase in unit train volumes by line segment.<sup>110</sup> This approach is conservative because it does not reflect the seasonal peaking by commodity observed in the historical 2019-2021 train event data provided by CP/KCS. Specifically, we distributed CP/KCS' projected growth unit train volume evenly across the 10-day modeling period, which reduces the likelihood of conflicts resulting from unit train bunching that is inevitable in the real world.

Growth unit trains were assumed to have the same consists as historical 2021 trains and were routed according to the routes of unit trains that traversed the modeled route segments in 2021.<sup>111</sup> Because the growth trains we added have identical train consists to historical 2021 unit trains that traversed the line segments over which CP/KCS project volume increases, we ensured that the modeled growth trains could be sided where CP historically sided unit trains over the modeled routes.

---

<sup>108</sup> See, CP/KCS workpaper "Growth Plan Trains.xlsx" and "Growth Trains\_Tomah\_River\_WaterTown.xlsx."

<sup>109</sup> See, CP/KCS workpaper "10.5.10-CP-HC-00006478.xlsx" (produced to Metra as "Growth Plan Trains.xlsx" and CP/KCS workpaper "10.5.5.7- CP-HC-00014410.xlsx" (produced to Metra as "Growth Trains\_Tomah\_River\_WaterTown.xlsx").

<sup>110</sup> See, workpaper "Growth Plan Trains w 2021 Route Delays and Consist\_RTC Trains\_02222022.xlsx" at tab "UNIT."

<sup>111</sup> See, workpaper "Growth Plan Trains w 2021 Route Delays and Consist\_RTC Trains\_02222022.xlsx" at tab "RTC Inputs\_Growth Unit."

As discussed in Section VI above, CP/KCS failed to add the expanded local train services into and out of Bensenville Yard that are likely to result from its significant increase in planned Bensenville manifest and intermodal train volumes and the resulting increase in demand for transfer service to/from foreign yards for the purpose of interchanging traffic with other carriers. In our Future Case scenario, we assumed there would be no change in the frequency of local train service into/out of Bensenville, in accordance with CP/KCS Operating Plan. However, we believe this is an unrealistic future scenario, and it understates freight train interference Metra is likely to incur in the post-merger environment.

As with our Base Case, the Future Case is also missing several daily foreign trains for which CP provided no train event data, which again results in underrepresentation of freight train interference.

After updating the CP train list to reflect projected future operations, we updated the Amtrak train list to reflect the expanded Amtrak Service included in the Amtrak-CP/KCS Agreement.<sup>112</sup>

Finally, we expanded the Metra train list to reflect a volume level slightly below the 2019, pre-Covid, Metra train service frequency in order to evaluate the combined operations reflective of Metra's eventual return to a full complement of trains, which it has the contractual right to do. Metra operated 900 trains per week in 2019. In our Future Case scenario, we operated 865 Metra trains, i.e., 35 fewer trains per week than the number Metra operated in 2019. Trains that Metra removed in the Covid-era were assumed to resume operations on their 2019 schedule in the RTC Future Case, unless the 2019 schedule interferes with the operations of a current Metra train. The complete list of trains modeled in our Future Case scenario is included in Exhibit No. 10b.

---

<sup>112</sup> See, Amtrak-CP/KCS Agreement”) pp. 1-3.

The next step in our analysis involved adding track and structures to the Base Case model to reflect the capacity expansion projects planned by CP/KCS. Specifically, CP/KCS state that they will add one new siding to the Chicago Subdivision, three (3) new sidings to the Marquette Subdivision, and signal improvements to the Marquette Subdivision.<sup>113</sup> Although the planned capacity expansion will occur over several years, we modeled only the “after” scenario. We did not model intermediate scenarios in which the improvements were only partially complete.

We also added the performance gains delivered by the track and structures identified in the Amtrak-CP/KCS Agreement as requirements for expanded Amtrak service to the model,<sup>114</sup> as well as the improvements Amtrak publicly identified as necessary to accommodate the new daily Twin Cities-Milwaukee-Chicago (“TCMC”) service between St. Paul and Chicago. This ensures that the additional capacity Amtrak and CP/KCS agree is required to accommodate the increased Amtrak service was modeled.

After making the adjustments discussed above, we dispatched the RTC model and found that the simulation was unable to determine a viable dispatch plan.<sup>115</sup> In other words, RTC could not find a resolution that would accommodate the number of trains expected to operate over the simulated network even with the additional infrastructure added to the system. Not finding a resolution is not a failure of the RTC program, but rather an indication that changes are required to the modeled infrastructure and/or the trains included in the simulation.

We determined that the majority of unresolvable train conflicts were occurring on the Marquette Subdivision. In particular, the extremely long manifest/intermodal trains, which

---

<sup>113</sup> See, CP/KCS Operating Plan at APP Vol. 2, p. 460, Appendix R. As explained above, we did not include signals in our RTC models, so signaling improvements were also omitted.

<sup>114</sup> The Amtrak filing is included in our workpapers supporting this Verified Statement as workpaper “2022.02.02 Amtrak-CP Settlement Agreement, STB FD 36500.pdf.”

<sup>115</sup> See, workpaper “METRA - FUTURE CASE\_V14X REVISED ALL Trains Enabled FAILURE.zip.”

CP/KCS plan to double following the merger, often could not be successfully dispatched.<sup>116</sup> The train event data provided by CP in discovery indicates that these trains perform work at various locations on the Marquette Subdivision and often exceed 10,000 feet in length. However, the locations where this work is being performed do not have enough track to accommodate these extra-long trains.

We also observed that these inefficient operations were modeled in CP's own RTC simulations.<sup>117</sup> In the future scenarios, we left the dispatching protocols set similar to the Base Case such that CP trains could be moved off of the Marquette Subdivision and onto the Mason City Subdivision to accommodate train meet/pass events at Marquette, and with unit train volume growth evenly distributed across the modeled period.

Since the Future Case RTC simulation could not determine a successful dispatch plan given the operating conditions and additional infrastructure, we attempted lifting the dwell restrictions on all of the sidings in the Marquette Subdivision to allow CP freight trains to dwell indefinitely on these sidings, if necessary, including the three (3) new long sidings proposed by CP. We found that even when CP trains were allowed to dwell indefinitely on Marquette sidings, the RTC could not determine a viable dispatch plan for this volume of traffic.<sup>118</sup>

### **1. Future Case Sensitivity Analysis - Evaluation of Reduced Traffic Volumes**

---

Because we could not get the Future Case to run to completion in the RTC model (even with all of CP/KCS' proposed expansion projects completed), we removed trains from the

---

<sup>116</sup> According to the proposed operating plan schedule, many of these trains perform pick-ups and set-outs at Marquette, Dubuque, and Kains. *See*, CP/KCS workpaper "Growth Plan Trains.xlsx." Filter for "TRN\_SYMBOL\_I" = 260 or 261, and "WORK\_S" <> "N."

<sup>117</sup> *See*, workpaper "CP RTC 181102 No YL Train N475GT8500-02 ML Switching Work.jpg."

<sup>118</sup> *See*, workpaper "METRA - FUTURE CASE\_V14X REVISED ALL Trains ENabled Sit Limits.zip."



simulation one by one until all remaining trains could be dispatched. This was done by running the simulation until the RTC model identified trains involved in unresolvable tangles, then removing the first train identified in the tangles and subsequently running the simulation again. This process was repeated until we achieved a successful dispatch. In total, we removed 13 trains (more than one train per day, on average) before the simulation would run to completion. These 13 trains represent 474.5 excess trains annually beyond the available capacity of the proposed future network,<sup>119</sup> even given our highly conservative modeling assumptions. After removing these trains from the simulation, the RTC was able to develop a viable dispatch plan, although the impact on train performance was substantial. Once the RTC was able to determine a viable dispatch plan, we observed that all three (3) of the new sidings proposed by CP/KCS on the Marquette Subdivision were used heavily in the model.<sup>120</sup> This demonstrates that this proposed new infrastructure was being utilized frequently by the RTC model, but the three (3) new sidings were not sufficient to handle the proposed additional volume.

Table 7 below compares the Base Case metrics to the Future Case metrics after the removal of 13 CP trains required to successfully dispatch an RTC simulation.

---

<sup>119</sup> Thirteen (13) trains over a 10-day modeling period.  $365 \text{ days per year} \div 10 \text{ days modeled} \times 13 \text{ trains over capacity in the model period} = 474.5 \text{ trains over capacity per year}$ .

<sup>120</sup> See, workpapers “CP Marquette Added 10K Siding MP 24.jpg,” “CP Marquette Added 12K Siding MP 72.jpg,” and “CP Marquette Added 10K Siding MP 155.jpg.”

Table 7  
**Base Case and Future Case with  
 Removal of Over-capacity Trains RTC Results**

<u>Train Group</u>	<u>Average Speed (MPH)</u>	<u>Delay Percent 1/</u>	<u>Delay Per 100 Train- Miles (Minutes)</u>	<u>Total Delay (Hours)</u>
(1)	(2)	(3)	(4)	(5)
<b>Base Case</b>				
1. Metra	31.52	0.56%	1.06	3.6
2. Amtrak	57.68	2.66%	2.70	2.9
3. Unit Train	25.32	28.18%	52.67	132.3
4. Local	17.89	26.99%	70.41	59.2
5. Operating Plan	21.82	17.74%	41.44	139.1
6. Other	<u>25.88</u>	<u>38.85%</u>	<u>64.87</u>	<u>4.9</u>
7. Total	26.18	15.33%	30.46	341.9
<b>Future Case with Removal of Select Trains</b>				
8. Metra	30.83	2.84%	5.37	25.0
9. Amtrak	55.44	7.67%	7.71	22.8
10. Unit Train	20.84	51.68%	98.05	349.6
11. Local	12.68	75.28%	196.94	168.5
12. Operating Plan	18.97	42.33%	94.06	444.9
13. Other	<u>19.83</u>	<u>81.15%</u>	<u>135.52</u>	<u>10.1</u>
14. Total	24.27	32.49%	60.63	1,021.0

Source: workpaper "Summary Tables for Successful RTC Cases.xlsx."

1/ Delay Percent = 100 x True delay ÷ Total elapsed ideal seed run time.

As shown in Table 7 above, while the Future Case ran to completion after reducing future train volumes, we found a decline in average train speeds across all train types and increases in delay percentages, delay per 100 train-miles and aggregate delay hours. This indicates that even with fewer trains than CP/KCS and Amtrak propose to add, service will significantly decline for Metra and all other train operators.

In the Future Case, even with the benefit of the new infrastructure proposed by Amtrak, and the new infrastructure proposed by CP/KCS, Metra trains incurred 25.0 hours of delay over the course of the week, which is an increase of 594 percent compared to the Base Case delay of

3.6 hours.<sup>121</sup> Metra also saw a 405 percent increase in delay per 100 train miles.<sup>122</sup> These results show that the combined proposed infrastructure expansion is insufficient to accommodate CP's future traffic without adversely affecting Metra's operations, even after reducing the proposed annual CP/KCS volume by 474.5 trains

Based on Metra's past experience, we understand that CP sometimes reroutes trains over Metra's MD lines when the Marquette Subdivision is over capacity. The posited CP/KCS network cannot accommodate its proposed operating plan. In the post-merger scenario, CP/KCS will be operating over Metra's lines with no excess capacity.

### **C. IDENTIFICATION OF REQUIRED INFRASTRUCTURE EXPANSION**

Metra's current service levels will deteriorate in the Future Case even taking CP's and Amtrak's proposed infrastructure into consideration, and even with fewer trains than CP/KCS plan to force through the system. At Metra's request, we developed a scenario to evaluate the impact of additional infrastructure expansion projects to determine their impact on Metra's future service levels.

Specifically, our analysis involved eight (8) additional infrastructure expansion projects on the MD-W line, and three (3) additional infrastructure expansion projects on the MD-N line.

The eight (8) additional infrastructure expansion projects on the MD-W are:

1. Addition of receiving tracks at Bensenville Yard equal to the maximum length of incoming trains;
2. Addition of receiving tracks at Galewood Yard equal to the maximum length of incoming trains;
3. Addition of new powered cross-overs at Bartlett and Itasca;

---

<sup>121</sup>  $25.0 \div 3.6 - 1 \times 100 = 594\%$ .

<sup>122</sup>  $5.37 \div 1.06 - 1 \times 100 = 405\%$ .

4. Addition of two (2) new mainline tracks between Tower B12 and Tower B17;
5. Separation of the CP and Metra Milwaukee West tracks and construction of a fly-over from south of Tower A5 to northerly dedicated west bound Metra track;
6. Reduction of the curves at Tower A5 to allow increased speeds from 10 MPH to 25 MPH;
7. Addition of a new southeasterly wye leg at Cragin Junction to direct CP traffic south onto BRC without a reverse move; and
8. Addition of two new mainline tracks between Tower A5 and Tower B12.

The three (3) additional infrastructure expansion projects on the MD-N are:

1. Addition of new universal cross-overs at Lake Forest and Glenview;
2. Addition of a new third main line between Rondout and Tower A20; and
3. Addition of a new connection at Tower A20 to allow CP trains to exit the Metra mainline before entering UP territory.

Table 8 below compares the Base Case metrics to the Future Case metrics<sup>123</sup> with the addition of the infrastructure identified above to Metra's MD lines.

---

<sup>123</sup> We still had to remove 12 trains (mostly on the Marquette Subdivision) for the RTC simulation to run with the expanded infrastructure on Metra's Milwaukee District lines.



Table 8  
**Base Case and Future Case with Over-capacity Trains Removed and  
Additional Milwaukee District Infrastructure RTC Results**

<u>Train Group</u>	<u>Average Speed (MPH)</u>	<u>Delay Percent 1/</u>	<u>Delay Per 100 Train- Miles (Minutes)</u>	<u>Total Delay (Hours)</u>
(1)	(2)	(3)	(4)	(5)
<b>Base Case</b>				
1. Metra	31.52	0.56%	1.06	3.6
2. Amtrak	57.68	2.66%	2.70	2.9
3. Unit Train	25.32	28.18%	52.67	132.3
4. Local	17.89	26.99%	70.41	59.2
5. Operating Plan	21.82	17.74%	41.44	139.1
6. Other	<u>25.88</u>	<u>38.85%</u>	<u>64.87</u>	<u>4.9</u>
7. Total	26.18	15.33%	30.46	341.9
<b>Future Case with Select Trains Removed and Additional Milwaukee District Infrastructure</b>				
8. Metra	31.13	1.91%	3.62	16.9
9. Amtrak	56.20	6.22%	6.25	18.5
10. Unit Train	21.97	47.55%	90.06	343.4
11. Local	13.65	57.85%	161.69	140.1
12. Operating Plan	19.41	32.09%	75.11	347.5
13. Other	<u>23.10</u>	<u>55.55%</u>	<u>92.77</u>	<u>6.9</u>
14. Total	24.80	26.97%	51.39	873.4

Source: workpaper "Summary Tables for Successful RTC Cases.xlsx."

1/ Delay Percent = 100 x True delay ÷ Total elapsed ideal seed run time.

As shown in Table 8 above, after making these infrastructure additions on Metra's MD lines, our Future Case RTC simulation showed improved performance, but still did not return Metra's service to current baseline levels.

**IX. OTHER CONCERNS**


Metra's top priority is to provide safe and reliable service to its customers. As we demonstrated above, Metra's rail lines, as they currently exist, cannot accommodate CP's planned volume increase. Even if CP/KCS reduced their planned volume increase, it cannot be accommodated without a significant reduction in Metra train performance. Our RTC analysis shows that the proposed CP/KCS operating plan is not workable.

However, even if CP were able to make significant additional capital investment and dispatching adjustments to ensure Metra's trains run on schedule, there would still be greater throughput over Metra's lines. This increased throughput has the potential to create a new and different set of problems for the people who live in communities along the route, many of whom are Metra's riders. We did not evaluate the economic or safety impacts of increased freight throughput on the communities Metra serves.

Metra is also concerned that the resolution to the current dispute between CP and CN regarding the possible relocation of CP-CN interchanges from BRC's Clearing Yard to Spaulding Yard in Bartlett, IL (west of Bensenville) or to CN's Kirk Yard in Gary, IN (southeast of Bensenville) may impact the operation of freight trains on Metra's lines. If the CP-CN interchange moves to Spaulding, Kirk, or elsewhere in the Chicago terminal, this could add or change some CP local train assignments operating out of Bensenville, which has the potential to disrupt Metra service.

VERIFICATIONS

I, Thomas D. Crowley, verify under penalty of perjury that I have read this Verified Statement on behalf of Metra, that I know the contents thereof, and that the same are true and correct. Further, I certify that I am qualified and authorized to file this statement.

  
Thomas D. Crowley

Executed on 3/15/22

\* \* \*

I, Robert D. Mulholland, verify under penalty of perjury that I have read this Verified Statement on behalf of Metra, that I know the contents thereof, and that the same are true and correct. Further, I certify that I am qualified and authorized to file this statement.

  
Robert D. Mulholland

Executed on 3/15/2022

**LIST OF EXHIBITS**

<b>Exhibit No.</b>	<b>Exhibit Description</b>
(1)	(2)
1	Statement of Qualifications of Thomas D. Crowley
2	Statement of Qualifications of Robert D. Mulholland
3	Schematics of Select Metra and CP Rail Lines
4	Review of Metra Provided Freight Train ID's not included in CP Train Event Data
5	Summary of CP Freight Trains Operating Over Metra's Milwaukee District Lines (January 1 through December 14, 2021)
6	Summary of CP Train Delays Incurred on Select Subdivisions, January 1, 2019 through December 14, 2021
7	Summary of CP Delays Attributed to Other Carriers' Operations, January 1, 2019 through December 14, 2021
8	RTC Modeling Inputs and Procedures
9	RTC Simulation Assumptions and Inputs that are Favorable to CP/KCS
10a	Summary of Trains Modeled in Base Case RTC
10b	Summary of Trains Modeled in Future Case RTC



## **EXHIBIT C-1**

### **Thomas D. Crowley Qualifications**

**THOMAS D. CROWLEY**  
**STATEMENT OF QUALIFICATIONS**

My name is Thomas D. Crowley. I am an economist and President of the economic consulting firm of L. E. Peabody & Associates, Inc. The firm's offices are located at 1501 Duke Street, Suite 200, Alexandria, Virginia 22314, 760 E. Pusch View Lane, Suite 150, Tucson, Arizona 85737, and 7 Horicon Avenue, Glens Falls, New York 12801.

I am a graduate of the University of Maine from which I obtained a Bachelor of Science degree in Economics. I have also taken graduate courses in transportation at George Washington University in Washington, D.C. I spent three years in the United States Army and since February 1971 have been employed by L. E. Peabody & Associates, Inc.

I am a member of the American Economic Association, the Transportation Research Forum, and the American Railway Engineering and Maintenance-of-Way Association.

The firm of L. E. Peabody & Associates, Inc. specializes in analyzing matters related to the rail transportation of all commodities. As a result of my extensive economic consulting practice since 1971 and my participation in maximum-rate, rail merger, service disputes and rule-making proceedings before various government and private governing bodies, I have become thoroughly familiar with the rail carriers and the traffic they move over the major rail routes in the United States. This familiarity extends to subjects of railroad service, costs and profitability, cost of capital, railroad capacity, railroad traffic prioritization and the structure and operation of the various contracts and tariffs that historically have governed the movement of traffic by rail.

As an economic consultant, I have organized and directed economic studies and prepared reports for railroads, freight forwarders and other carriers, for shippers, for associations and for state governments and other public bodies dealing with transportation and related economic

**THOMAS D. CROWLEY**  
**STATEMENT OF QUALIFICATIONS**

problems. Examples of studies I have participated in include organizing and directing traffic, operational and cost analyses in connection with single car and multiple car movements, unit train operations for coal, grain, oil and other commodities, freight forwarder facilities, TOFC/COFC rail facilities, divisions of through rail rates, operating commuter passenger service, and other studies dealing with markets and the transportation by different modes of various commodities from both eastern and western origins to various destinations in the United States. The nature of these studies enabled me to become familiar with the operating practices and accounting procedures utilized by railroads in the normal course of business.

Additionally, I have inspected and studied both railroad terminal and line-haul facilities used in handling various commodities. These operational reviews and studies were used as a basis for the determination of the traffic and operating characteristics for specific movements of numerous commodities handled by rail.

I have frequently been called upon to develop and coordinate economic and operational studies relative to the rail transportation of various commodities. My responsibilities in these undertakings included the analyses of rail routes, rail operations and an assessment of the relative efficiency and costs of railroad operations over those routes. I have also analyzed and made recommendations regarding the acquisition of railcars according to the specific needs of various shippers. The results of these analyses have been employed in order to assist shippers in the development and negotiation of rail transportation contracts which optimize operational efficiency and cost effectiveness.

I have developed property and business valuations of privately held freight and passenger railroads for use in regulatory, litigation and commercial settings. These valuation assignments

**THOMAS D. CROWLEY**  
**STATEMENT OF QUALIFICATIONS**

required me to develop company and/or industry specific costs of debt, preferred equity and common equity, as well as target and actual capital structures. I am also well acquainted with and have used the commonly accepted models for determining a company's cost of common equity, including the Discounted Cash Flow Model ("DCF"), Capital Asset Pricing Model ("CAPM"), and the Farma-French Three Factor Model.

Moreover, I have developed numerous variable cost calculations utilizing the various formulas employed by the Interstate Commerce Commission ("ICC") and the Surface Transportation Board ("STB") for the development of variable costs for common carriers, with particular emphasis on the basis and use of the Uniform Railroad Costing System ("URCS") and its predecessor, Rail Form A. I have utilized URCS/Rail form A costing principles since the beginning of my career with L. E. Peabody & Associates Inc. in 1971.

I have frequently presented both oral and written testimony before the ICC, STB, Federal Railroad Administration, Federal Energy Regulatory Commission, Railroad Accounting Principles Board, Postal Rate Commission and numerous state regulatory commissions, federal courts and state courts. This testimony was generally related to the development of variable cost of service calculations, rail traffic and operating patterns, fuel supply economics, contract interpretations, economic principles concerning the maximum level of rates, implementation of maximum rate principles, and calculation of reparations or damages, including interest. I presented testimony before the Congress of the United States, Committee on Transportation and Infrastructure on the status of rail competition in the western United States. I have also presented expert testimony in a number of court and arbitration proceedings concerning the level



**THOMAS D. CROWLEY**  
**STATEMENT OF QUALIFICATIONS**

of rates, rate adjustment procedures, service, capacity, costing, rail operating procedures and other economic components of specific contracts.

Since the implementation of the *Staggers Rail Act of 1980*, which clarified that rail carriers could enter into transportation contracts with shippers, I have been actively involved in negotiating transportation contracts on behalf of shippers. Specifically, I have advised shippers concerning transportation rates based on market conditions and carrier competition, movement specific service commitments, specific cost-based rate adjustment provisions, contract reopeners that recognize changes in productivity and cost-based ancillary charges.

I have developed different economic analyses regarding rail transportation matters for over sixty (60) electric utility companies located in all parts of the United States, and for major associations, including American Chemistry Council, American Paper Institute, American Petroleum Institute, Chemical Manufacturers Association, the Chlorine Institute, Coal Exporters Association, Edison Electric Institute, the Fertilizer Institute, Mail Order Association of America, National Coal Association, National Grain and Feed Association, National Industrial Transportation League, North America Freight Car Association and Western Coal Traffic League. In addition, I have assisted numerous government agencies, major industries and major railroad companies in solving various transportation-related problems.

In the two Western rail mergers that resulted in the creation of the present BNSF Railway Company and Union Pacific Railroad Company and in the acquisition of Conrail by Norfolk Southern Railway Company and CSX Transportation, Inc., I reviewed the railroads' applications including their supporting traffic, cost and operating data and provided detailed evidence supporting requests for conditions designed to maintain the competitive rail environment that

**THOMAS D. CROWLEY**  
**STATEMENT OF QUALIFICATIONS**

existed before the proposed mergers and acquisition. In these proceedings, I represented shipper interests, including plastic, chemical, coal, paper and steel shippers.

I have participated in various proceedings involved with the division of through rail rates. For example, I participated in ICC Docket No. 35585, *Akron, Canton & Youngstown Railroad Company, et al. v. Aberdeen and Rockfish Railroad Company, et al.* which was a complaint filed by the northern and mid-western rail lines to change the primary north-south divisions. I was personally involved in all traffic, operating and cost aspects of this proceeding on behalf of the northern and mid-western rail lines. I was the lead witness on behalf of the Long Island Rail Road in ICC Docket No. 36874, *Notice of Intent to File Division Complaint by the Long Island Rail Road Company.*

## **EXHIBIT C-2**

### **Robert D. Mulholland Qualifications**

**ROBERT D. MULHOLLAND**  
**STATEMENT OF QUALIFICATIONS**

My name is Robert D. Mulholland. I am an economist and a Senior Vice President of the economic consulting firm of L. E. Peabody & Associates, Inc. The firm's offices are located at: 1501 Duke Street, Suite 200, Alexandria, Virginia 22314; 760 E. Pusch View Lane, Suite 150, Tucson, Arizona 85737; and 7 Horicon Avenue, Glens Falls, New York 12801.

I am a graduate of George Mason University's School of Public Policy, from which I obtained a Master's degree in Transportation Policy, Operations & Logistics, and Bowdoin College, from which I obtained a Bachelor of Arts degree in Government and Legal Studies. I have been employed by L. E. Peabody & Associates, Inc. since 2008 and from 1995 to 2004. From 2004 to 2006, I was the staff economist for the Office of Freight Management and Operations of the Federal Highway Administration ("FHWA") of the United States Department of Transportation ("USDOT"). From 2006 to 2008, I worked for ICF International as a consultant in the transportation group.

L. E. Peabody & Associates, Inc. specializes in analyzing matters related to the rail transportation of all commodities. As a result of my extensive consulting experience since 1995 and my participation in and support of maximum-rate, rail merger, service dispute, reasonable practices, and rule-making proceedings before various government bodies, I have become thoroughly familiar with the major freight and passenger rail carriers in the United States. This familiarity extends to subjects of railroad costs and revenues, service, maintenance, operations, capacity, traffic prioritization, and contract and tariff terms that govern the movement of commodities by rail.

As a consultant, I have directed and conducted economic and operations studies and prepared reports for passenger and freight carriers, shippers, federal agencies, the United States



**ROBERT D. MULHOLLAND**  
**STATEMENT OF QUALIFICATIONS**

Congress, associations, and other public bodies dealing with transportation and related economic issues. Examples of studies I have participated in include organizing and directing rail facilities analyses, quantifying the impact of service disruptions for shippers, evaluation of traffic and operating factors in connection with single and multiple car movements and unit train operations for various commodities, rate and revenue division analyses, and other studies dealing with transportation markets for many commodities over various surface modes throughout the United States. Through these studies I have become familiar with railroad costing and operating practices.

I have inspected and studied railroad terminal facilities used in handling various commodities to collect data that were used as a basis for the determination of traffic and operating characteristics for specific movements handled by rail. I have conducted field studies of short line rail systems and rail spurs, and industry-owned rail facilities, and developed reports assessing their capacity to accommodate various projected operating scenarios and traffic levels.

I have developed operational and economic studies relative to the rail transportation of coal, chemicals, intermodal traffic, and other commodities on behalf of shippers, including analyses of the relative efficiency and costs of railroad operations over multiple routes. The results of these analyses have been used to assist shippers in the development and negotiation of rail transportation contracts that optimize operational efficiency and cost effectiveness.

I have presented written testimony before the STB related to the development of evidence including rail traffic volume and revenue forecasts, cross-over traffic revenue divisions, and train operations in several maximum reasonable rate proceedings on behalf of coal and chemicals

**ROBERT D. MULHOLLAND**  
**STATEMENT OF QUALIFICATIONS**

shippers, and the development of evidence including rail fuel consumption and cost determinations in an unreasonable practice proceeding.

I have supported the negotiation of transportation contracts between shippers and railroads. Specifically, I have conducted studies concerning transportation rates based on market conditions and carrier competition, movement specific service commitments, and specific cost-based rate adjustment provisions. I have developed numerous variable cost calculations utilizing the various formulas employed by the Surface Transportation Board (“STB”) for the development of variable costs for common carriers, with particular emphasis on the basis and use of the Uniform Railroad Costing System (“URCS”). I have utilized URCS costing principles since the beginning of my career with L. E. Peabody & Associates Inc. in 1995.

I have conducted different economic analyses regarding rail transportation matters for dozens of electric utility companies located in all parts of the United States, and for major associations, including the Chlorine Institute, the American Chemistry Council, the Chemical Manufacturers Association, the National Industrial Transportation League, and the Western Coal Traffic League. In addition, I have assisted numerous government agencies in analyzing and solving various transportation-related problems.

In the Western rail merger that resulted in the creation of the present Union Pacific Railroad Company, I reviewed the railroads’ applications including their supporting traffic, cost and operating data and developed detailed evidence supporting requests for conditions designed to maintain the competitive rail environment that existed before the proposed merger.

While employed at FHWA, I was a member of the USDOT inter-agency working group that drafted the National Freight Policy. In addition, I served on the USDOT Freight Gateway

**ROBERT D. MULHOLLAND**  
**STATEMENT OF QUALIFICATIONS**

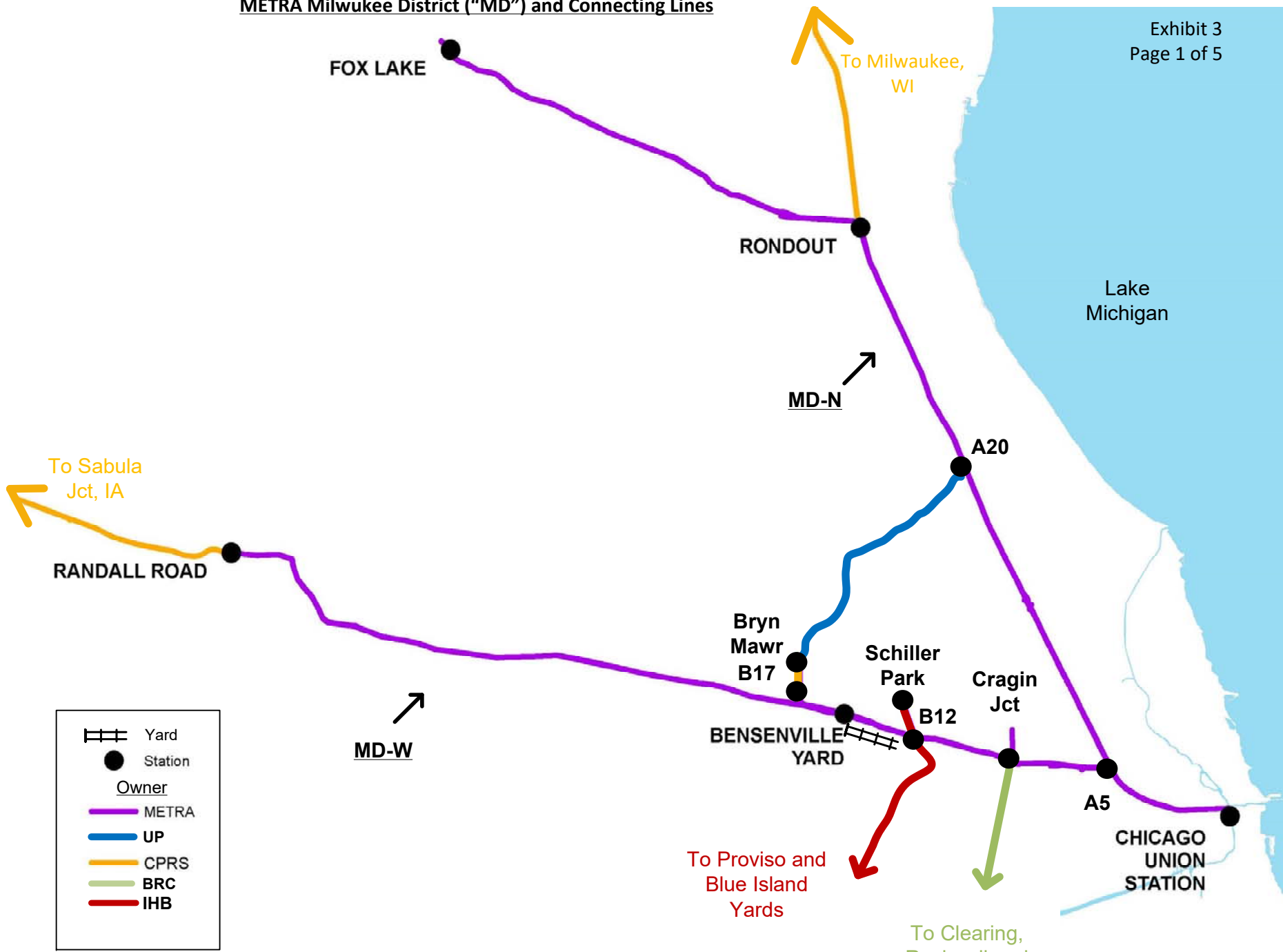
Team, a group headed by the Undersecretary for Policy and composed of one representative from each of the surface modal agencies.

While employed at ICF International, I directed and conducted numerous analyses of the rail and trucking industries for federal transportation agencies including the Federal Railroad Administration ("FRA"), the Federal Motor Carrier Safety Administration ("FMCSA"), and the FHWA, including analyses of the current rail and trucking industries and forecasts of future trends in both industries.

## **EXHIBIT C-3**

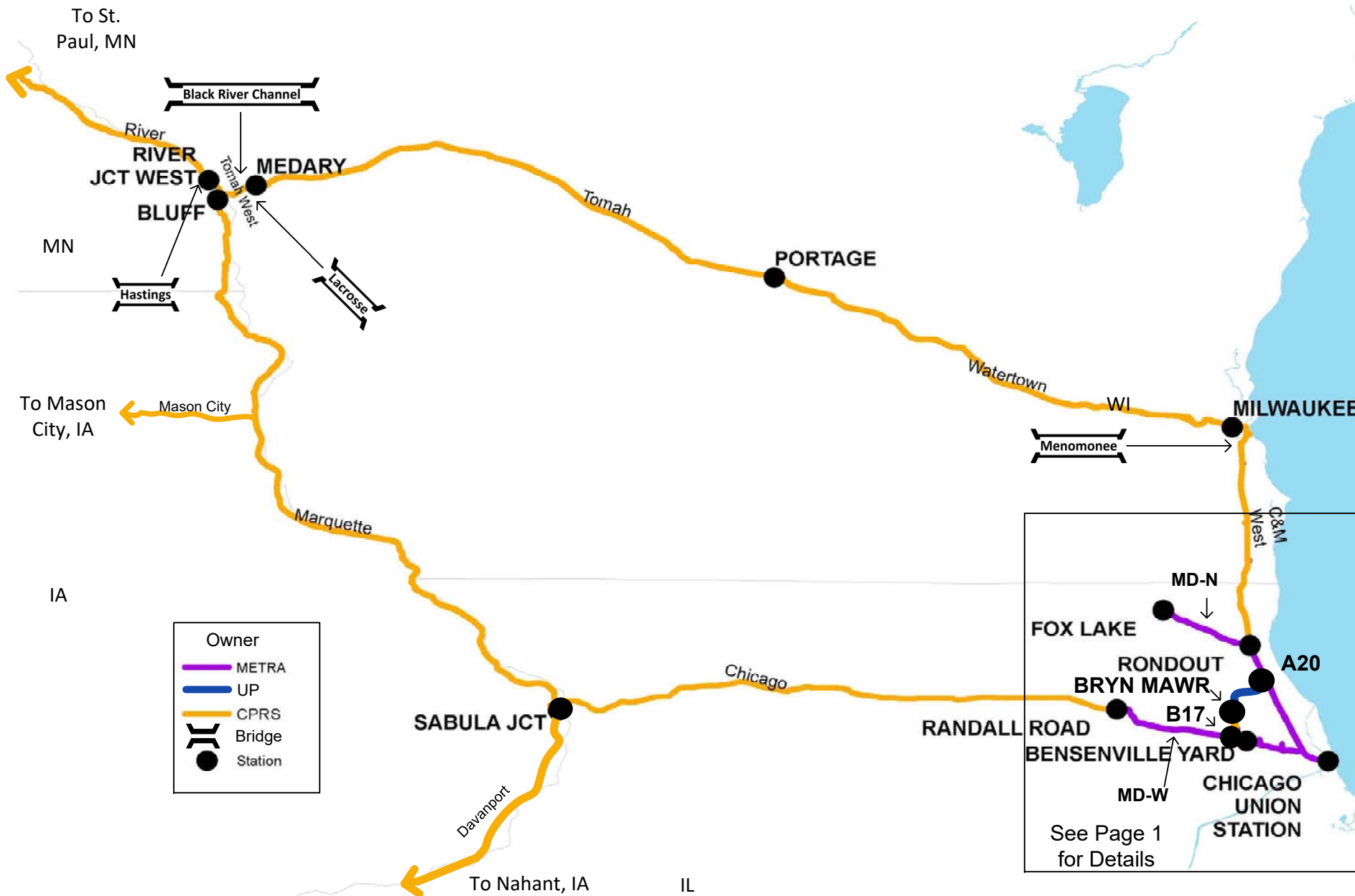
### **Schematics of Select Metra and CP Rail Lines**



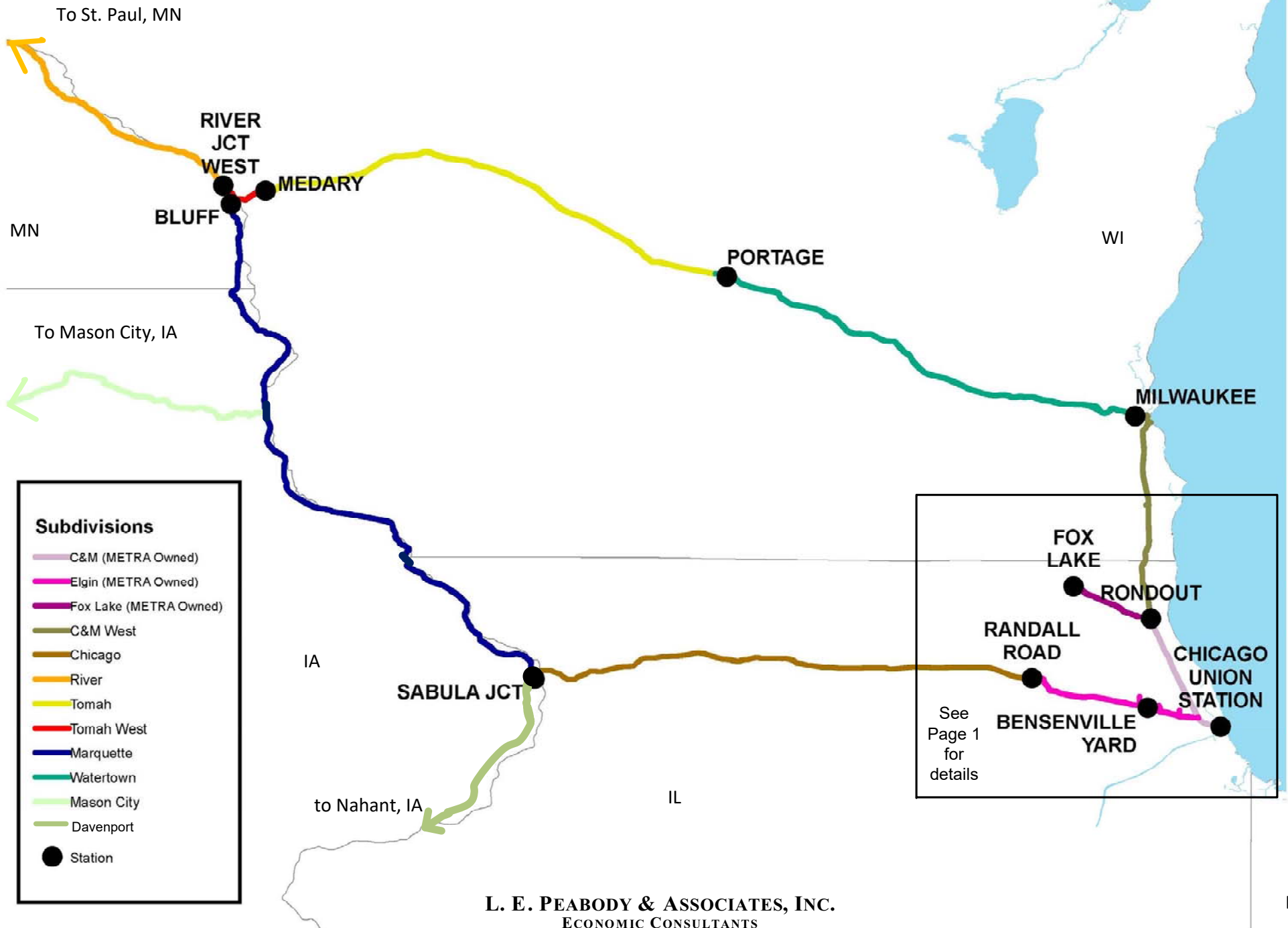


	Yard
	Station
<u>Owner</u>	
	METRA
	UP
	CPRS
	BRC
	IHB

CPRS and METRA Track Modeled in RTC



CPRS Subdivisions



**Subdivisions**

- C&M (METRA Owned)
- Elgin (METRA Owned)
- Fox Lake (METRA Owned)
- C&M West
- Chicago
- River
- Tomah
- Tomah West
- Marquette
- Watertown
- Mason City
- Davenport
- Station

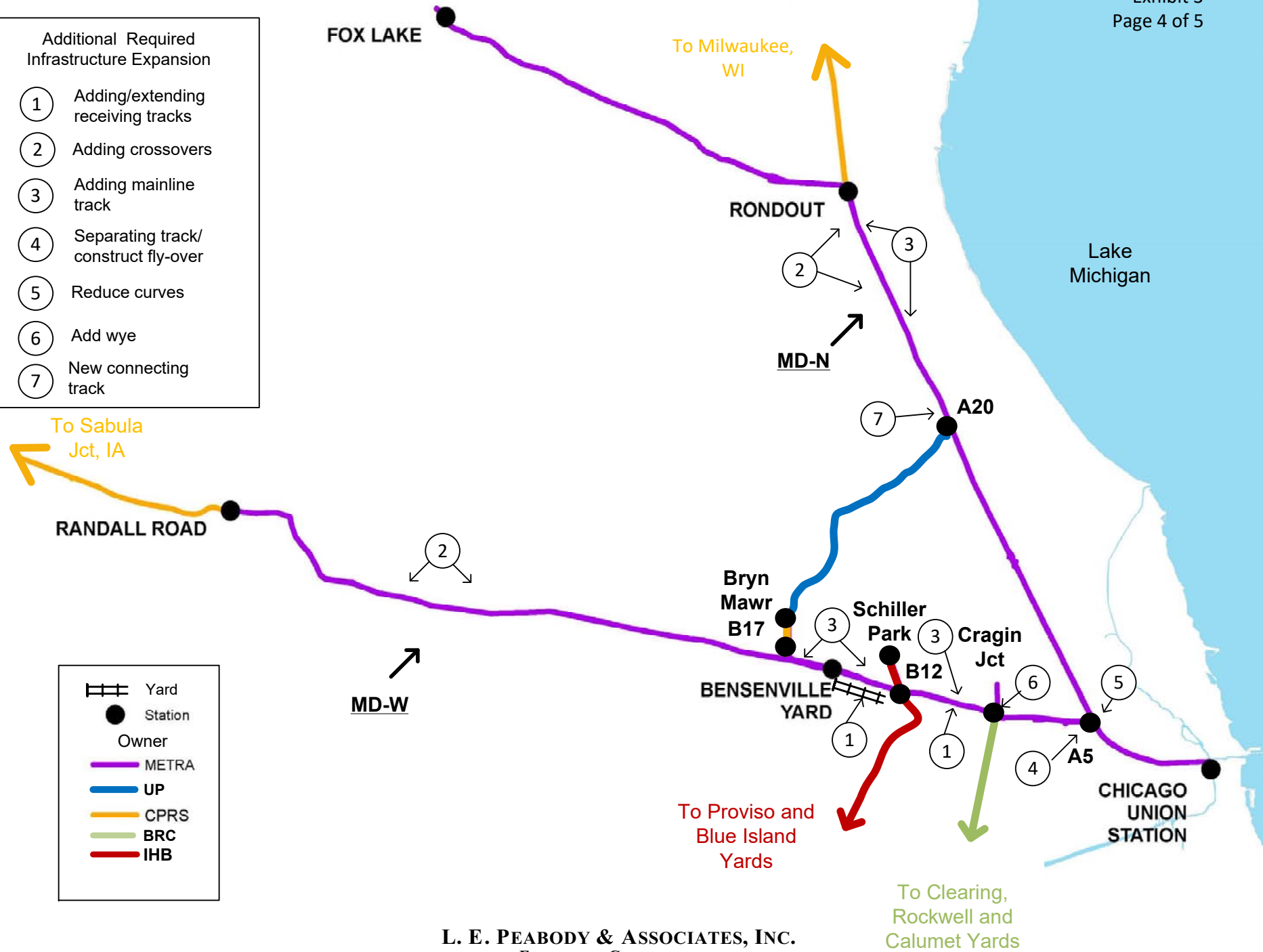
**PUBLIC VERSION**  
**METRA Milwaukee District ("MD") and Connecting Lines with Additional Required Infrastructure**

**EXHIBIT C**

Exhibit 3  
 Page 4 of 5

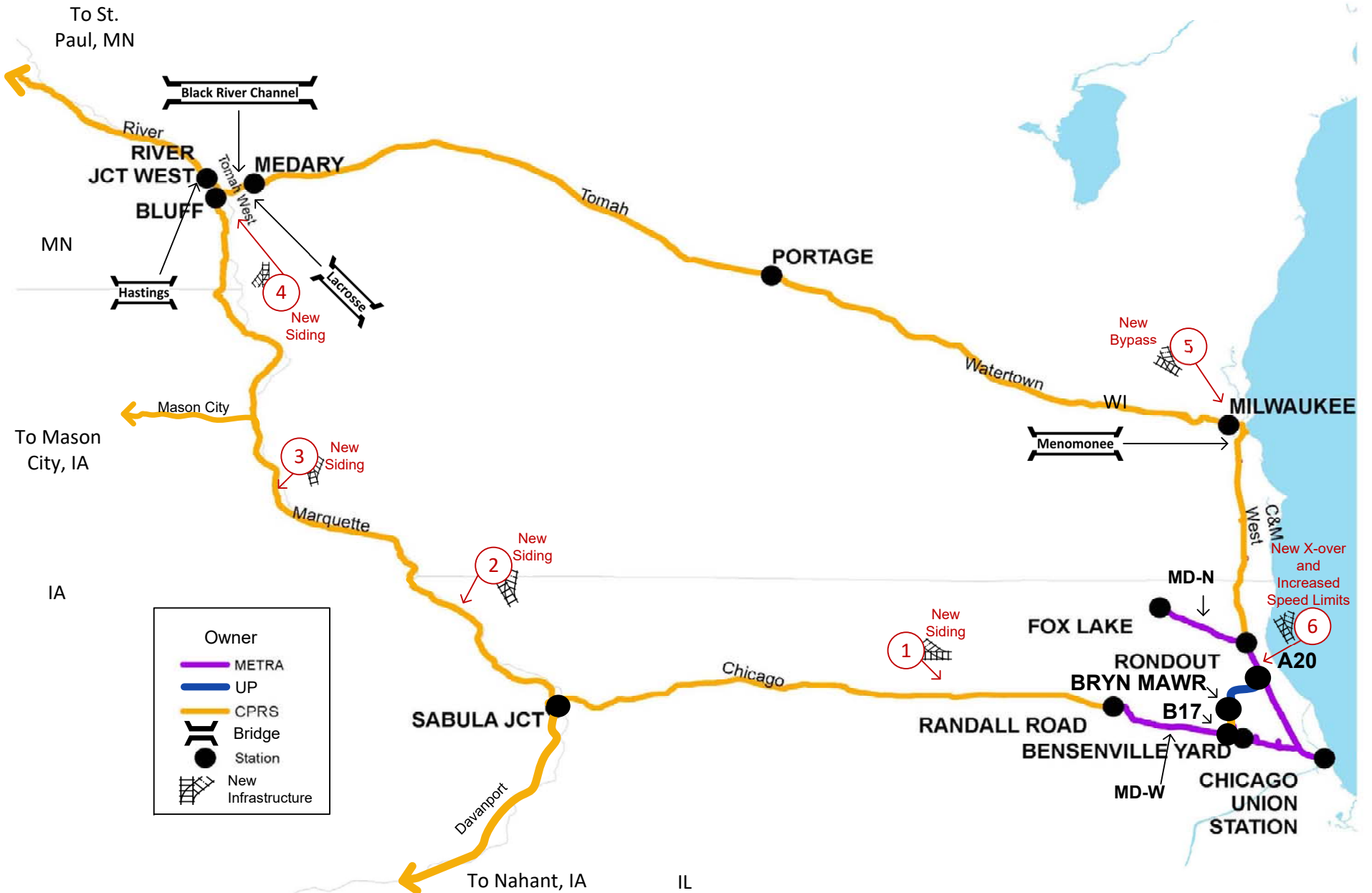
- Additional Required Infrastructure Expansion
- ① Adding/extending receiving tracks
  - ② Adding crossovers
  - ③ Adding mainline track
  - ④ Separating track/construct fly-over
  - ⑤ Reduce curves
  - ⑥ Add wye
  - ⑦ New connecting track

- Legend:
- Yard
  - Station
  - Owner
  - METRA
  - UP
  - CPRS
  - BRC
  - IHB





CP and METRA Future Case with CP/KCS and Amtrak Planned Infrastructure Expansion



## **EXHIBIT C-4**

### **Review of Metra Provided Freight Train ID's not included in CP Train Event Data**

PUBLIC VERSION

EXHIBIT C

Review of Metra Provided Freight Train ID's not included in CP Train Event Data

Handwritten Train ID (1)	Engine Prefix (2)	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Trains	Trains	Included in ISAs Provided by CP (12)
		4/16/2021 (3)	4/17/2021 (4)	4/18/2021 (5)	4/19/2021 (6)	4/20/2021 (7)	4/21/2021 (8)	4/22/2021 (9)	in 7 days (10)	Per Day (11)	
1.	NIRC	5009	3/		E	W/E			2	0.29	
2.	LoPC2+20PCS	--	3/	W					1	0.14	
3.	T001x	--	3/	W					1	0.14	
4.	TK Chevez	--	3/	E					1	0.14	
5.	TK Insp	(CN)	3/	E			W	E	3	0.43	
6.	61P	BN	3/	W					1	0.14	
7.	K422	BNSF	3/					W	1	0.14	
8.	5708	CN	3/					E	1	0.14	
9.	A446	CN	3/				E		1	0.14	
10.	B790	CN	3/	E	W		E		3	0.43	
11.	B790 (2nd of day)	CN	3/				E		1	0.14	
12.	CNLITE	CN	3/	W					1	0.14	
13.	L709	CN	3/			W		W/E	2	0.29	L5219 and L5209 listed in ISA Number: 380000-103-105 CN and CPRS
14.	L791	CN	3/			W		W/E	3	0.43	L5219 and L5209 listed in ISA Number: 380000-103-105 CN and CPRS
15.	X346	CN	3/					E	1	0.14	
16.	24R	CP	1/		W				1	0.14	
17.	BP11	CP	1/	W	W	W			3	0.43	
18.	BR2	CP	1/					E	1	0.14	
19.	IM1	CP	1/	W				W/E	3	0.43	
20.	IM2	CP	1/	W	W	W/E	W/E	W	6	0.86	
21.	Q165	CP	1/	W	W		W	W	5	0.71	Q165 listed in ISA Number: 380000-064-105 CSXT and CPRS
22.	K442	CSXT	3/	W					1	0.14	
23.	K814	CSXT	3/			W			1	0.14	
24.	K854	CSXT	3/					W	1	0.14	
25.	K884	CSXT	3/					W	1	0.14	
26.	X346	CSXT	3/		E				1	0.14	
27.	L501	GTW	3/	W/E				W/E	2	0.29	
28.	R904	IC	3/		E				1	0.14	
29.	BP2	IHB	3/	W	E	W		W/E	5	0.71	BP2 listed in ISA Number: 380000-105-357 IHB and CPRS
30.	GA3	IHB	3/				W/E		1	0.14	
31.	GP4	IHB	3/					W	2	0.29	
32.	TML	insp(CN)	3/	W					1	0.14	
33.	A446	KCS	3/					E	1	0.14	
34.	RTA107	METX	3/					W	1	0.14	
35.	17V	NS	2/	W	W			W	6	0.86	17V listed in ISA Number: 380000-105-555 NS and CPRS
36.	67X	NS	3/					W	2	0.29	
37.	S009	NS	3/			W			1	0.14	
38.	RC SCU9	SCU	3/	W					1	0.14	
39.	Sain 2	Sperry	3/		W/E				1	0.14	
40.	A446	UP	3/		E	E		E	3	0.43	
41.	GA6	UP	3/					W/E	1	0.14	
42.	K635	UP	3/						1	0.14	
43.	YPRCP	UP	2/	W/E	W/E	W/E	W	W	7	1.00	YPRCP listed in ISA Number: 381248-105-802-GM UP and CPRS
44.	T001	WAMX	3/	W/E	W/E	W/E	W/E	W/E	7	1.00	
45.	T002	WAMX	3/				W/E		1	0.14	
46.	T004	WAMX	3/	W/E	W/E			W/E	4	0.57	
47.	<b>Total</b>								<b>96</b>	<b>13.7</b>	

1/ Appears to be a CP train, Train ID does not appear in provided CP train data.

2/ Train modeled in RTC as foreign train based on Operating Plan description

3/ Appears to be a foreign train, Train ID does not appear in provided CP train data.

## **EXHIBIT C-5**

**Summary of CP Freight Trains Operating Over Metra's  
Milwaukee District Lines (January 1 through December 14,  
2021)**







## **EXHIBIT C-6**

### **Summary of CP Train Delays Incurred on Select Subdivisions, January 1, 2019 through December 14, 2021**





## **EXHIBIT C-7**

### **Summary of CP Delays Attributed to Other Carriers' Operations, January 1, 2019 through December 14, 2021**



## **EXHIBIT C-8**

### **RTC Modeling Inputs and Procedures**

**RTC MODELING INPUTS AND PROCEDURES**

- A. Time Period:
1. Peak Week of the 2021 Base Year defined as the rolling 7-day period with the greatest cumulative train count on Metra-owned Track
    - a. Unless the National Weather Service database reported unusual weather or
    - b. There were unusual track outages or operating circumstances based on a review of industry news
    - c. April 16-22, 2021
  2. Plus 2 warm-up days and 1 cool down day
    - a. April 14-23, 2021
- B. Subdivisions Modeled in RTC:
1. Metra Lines
    - a. Elgin (MD-West) (A5 to Randall Rd, IL)
    - b. Fox Lake (MD-North from Fox Lake to Rondout, IL)
    - c. C&M (MD-North from Rondout to CUS)
  2. CP Lines
    - a. C&M West (Rondout to Milwaukee, WI)
    - b. Watertown (Milwaukee to Portage, WI)
    - c. Tomah (Portage to Lacrosse, WI)
    - d. Tomah West (Lacrosse to River Jct West, MN)
    - e. Marquette (River Jct West to Sabula, IA)
    - f. Chicago (Sabula to Randall Rd)
    - g. MTP BRC Leads (Cragin Jct)
    - h. MTP IHB Leads (Tower B12)
    - i. Tower 17 to Bryn Mawr
  3. UP Lines
    - a. Milwaukee (Bryn Mawr to Tower A20)
- C. Trains Modeled, listed by dispatching priority:
1. Developed from Train Schedules
    - a. Metra Trains
    - b. Amtrak Trains
  2. Developed from CP Train Event data, CP “Growth Plan” schedule, CP Local Operating Plan (LOP), CP Loading/Unloading data, and CP/KCS Operating Plan descriptions
    - a. CP Merchandise Trains (Intermodal, Auto, Manifest)
    - b. CP Unit Trains
    - c. Foreign Trains (included only UP and NS trains serving Bensenville)
    - d. CP Local Freight Trains
    - e. CP Work Trains
- D. RTC network (infrastructure) development



**RTC MODELING INPUTS AND PROCEDURES**

1. Metra-owned Milwaukee District track segments
    - a. Track segments and sidings
    - b. Crossover/turnouts
    - c. Speed Limits
    - d. Grade and Curve data
    - e. Yard Configurations
    - f. Road Crossings
    - g. Latitude/Longitude
    - h. Amtrak additions/improvements on Metra territory
      - i. February 2 CP-Amtrak Agreement Appendix A and B improvements (Future Case)
      - i. Metra proposed additions/improvements on Metra territory
        - i. Receiving tracks at Bensenville and Galewood Yards equal to CP max train lengths.
        - ii. Crossovers at Itasca, Bartlett, Lake Forest, and Glenview
        - iii. Mainline track from A5-B17 and A20 to Rondout
        - iv. Flyover and reduce curves at A5
        - v. Wye at Cragin Jct.
        - vi. Connecting tracks at A20
  2. CP-owned track segments
    - a. Track segments and sidings
    - b. Crossover/turnouts
    - c. Signals
    - d. Speed Limits
    - e. Grade and Curve data
    - f. Yard Configurations Road Crossings
    - g. Latitude/Longitude
    - h. Amtrak additions/improvements on CP territory (Future Case)
      - i. CP-Amtrak Agreement Filed February 2, 2022 - Appendix A/B improvements
      - i. CP/KCS planned infrastructure additions/improvements (Future Case)
        - i. Marquette Subdivision, 3 new sidings
        - ii. Chicago Subdivision, 1 new siding
  3. UP-owned track between Tower A20 and Bryn Mawr
    - a. Publicly Available UP timetables
    - b. Google Earth satellite imagery
- E. Metra Train Modeling Procedures
1. MD-W Line
    - a. Outbound (Westbound)
      - i. Locomotive pulling (except double headers)

**RTC MODELING INPUTS AND PROCEDURES**

- ii. Loading/Unloading: 1 Main platforms
  - b. Inbound (Eastbound)
    - i. Locomotive pushing (except doubleheaders)
    - ii. Loading/Unloading:
      - 1. 2 Main platforms from Randall Road to Franklin Park
      - 2. 3 Main platforms from River Grove to Grand/Cicero
      - 3. 2 Main/3 Main platform at Western
  - c. CUS Platforms:
    - i. Base Case
      - 1. Platforms 5, 7, 9, 11 and 13.
    - ii. Future Case
      - 1. Platforms 5, 7, 9, 11 and 13.
  - d. Trainsets in Service:
    - i. Base Case
      - 1. 9 weekday, 4 Saturday, 2 Sunday
    - ii. Future Case
      - 1. 10 weekday, 4 Saturday, 2 Sunday
  - e. Overnight trainset tie-up locations:
    - i. Elgin Coach Yard (between National Street Station and Coach Street Station): 9 sets, 1 is a doubleheader.
- 2. MD-N Line
  - a. Outbound (Northbound)
    - i. Locomotive pulling (except doubleheaders)
    - ii. Loading/Unloading: 1 Main track platforms
  - b. Inbound (Southbound):
    - i. Loading/Unloading:
      - 1. 1 Main platforms from Fox Lake to Rondout
        - a. Grayslake: both directions use both Main track and siding as needed
      - 2. 2 Main platforms from Rondout to Healy
      - 3. 2 Main/3 Main platform Western
  - c. CUS Platforms:
    - i. Base Case
      - 1. Platforms 5, 7, 9, 11, 13 and 15.
    - ii. Future Case
      - 1. Platforms 1, 5, 7, 9, 11, 13 and 15
  - d. Trainsets in Service:
    - i. Base Case
      - 1. MD-N: 8 weekday, 3 weekend
      - 2. NCS: 4 weekday, 0 weekend
    - ii. Future Case

**RTC MODELING INPUTS AND PROCEDURES**

1. MD-N: 11 weekday, 3 weekend
  2. NCS: 5 weekday, 0 weekend
  - e. Overnight trainset tie-up locations:
    - i. Fox Lake (Yard between Sayton Road and Grand Avenue): 8 sets, 1 is a doubleheader.
    - ii. Antioch (offline, North Central Service): 4 sets.
    - iii. Western Ave Coach Yard: 1 set.
  3. Train schedules and platform dwell:
    - a. All scheduled times are departure times except at destination (where it is arrival time).
    - b. Metra trains do not leave the platform ahead of schedule.
    - c. Metra does not specify a minimum dwell time at Metra platforms if the trains are running on or behind schedule.
      - i. Minimum of 30 second platform dwell was used in RTC
  4. Train consist data:
    - a. Train consist data (locomotive number and type, car number and type, trailing length, trailing weight) provided by Metra.
- F. Amtrak Train Modeling Procedures
1. Hiawatha Service (bidirectional between CUS and Milwaukee)
    - a. Base Case
      - i. 6 trains per day (3 pairs per day operating during the modeling week – temporarily reduced schedule). Note: 7 pairs (14 trains) operated for much of 2021
    - b. Future Case
      - i. 20 trains per day based on Amtrak-CP Agreement filed with the STB on February 2, 2022 (10 pairs per day).
      - ii. Extension of 2 trains per day Twin Cities-Milwaukee-Chicago (TCMC) extended route based on Amtrak-CP Agreement filed with the STB on February 2, 2022.
  2. Empire Builder Service (bidirectional between CUS and Seattle)
    - a. Base Case
      - i. 2 trains per day (1 each direction)
    - b. Future Case
      - i. 2 trains per day (1 each direction)
  3. Train Schedules and platform dwell
    - a. Publicly available Current/Historical schedules used
    - b. Future Train Schedules listed on publicly available Amtrak presentations and filings were used when current schedules were not available
  4. Train Consist data

**RTC MODELING INPUTS AND PROCEDURES**

- a. CP train event data contains NULL values in trailing length and weight data fields for Amtrak trains.
  - b. Amtrak consist data developed from Request for passenger rail bonding/Amtrak Station Program and Planning guidelines/Rider details shared in train magazines
- G. CP Freight Train Modeling Procedures
- 1. Base Period Trains developed primarily from 2021 CP Train Event data
    - a. Consist data
      - i. Locomotive count reported in train event data by location.
      - ii. Predominant locomotive type by train group provided by CP in response to document production request and follow-up questions. Length on locomotives estimated based on predominant type provided by CP.
      - iii. Locomotive type for select local trains included in Local Operating Plan data.
      - iv. Loaded and empty car count, train length, and train weight data included in CP train event data by location.
    - b. Route and event data
      - i. Train departure and dwell times included in CP train event data by location.
        - a) Dwell times reflect actual historical times for intermediate switching, crew changes, inspections
      - ii. Terminal switching data (railcar actual placement and release from industry times) for individual carloads handled by local and select unit trains included in CP loading and unloading data.
      - iii. Local train general routes included in Local Operating Plan data.
      - iv. Operating Plan and Local train routes included in Growth Plan Train data.
  - 2. Future Period Trains developed from base period train list, with additions/adjustments
    - c. Consist data
      - i. Trains operating in both base period and future period – use base period stats.
      - ii. New line-haul operating plan (IM/Auto/Manifest) trains operating in future period only:
        - a) Use historical consist data for trains being replaced where available
          - 1) Use 2021 140/141 consist data as surrogate for future 170/171 replacement trains.
          - 2) Use 2021 474/475 consist data as surrogate for future 260/261 replacement trains.
      - iii. New unit trains operating in future period only:



**RTC MODELING INPUTS AND PROCEDURES**

- a) Identify and replicate historical (2021) unit trains that traverse segments over which CP/KCS have projected unit train growth.
- d. Route and event data
  - i. Trains operating in both base period and future period – use base period timestamps.
  - ii. New line-haul operating plan (IM/Auto/Manifest) trains operating in future period only:
    - a) Use departure time included in Growth Plan with adjustments to reflect 2021 average deviation from schedule.
    - b) Use dwell times for intermediate events (intermediate switching, crew changes, inspections) included in Growth Plan.
  - iii. New unit trains operating in future period only:
    - a) Slot in based on available time slots observed in 2021 train event data.
    - b) Distribute growth unit trains evenly across model period (i.e., avoid bunching).
- H. Bensenville yarding
  - 1. Trains entering yard
    - a. Long trains require special handling
      - i. Long CP trains entering Bensenville foul yard and mainline switches at Bensenville until train can be split.
  - 2. Trains exiting yard
    - a. Long trains require special handling
      - i. Long CP trains exiting Bensenville yard briefly foul mainline and yard switches.
- I. Operating Restrictions
  - 1. Track work/Slow Orders/Drawbridge operation
    - a. CP Train Delays that occurred in the base period and reported a variance code beginning with “E” (Engineering) were replicated in the RTC model
      - i. For example, the CP delay data indicates that {{
 

}} This

 slow order was coded into the RTC model.
  - 2. Metra Commuter Peak Periods
    - a. Commuter Peak Period curfews were based on the restrictions outlined in page 13-15 of Metra’s 5-27-1993 Supplemental Agreement with CP.<sup>1</sup>

---

<sup>1</sup> See, CP/KCS workpaper “8.3.33-CP-HC-00008983.pdf.”

**RTC MODELING INPUTS AND PROCEDURES**

- b. In the Base Case scenario sensitivity analysis, we restricted CP freight trains from operating over Metra's lines during the contractual Peak Periods.
  - i. For example, the CP train event data indicates that {{  
}} This operation was allowed to occur at this time in our primary base case model, but the train was held at Bensenville until the commuter peak period expired at [7:45] in our sensitivity analysis.

## **EXHIBIT C-9**

### **RTC Simulation Assumptions and Inputs that are Favorable to CP/KCS**

**RTC SIMULATION ASSUMPTIONS AND INPUTS  
THAT ARE FAVORABLE TO CP/KCS**

Our RTC simulations demonstrate that CP/KCS' proposed operating plan fails. In developing the inputs and parameters to our RTC simulations, we made several assumptions that are extremely favorable to CP/KCS, and the RTC simulation still failed to successfully dispatch all simulated trains with CP/KCS' planned infrastructure expansion and projected traffic levels. A summary of assumptions favorable to CP/KCS follows:

1. We excluded several foreign trains per day (in both the base case and future case) because CP failed to provide train event data for foreign trains;
2. We included very few light engine moves for freight operations in our simulations;
3. We assumed the Mason City Subdivision (branch line off the Marquette Subdivision) would be clear to accommodate Marquette Subdivision train meets (in both the Base Case and Future Case) for some CP trains performing work at Marquette;
4. We allowed a conservative 30-minute dwell cap on all at-grade road crossings;
5. We tested multiple simulations where trains were allowed to dwell indefinitely on at-grade crossings on the Marquette Subdivision;
6. We assumed intermodal/auto/manifest train length and trailing weight would not increase in the future case;
7. We assumed local train length and trailing weight would not increase in the Future Case;
8. We assumed no increase in local train frequency in the Future Case;
9. We assumed local bulk/unit train length and trailing weight would not increase in the Future Case;
10. We assumed unit train growth would be distributed evenly among the 10-days in the modeling period, which avoids the bunching that is inevitable in the real world;
11. We modeled the entire system as unsignaled, which produces a similar result to a system equipped completely with PTC, aiding in dispatching efficiency compared to other signal systems;<sup>1</sup>
12. We assumed no interference from UP freight trains on the UP line segment CP operates over via trackage rights between Tower A20 and Bryn Mawr;

---

<sup>1</sup> In a real-world scenario, train signals will prevent dangerous activity and train collisions on the network. In a simulation such as the RTC, train collisions are not possible and coding the network with signals only serves to hold trains further back and/or delay them further than a scenario where RTC can dispatch trains fluidly without consideration for signal aspects or locations.



**RTC SIMULATION ASSUMPTIONS AND INPUTS  
THAT ARE FAVORABLE TO CP/KCS**

13. We modeled a period with no adverse weather conditions, allowing for higher speed limits in most subdivisions and better track adhesion over the entire network;
14. We coded Metra trains with Elite priority and CP's trains with High Priority, which largely prevents CP freight trains from interfering with Metra trains;
15. We assumed no additional interference for CP manifest/intermodal trains entering/exiting Bensenville Yard in the Future Case, despite CP/KCS' planned significant increase in cars handled at Bensenville following the merger; and
16. We adjusted the dispatch logic settings for all scenarios to the maximum permissible "*conflict resolution difficulty threshold for terminating dispatch*," i.e., the RTC model will keep attempting to find a viable dispatch plan for the scenario until the maximum threshold is reached before it results in failure.

## **EXHIBIT C-10a**

### **Summary of Trains Modeled in Base Case RTC**



—  
d



















## **EXHIBIT C-10b**

### **Summary of Trains Modeled in Future Case RTC**





























# **EXHIBIT D**

## **Verified Statement of David Rodriguez**



BEFORE THE  
SURFACE TRANSPORTATION BOARD

---

STB Finance Docket No. 36500

---

CANADIAN PACIFIC RAILWAY LIMITED; CANADIAN PACIFIC RAILWAY COMPANY; SOO LINE RAILROAD COMPANY; CENTRAL MAINE & QUEBEC RAILWAY US INC.; DAKOTA, MINNESOTA & EASTERN RAILROAD CORPORATION; AND DELAWARE & HUDSON RAILWAY COMPANY, INC. – CONTROL – KANSAS CITY SOUTHERN, THE KANSAS CITY SOUTHERN RAILWAY COMPANY, GATEWAY EASTERN RAILWAY COMPANY, AND THE TEXAS MEXICAN RAILWAY COMPANY

---

VERIFIED STATEMENT OF David Rodriguez

---

1. I am David Rodriguez. I am Metra's Manager of Train Operations/CTCO and I have been with Metra for 28 years.
2. In my current role my responsibilities include analysis of fluidity related to the interface of Metra operations and the operations of the various Freight carriers operating in the Chicago Switching District, Delay mitigation and Coordination with railroad partners in the Chicago Terminal Coordination Office (CTCO).
3. Before taking this position, I served as the Director of System Operations for Metra's Dispatch Center for 16 years.
4. I am familiar with Metra schedules, freight operations in Chicago's six county region and the direct impact freight operations have on Metra's On Time Performance (OTP) as well as the agreed upon protocols which are intended to prioritize Passenger train operations in the Chicago Switching District where Metra Operates.
5. In response to instructions from my supervisor, from February 2020 to early November 2021 I collected data on freight-caused delays on the Milwaukee District-North line ("MD-N"), and Milwaukee District-West line ("MD-W") (collectively, the "Milwaukee

District Lines”), as well as for the portion of the North Central Service that shares the MD-W.

6. This data, a copy of which is attached as Exhibit D-1, reflects more detailed data concerning CP-caused delays than is contained in Metra’s reportable delay data, including whether the delay affected “peak period” service and short narrative explanations for the delays. This data also captured delays that were not reportable.
7. Using this data, I calculated monthly and overall average statistics for freight-caused delays. For example: (1) there were an average of 16 individual delay events each month, and 6.5 peak delay events each month; (2) 39% of delay events affected peak period trains; (3) MDW specifically experienced at least one delay an average of 8 days each month, or roughly twice weekly.

I, David Rodriguez, declare under penalty of perjury that the foregoing is true and correct.

Further, I certify that I am qualified and authorized to file this Verified Statement.

Executed on February 24, 2022.



David Rodriguez, Metra Mgr. of Train Operations/CTCO

# **EXHIBIT D-1**

## **Spreadsheet of 2020-2021 CP delays**

PUBLIC VERSION

EXHIBIT D-1

Year	Month	Days in Month	Delay Events	Peak Events	MDW Delay Days/Month	Ratio of Peak/Non-Peak Events	Delay Events/Day	Peak Events/Day
2020	Feb	28	23	6	11	26%	0.821428571	0.214285714
2020	Mar	31	19	5	8	26%	0.612903226	0.161290323
2020	Apr	30	12	3	5	25%	0.4	0.1
2020	May	31	5	0	4	0%	0.161290323	0
2020	Jun	30	13	2	13	15%	0.433333333	0.066666667
2020	Jul	31	13	0	13	0%	0.419354839	0
2020	Aug	31	13	5	8	38%	0.419354839	0.161290323
2020	Sept	30	11	6	7	55%	0.366666667	0.2
2020	Oct	31	19	4	9	21%	0.612903226	0.129032258
2020	Nov	30	12	9	7	75%	0.4	0.3
2020	Dec	31	21	8	12	38%	0.677419355	0.258064516
2021	Jan	31	23	17	10	74%	0.741935484	0.548387097
2021	Feb	28	33	17	12	52%	1.178571429	0.607142857
2021	Mar	31	11	1	7	9%	0.35483871	0.032258065
2021	Apr	30	10	8	5	80%	0.333333333	0.266666667
2021	May	31	24	13	9	54%	0.774193548	0.419354839
2021	Jun	30	20	12	9	60%	0.666666667	0.4
2021	Jul	31	22	5	10	23%	0.709677419	0.161290323
2021	Aug	31	10	6	6	60%	0.322580645	0.193548387
2021	Sept	30	14	5	7	36%	0.466666667	0.166666667
2021	Oct	31	9	5	3	56%	0.290322581	0.161290323
<b>SUM</b>			<b>337</b>	<b>137</b>	<b>175</b>			
<b>AVG</b>			<b>16.04761905</b>	<b>6.523809524</b>	<b>8.333333333</b>	<b>39%</b>	<b>0.531592422</b>	<b>0.216535001</b>



CP - 2020 FEBRUARY

MIL North

MIL North													DELAY INFORMATION			
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE					TYPE	CODE	ARR	C / NC	
25	2134		A4	100p	103-113p	10	CP231 (14,000 ft) - CP Dispatcher decision					Frnt	D	-10	C	

MIL West

MIL West													DELAY INFORMATION			
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE					TYPE	CODE	ARR	C / NC	
1	2706		Bensenville	931a	932-944a	12	Delayed for CP 286 yarding at Bensenville					Frnt	D	-8	C	
	2717		B17	603p	605-640p	35	Single tracking around CP681 in emergency					Frnt	DE	-31	NC	
2	2213					10	Departed CUS 7 min late due to mechanical issues 10" CP 581 & CP2-287 stopped on 1 MT between B12 & B17 waiting for train to clear into yard.					Frnt	D	-17	C	
7	2223	PM	B12	323p	323-336p	13	Following CP583 (6840 ft)					Frnt	D	-10	C	
8	2711		B17	603p	603-638p	35	CP286 in emergency at B17 & CP386 on MT1 also Stopped for CP286					Frnt	DE	-33	NC	
	2718		B17			30	Late turn from delayed 2711 (see above)					Frnt	DE1	-30	NC	
	2717		B17			20	Late turn from delayed 2718 (see above)					Frnt	DE1	-18	NC	
11	2213		B12	1057a	1057-1127a	30	CP-G57 w/ 157 cars in emergency w/ broken air hose					Frnt	DE	-29	NC	
	2232		B12			18	CP-G57 w/ 157 cars in emergency w/ broken air hose					Frnt	DE1	-17	NC	
15	2708		Galewood	1047a	1047-1059a	12	CP Freight train yarding at Galewood					Frnt	D	-8	C	
	2723		National St			12	CP Freight train interference					Frnt	D	-10	C	
18	2232		B17	1105a	1105-1156a	51	13,000 ft CP freight train stopped on the connectionr at Bryn Mar blocking traffic on Westline					Frnt	D	-51	C	
	2213		B12	1057a	1057-1154a	57	13,000 ft CP freight train stopped on the connectionr at Bryn Mar blocking traffic on Westline					Frnt	D	-47	C	
	2236		B12			17	Late flip from delayed 2213 (see above)					Frnt	D1	-12	C	
22	2721		Galewood			15	CP freight train interference					Frnt	D	-15	C	
25	2201	AM	A5	552a	552-602a	10	NS17V took 15 min to take line-up					Frnt	D	-9	C	
	2208	AM	B12	643a	643-648a	5	NS17V stopped blocking access to track 3 at B12					Frnt	D	-7	C	
	2223	PM	B12	401p	402-420p	18	Waiting for 2242 to sashay around CP 680 stopped on 2 main between B17 & B12 for a recrew & to swap power					Frnt	D	-14	C	
	2242	PM	B12	411p	411-417p	6	Waited on NCS to clear to Sashay around CP Frt train stopped on 2 main at B12					Frnt	D1	-6	C	
	2246	PM	B12			6	Late turn from delayed 2223 (see above)					Frnt	D1	-6	C	
27	2251		B17	914p	914-930p	16	CP 470 extremely slow yarding at B17					Frnt	D	-12	C	
29	2717		B12	558p	558-606p	8	Q165 (9300 ft)					Frnt	D	-9	C	

S.A.L. Scheduled @ Location  
 D Freight Delay  
 D1 Freight Delay Train Ahead  
 DD Freight Dispatcher Error (Involving Freight)  
 RF Freight Dispatcher Error  
 (Non Freight Related, i.e. forgot to line-up, wrong line-up)

DE Freight-Mechanical  
 DR Freight-Human Error (Crew)  
 DM Freight-Accident/Incident  
 YF Derailment - Accident Foreign Line  
 ZD PTC Freight Train (On Board)

## CP - 2020 MARCH

## MIL North

					DELAY INFORMATION						
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC
3	2124		Mayfair		10		CP Freight train interference	Fr	D	-6	C
6	2157		Lake Forest		6		CP Freight train interference	Fr	D	-6	C
13	2132		A20		4		4 min Frt at A20; 2 min Stop at Mayfair; 2" GX at Morgan St	Fr	D	-7	C
17	2159		Libertyville		36		Stopped due to CP Freight w/ broken knuckle	Fr	DE	-36	NC

## MIL West

					DELAY INFORMATION						
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC
10	2211		B12		10		CP-Q165 w/ 42 cars (8200 ft)	Fr	D	-8	C
12	2202	AM	B35		34		CP-473 (11,000 ft) broken air hose	Fr	DE	-31	NC
	2203	AM	B35		32		Late turn at CUS from delayed 2202 (see above)	Fr	DE1	-8	NC
	2205	AM	B35		10		Made extra stops to accommodate delayed 2203's passengers	Fr	DE1	-10	NC
	2254		B17		15		Stopped at B17 acct single tracking around CP575 on track 2 between B17 and B12	Fr	D	-15	C
	2253		B12		7		Stopped at B12 acct single tracking around CP575 on track 2 Between B12 and B17	Fr	D	-7	C
16	2201	AM	Galewood		8		8 min late departure CUS from delayed 2202; 5 min meeting inbound trains in route	Fr	D1	-8	C
17	2254		Mahar Lumber		25		CP-G47 switching Mahar Lumber	Fr	D	-24	C
	2255		Mahar Lumber		21		Late turn at CUS from delayed 2254 (see above)	Fr	D1	-6	C
22	2700		B35		42		CP290 derailed at National St. at approx. 145am	Fr	YF	-42	NC
28	2706		B17		16		CP280 stopped on 2 to cut off power and make crew change	Fr	D	-10	NC
	2710		B12		25		CP280 stopped on 2 to cut off power and make crew change	Fr	D	-20	NC
30	2232		B17		13		CP-198 (10,000 ft) stopped in plant at B17 additional 10 min for switch #13 failure at B17	Fr	D	-21	C
31	2226		B12		10		NS17V slow to clear B12 yarding at Bensenville	Fr	D	-6	C

## NCS

					DELAY INFORMATION						
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC
12	108	AM	B35		8		Stopped at B12 waiting for delayed 2205 (see above delay)	Fr	DE1	-8	NC

S.A.L. Scheduled @ Location

D Freight Delay

D1 Freight Delay Train Ahead

DD Freight Dispatcher Error (Involving Freight)

RF Freight Dispatcher Error

(Non Freight Related, i.e. forgot to line-up, wrong line-up)

DE Freight-Mechanical

DR Freight-Human Error (Crew)

DM Freight-Accident/Incident

YF Derailment - Accident Foreign Line

ZD PTC Freight Train (On Board)

## CP - 2020 APRIL

## MIL North

MIL North											
DELAY INFORMATION											
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC
6	2102	AM	A20		10		Following CP Freight to A20	Fr	D	-16	C
11	2627		Deerfield		20		Held at Deerfield for CP Freight	Fr	D	-8	C

## MIL West

MIL West											
DELAY INFORMATION											
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC
7	2232		Bensenville		9		Freight interference at Bensenville	Fr	D	-13	C
13	2221		B17		14		Held at B17 for CP freight	Fr	D	-11	C
	2240		B17		17		Single tracking between B12 and B17 acct CP-281 on track 1 CP Dispatcher errantly instructed both B12 (2221) and B17 (2240) to line into single track	Disp	RF	-10	C
15	2222		B17		10		Held for freight entering yard at B17	Fr	D	-10	C
	2248		B17		15		CP Freight traffic at B17	Fr	D	-9	C
20	2223		B17		7		Freight interference at Bensenville	Fr	D	-10	C
	2242		Big Timber		26		Waiting for line-up / Dispatcher unsure of new system	Disp	RF	-27	C
22	2232		B17		6		Met 2213 account single tracking around CP freight	Fr	D	-6	C

## NCS

NCS											
DELAY INFORMATION											
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC
29	100	AM	B12		15		Freight train interference	Fr	D	-14	C
	101	AM	B12		7		Late turn at CUS from delayed 100 (see above)	Fr	D1	-10	C

S.A.L. Scheduled @ Location  
 D Freight Delay  
 D1 Freight Delay Train Ahead  
 DD Freight Dispatcher Error (Involving Freight)  
 RF Freight Dispatcher Error  
 (Non Freight Related, i.e. forgot to line-up, wrong line-up)

DE Freight-Mechanical  
 DR Freight-Human Error (Crew)  
 DM Freight-Accident/Incident  
 YF Derailment - Accident Foreign Line  
 ZD PTC Freight Train (On Board)

CP - 2020 MAY

**MIL North**

DELAY INFORMATION

DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC
------	-------	------	----------	--------	----------	-----	-------	------	------	-----	--------

**MIL West**

DELAY INFORMATION

DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC
2	2720		B17		22		CP198 (12,000ft) stopped with one car in the plant at B17	Fr	D	-18	C
7	2244		B17		13		Freight traffic at B17	Fr	D	-7	C
14	2216		B17		16		CP470 doubling could not set brakes due to offline unit	Fr	DD	-12	NC
	2219		B17		12		CP470 doubling could not set brakes due to offline unit	Fr	DD1	-8	NC
18	2208		B12		18		Q165 IHB to Schiller	Fr	D	-14	C

**NCS**

DELAY INFORMATION

DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC
------	-------	------	----------	--------	----------	-----	-------	------	------	-----	--------

S.A.L. Scheduled @ Location

D Freight Delay

D1 Freight Delay Train Ahead

DD Freight Dispatcher Error (Involving Freight)

RF Freight Dispatcher Error

(Non Freight Related, i.e. forgot to line-up, wrong line-up)

DE Freight-Mechanical

DR Freight-Human Error (Crew)

DM Freight-Accident/Incident

YF Derailment - Accident Foreign Line

ZD PTC Freight Train (On Board)



CP - 2020 JUNE

MIL North

MIL North											DELAY INFORMATION			
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE				TYPE	CODE	ARR	C / NC

MIL West

MIL West											DELAY INFORMATION			
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE				TYPE	CODE	ARR	C / NC
4	2704	AM	Franklin Park		26		Collision involving 2 Freight Trains in the east end of Bville yard resulting in downed power lines blocking all mains				Fr	DM	-16	NC
8	2216	AM	Big Timber		10		10 min following freight Big Timber				Fr	D	-10	C
11	2219		B17		68		Signal violation by CP Frt Crew				Fr	XDR	Ann	NC
	2240		B17		29		Signal violation by CP Frt Crew				Fr	DR	-19	NC
	2221		B17		35		Following delayed 2219 (see above delay)				Fr	DR1	-10	NC
	2242		B17		20		Late turn from delayed 2219 (see above delay)				Fr	DR1	-20	NC
14	2708		B17		27		UP-199				Fr	DD	-17	C
15	2232		B12		10		Freight interference at B12				Fr	D	-9	C
16	2203		B35		5		Freight interference at B35				Fr	D	-7	C
19	2232		B17		4		Meeting 2213 single tracking around CP Freight				Fr	D	-6	C
20	2711		B17		15		Freight Train Interference				Fr	D	-21	C
	2718		B17		20		Late turn from delayed 2711 (see above delay)				Fr	D	-16	C
27	2725		B12		15		Freight train interference at B12				Fr	D	-15	C

NCS

NCS											DELAY INFORMATION			
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE				TYPE	CODE	ARR	C / NC

- S.A.L. Scheduled @ Location
- D Freight Delay
- D1 Freight Delay Train Ahead
- DD Freight Dispatcher Error (Involving Freight)
- RF Freight Dispatcher Error  
(Non Freight Related, i.e. forgot to line-up, wrong line-up)

- DE Freight-Mechanical
- DR Freight-Human Error (Crew)
- DM Freight-Accident/Incident
- YF Derailment - Accident Foreign Line
- ZD PTC Freight Train (On Board)

CP - 2020 JULY

MIL North

MIL North DELAY INFORMATION												
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC	

MIL West

MIL West DELAY INFORMATION												
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC	
2	2236		B17		13		Freight traffic at B17	Fr	D	-6	C	
4	2721		B12		16		Freight Traffic at B12	Fr	D	-13	C	
	2722		B17		24		Followed Freight B17 to B12	Fr	D	-24	C	
8	2227		B12		14		Held for 2244 to clear acct single tracking around Frt	Fr	D	-11	C	
	2236		B12		12		Held for 2217 to clear B17 acct single tracking for frt.	Fr	D1	-20	C	
	2232		B17		6		Held for 2213 to clear B17 acct single tracking for frt.	Fr	D	-7	C	
17	2232		B12		20		CP 281 in emergency w/ broken air hose	Fr	DE	-18	NC	
	2213		B12		46		CP 281 in emergency w/ broken air hose	Fr	DE	-30	NC	
	2236		B12		18		Late turn from delayed 2213 (see above)	Fr	DE1	-9	NC	
23	2244		B17		8		CP Freight interference at B17	Fr	D	-7	C	
	2226		Elgin		6		Departed Elgin late due to freight interference	Fr	D	-6	C	
24	2252		B17		15		Held for 2251 account single tracking around Freight	Fr	D	-13	C	
31	2248		B17		18		CP Freight interference at B17	Fr	D	-16	C	

NCS

NCS DELAY INFORMATION												
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC	

S.A.L. Scheduled @ Location  
 D Freight Delay  
 D1 Freight Delay Train Ahead  
 DD Freight Dispatcher Error (Involving Freight)  
 RF Freight Dispatcher Error  
 (Non Freight Related, i.e. forgot to line-up, wrong line-up)

DE Freight-Mechanical  
 DR Freight-Human Error (Crew)  
 DM Freight-Accident/Incident  
 YF Derailment - Accident Foreign Line  
 ZD PTC Freight Train (On Board)

## CP - 2020 August

## MIL North

MIL North											DELAY INFORMATION			
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE				TYPE	CODE	ARR	C / NC
4	2157		Rondout		12		Freight train interference				Fr	D	-6	C
28	2618		Rondout		10		Track 1 to Rondout around freight train				Fr	D	-6	C

## MIL West

MIL West											DELAY INFORMATION			
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE				TYPE	CODE	ARR	C / NC
3	2248		B17		18		Freight train interference				Fr	D	-18	C
4	2236		B17		23		Held at B17 for 2217 acct single tracking around freight				Fr	D	-14	C
6	2244	PM	Wood Dale		15		CP operating Freight in peak periods				Fr	D	-15	C
12	2252		B17		19		Held at B17 for 2251 acct single tracking around freight				Fr	D	-13	C
15	2721		B12		8		Held at B12 for 2722 acct single tracking around freight				Fr	D	-6	C
	2714		B17		30		Freight train interference				Fr	D	-34	C
17	2202	AM	B17		8		Freight train interference				Fr	D	-14	C
	2203	AM	B17		14		Late turn of delayed 2202 (see above)				Fr	D1	-9	C
24	2244	PM	B17		25		CP freight yarding at Bensenville				Fr	D	-26	C
	2227	PM	B17		21		CP freight yarding at Bensenville				Fr	D	-21	C
25	2213		B12		9		CP Freight on 3 main / Let NCS run ahead on trk 2				Fr	D	-7	C

## NCS

NCS											DELAY INFORMATION			
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE				TYPE	CODE	ARR	C / NC

S.A.L. Scheduled @ Location

D Freight Delay

D1 Freight Delay Train Ahead

DD Freight Dispatcher Error (Involving Freight)

RF Freight Dispatcher Error

(Non Freight Related, i.e. forgot to line-up, wrong line-up)

DE Freight-Mechanical

DR Freight-Human Error (Crew)

DM Freight-Accident/Incident

YF Derailment - Accident Foreign Line

ZD PTC Freight Train (On Board)

CP - 2020 Sept

MIL North

MIL North DELAY INFORMATION											
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC
10	2136		A20		14		Stopped for freight that was attempting to contact foreman	Frt	D	-12	C
12	2603		A5		22		Held for Freight move	Frt	D	-16	C
19	2620		Deerfield		8		Following CP freight Deerfield to Northbrook	Frt	D	-8	C
23	2156		A20		10		Following CP 686 to A20 / 10 min Item 1 @ Shermer & Dundee	Frt	D	-20	C

MIL West

MIL West DELAY INFORMATION											
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC
1	2216	AM	B12		8		CP Freight train interference	Frt	D	-7	C
9	2248	PM			6		Trying to contact Dispatcher to verify DOB	Disp	RF	-7	C
14	2226	AM	Elgin		10		CP Freight train interference	Frt	D	-10	C
16	2202	AM	Elgin		8		CP Freight train interference	Frt	D	-7	C
17	2225	PM	B17		15		CP Freight yarding	Frt	D	-15	C
18	2216	AM			14		Freight train interference	Frt	D	14	C
23	2209		B12		6		Q165 w/ 31 cars	Frt	D	OT	C

NCS

NCS DELAY INFORMATION											
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC

- S.A.L. Scheduled @ Location
- D Freight Delay
- D1 Freight Delay Train Ahead
- DD Freight Dispatcher Error (Involving Freight)
- RF Freight Dispatcher Error  
(Non Freight Related, i.e. forgot to line-up, wrong line-up)

- DE Freight-Mechanical
- DR Freight-Human Error (Crew)
- DM Freight-Accident/Incident
- YF Derailment - Accident Foreign Line
- ZD PTC Freight Train (On Board)



CP - 2020 Oct

MIL North

DELAY INFORMATION											
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC
9	2117		Rondout		14		Restricted speed passing CP freight train in emergency	Frnt	DE	-11	NC
27	2103		A20		16		Stopped behind CP-587 experiencing PTC issues ahead	PTC	ZD	-11	NC
28	2102	AM	A20		6		Freight train interference at A20	Frnt	D	-6	C

MIL West

DELAY INFORMATION											
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC
1	2230		B17		14		8 min CP frt at B17; 6 min CP frt at B12	Frnt	D	-12	C
	2236		B17		25		CP freight train interference	Frnt	D	-15	C
	2217		B17		26		CP freight train interference	Frnt	D	-10	C
	2251		B12		15		Single tracking around CP Frt on 2 main between B17 & B12	Frnt	D	-14	C
13	2208	AM	Elgin		8		Timing out wrong line-up at Elgin	Disp	RF	-8	C
	2210	AM	Elgin		10		Following delayed 2208	Disp	RF1	-10	C
19	2240		B17		86		CP freight stopped blocking main after collision in yard	Frnt	DM	-76	NC
	2221		B17		55		CP freight stopped blocking main after collision in yard	Frnt	DM	-55	NC
	2242		B17		30		Following delayed 2240 (see above delay)	Frnt	DM1	-30	NC
	2223		B17		30		Following delayed 2221 (see above delay)	Frnt	DM1	-20	NC
	2244		B17		40		Late turn of delayed 2221 at Elgin	Frnt	DM1	-40	NC
21	2235	PM	B17		16		CP286-20 at B17	Frnt	D	-9	C
25	2711		B17		17		CP198 at B17	Frnt	D	-7	C
	2718		B17		22		Late turn of delayed 2711	Frnt	D1	-12	C
29	2242		B17		20		CP freight train interference	Frnt	D	-18	C
30	2240		B17		16		CP freight train interference	Frnt	D	-11	C

NCS

DELAY INFORMATION											
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC

- S.A.L. Scheduled @ Location
- D Freight Delay
  - D1 Freight Delay Train Ahead
  - DD Freight Dispatcher Error (Involving Freight)
  - RF Freight Dispatcher Error  
(Non Freight Related, i.e. forgot to line-up, wrong line-up)

- DE Freight-Mechanical
- DR Freight-Human Error (Crew)
- DM Freight-Accident/Incident
- YF Derailment - Accident Foreign Line
- ZD PTC Freight Train (On Board)

CP - 2020 Nov

MIL North

MIL North DELAY INFORMATION												
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC	

MIL West

MIL West DELAY INFORMATION												
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC	
4	2225	PM	B17		10		CP Freight train interference	Frt	D	-10	C	
5	2242	PM	B17		19		CP Freight train interference	Frt	D	-19	C	
	2244	PM	B17		19		CP 675 stopped on 2 main / B12 & B17 waiting on recrew	Frt	D	-19	C	
6	2244	PM	B12		9		CP Freight train interference	Frt	D	-9	C	
9	2248		B17		6		CP Freight train interference	Frt	D	-11	C	
10	2242	PM	B17		14		CP Freight train interference	Frt	D	-21	C	
13	2226	AM	B12		8		CP Freight train interference	Frt	D	-8	C	
17	2213		Craigin		10		Operating by freight train in emergency B-6 to Cicero	Frt	DE	-7	NC	
	2232		Craigin		7		Held at B17 for delayed 2213 (see above)	Frt	DE1	-7	NC	
	2242	PM	Spaulding		8		Following CP Freight	Frt	D	-8	C	
	2225	PM	B17		20		CP Freight Yarding	Frt	D	-20	C	
	2248	PM	B12		7		Waiting for CP Freight to clear	Frt	D	-9	C	

NCS

NCS DELAY INFORMATION												
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC	

S.A.L. Scheduled @ Location  
 D Freight Delay  
 D1 Freight Delay Train Ahead  
 DD Freight Dispatcher Error (Involving Freight)  
 RF Freight Dispatcher Error  
 (Non Freight Related, i.e. forgot to line-up, wrong line-up)

DE Freight-Mechanical  
 DR Freight-Human Error (Crew)  
 DM Freight-Accident/Incident  
 YF Derailment - Accident Foreign Line  
 ZD PTC Freight Train (On Board)

CP - 2020 Dec

MIL North

MIL North												DELAY INFORMATION			
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE					TYPE	CODE	ARR	C / NC
8	2140		Northbrook		15		Held for CP199 to clear					Frt	D	-14	C
10	2136		A20		10		Following CP199 to A20					Frt	D	-13	C
13	2603		A20		9		CP199 ahead at A20					Frt	D	-6	C
16	2618		A20		6		Held for CP Freight coming off the "Dump"					Frt	D	-8	C
26	2620		A20		10		CP Freight interference					Frt	D	-7	C

MIL West

MIL West												DELAY INFORMATION			
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE					TYPE	CODE	ARR	C / NC
3	2244	PM	B17		16		CP Freight Train entering Yard					Frt	D	-14	C
4	2216	AM	Galewood		6		CP Freight Train interference					Frt	D	-6	C
6	2716		Franklin Park		16		Stopped for CP Freight Traffic					Frt	D	-30	C
	2711		Franklin Park		14		Held for delayed 2716 (see above delay)					Frt	D1	-14	C
7	2230		B17		20		CP Freight Train entering Yard					Frt	D	-10	C
8	2248	PM	B17		29		CP freight train blocking 2 main / held for 2247 to clear single tracking during Peak periods					Frt	D	-28	C
12	2708		B17		9		CP199 (12,396ft)					Frt	D	-9	C
14	2232		B17		6		CP199 (14,000ft)					Frt	D	-6	C
15	2232		B17		8		Held at B17 for 2213 single tracking around G57-287 on Trk 2					Frt	D1	-6	C
	2236		B17		25		IM-1 taking headroom on 2 west of B17 to shove into yard					Frt	D	-35	C
18	2223	PM	Elgin		12		New CPOperator had wrong line-up					Disp	RF	-20	C
21	2216	AM	Elgin		19		Departed late due to CP-686 interference					Frt	D	-19	C
	2222	AM	Elgin		13		Late departure held for late 2216 (see above delay)					Frt	D1	-13	C
24	2206	AM	B12		15		Q165 (8300 ft)					Frt	D	-12	C
	2208	AM	B12		10		Following delayed 2206 (see above delay)					Frt	D	-8	C
25	2720		B17		12		CP Freight entering yard and getting switches					Frt	D	-6	C

NCS

NCS												DELAY INFORMATION			
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE					TYPE	CODE	ARR	C / NC

S.A.L. Scheduled @ Location

- D Freight Delay
- D1 Freight Delay Train Ahead
- DD Freight Dispatcher Error (Involving Freight)
- RF Freight Dispatcher Error  
(Non Freight Related, i.e. forgot to line-up, wrong line-up)

- DE Freight-Mechanical
- DR Freight-Human Error (Crew)
- DM Freight-Accident/Incident
- YF Derailment - Accident Foreign Line
- ZD PTC Freight Train (On Board)

CP - 2021 JAN

MIL North

MIL North DELAY INFORMATION											
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC
21	2102	AM	A-6		8		Freight Train Interference	Frt	D	-8	C
22	2102	AM	A-20		10		Freight Train Interference	Frt	D	-9	C

MIL West

MIL West DELAY INFORMATION											
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC
6	2252		B17		16		Held for 2251 single tracking around freight stopped on trk 2	Frt	D	-13	C
8	2216	AM	Elgin		14		Held for CP 472-07	Frt	D	-18	C
	2222	AM	Elgin		9		Late out of yard due to late departing 2216 (see above)	Frt	D1	-9	C
11	2208	AM	B17		12		Freight train interference	Frt	D	-10	C
	2210	AM	B17		10		Following delayed 2208 (see above delay)	Frt	D	-10	C
	2212	AM	Elgin		22		Following 472	Frt	D	-22	C
	2216	AM	Elgin		19		Following delayed 2212 (see above delay)	Frt	D1	-19	C
	2222	AM	Elgin		15		Freight train interference	Frt	D1	-13	C
	2235	PM	B17		20		Freight train interference	Frt	ZD	-15	C
	2237	PM	Bartlett		20		Following CP freight Bartlett to Big Timber	Frt	ZD	-18	C
13	2219		B17		6		Freight train interference	Frt	D	-10	C
14	2225	PM	B17		14		CP 470 had to line 3 switches in the yard	Frt	D	-16	C
18	2222	AM	B17		16		CP 470	Frt	D	-13	C
19	2226	AM	B17		9		CP 581	Frt	D	-8	C
	2219		B17		16		Freight train interference	Frt	D	-12	C
	2240		B17		12		Freight train interference	Frt	D	-7	C
20	2232		B12		11		CP 281 departing yard	Frt	D	-7	C
	2235	PM	B17		16		CP 286 had to line 2 switches entering yard	Frt	D	-9	C
24	2722		B17		18		Freight train interference	Frt	D	-15	C
27	2237	PM	B17		82		CP286 (11,000 ft) and CP473 (12,000 ft)	Frt	D	-82	C
	2246	PM	B17		35		CP286 (11,000 ft) and CP473 (12,000 ft)	Frt	D	-45	C

NCS

NCS DELAY INFORMATION											
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC

- S.A.L. Scheduled @ Location
- D Freight Delay
  - D1 Freight Delay Train Ahead
  - DD Freight Dispatcher Error (Involving Freight)
  - RF Freight Dispatcher Error (Non Freight Related, i.e. forgot to line-up, wrong line-up)

- DE Freight-Mechanical
- DR Freight-Human Error (Crew)
- DM Freight-Accident/Incident
- YF Derailment - Accident Foreign Line
- ZD PTC Freight Train (On Board)



CP - 2021 FEB

MIL North

MIL North											
DELAY INFORMATION											
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC
6	2620		Mayfair		6		Stopped at Mayfair unable to raise Dispatcher	Disp	RF	-8	C
7	2622		Mayfair		18		Held for Freight to Clear	Frt	D	-18	C
15	2157		Mayfair		17		Held for Freight to Clear	Frt	DW	-17	NC
16	2116	AM	Fox Lake		17		Departed Fox Lake late / Held for WSOR	Frt	DW	-17	NC
	2106	AM	Fox Lake		7		Departed Fox Lake late / Held for WSOR	Frt	DW	8	NC
17	2102	AM	Libertyville		24		WSOR instructed to enter Libertyville siding. Didn't fit	Frt	DR	24	C
23	2152		A20		9		CP Freight clearing	Frt	D	-8	C

MIL West

MIL West											
DELAY INFORMATION											
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC
1	2242		B17		12		Freight train clearing	Frt	D	-11	C
	2228		B17		8		Freight train clearing	Frt	D	-7	C
3	2227	PM	B12		14		Held for 2244 acct single tracking around Frt on trk 2	Frt	D	-12	C
8	2230		B17		14		Freight train clearing	Frt	D	-10	C
9	2202	AM	Elgin		9		Wrong line-up Elgin; Additional 6 min delay PTC	Disp	RF	-17	C
	2216	AM	Spaulding		20		B17 Operator error	Opr	RF	-18	C
	2222	AM	Spaulding		16		Following delayed 2216 (see above)	Opr	RF	-8	C
11	2216	AM	B12		7		CP-Q165	Frt	D	-7	C
12	2203	AM	B12		7		CP lite Engine move	Frt	D	-10	C
	2222	AM	B17		8		Freight train clearing	Frt	D	-8	C
15	2202	AM	B17		11		CP-471-15 with bad order wheel	Frt	DE	-20	NC
	2203	AM	B17		48		23" late turn from 2202 / 25" CP-198 @ B17	Frt	DE1	-47	NC
	2228	AM	B17		21		late turn at Elgin from delayed 2203 (see above delay)	Frt	DE1	-25	NC
	2216	AM	B17		11		Freight train clearing	Frt	DW	-9	NC
	2219		B12		12		Freight train clearing	Frt	DW	-11	NC
	2240		B17		11		Freight train clearing	Frt	D	-11	C
	2248		River Grove		25		Clearing Accident scene at Grand Ave	Frt	DM	-41	NC
	2247		River Grove		25		Clearing Accident scene at Grand Ave	Frt	DM	-25	NC
	2252		River Grove		20		Late turn at Elgin from delayed 2247 (see above delay)	Frt	DM1	-25	NC
16	2203	AM	B12		12		Freight train clearing	Frt	DW	-26	NC
	2217		B12		11		Freight train clearing	Frt	DW	-19	NC
17	2216	AM	B17		14		Freight train clearing	Frt	D	-14	C
18	2236		B17		9		Held for 2217 single tracking around freight on track 2	Frt	D	-7	C
19	2217		B12		6		Freight train clearing	Frt	D	-9	C
	2246		B17		8		Freight train clearing	Frt	D	-12	C
22	2225	PM	B17		18		Freight train clearing	Frt	D	-18	C

NCS

NCS											
DELAY INFORMATION											
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC

- S.A.L. Scheduled @ Location
- D Freight Delay
- D1 Freight Delay Train Ahead
- DD Freight Dispatcher Error (Involving Freight)
- RF Freight Dispatcher Error  
(Non Frt Related, i.e. forgot to line-up, wrong line-up)

- DE Freight-Mechanical
- DR Freight-Human Error (Crew)
- DM Freight-Accident/Incident
- YF Derailment - Accident Foreign Line
- ZD PTC Freight Train (On Board)
- DW Freight Weather Related

CP - 2021 MAR

MIL North

DELAY INFORMATION													
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE			TYPE	CODE	ARR	C / NC
3	2128		Rondout		6		CP Freight interference Rondout to A20			Frnt	D	-6	C
4	2132		Fox Lake		8		Stop Signal East end Fox Lake / Unable to raise CP Disp			Disp	RF	-8	C
31	2136		Deerfield		14		Single Tracking A-20 to Deerfield around CP Freight			Frnt	D	-14	C

MIL West

DELAY INFORMATION													
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE			TYPE	CODE	ARR	C / NC
2	2236		Bensenville		9		Stop Signal Bensenville held for 2217 frt at Spaulding			Frnt	D	-10	C
12	2248		B17		16		CP Freight Train Interference			Frnt	D	-14	C
15	2225		B17		9		CP Freight Train Interference			Frnt	D	-6	C
18	2249		B17		22		2 CP Freight moves			Frnt	D	-12	C
20	2715		Elgin		16		Restricted speed by CP Freight Train in Emergency			Frnt	DE	-13	NC
	2720		Elgin		18		Late turn from delayed 2715 (see above delay)			Frnt	DE1	-24	NC
							Passing CP Freight Train in Emergency						
21	2722		Galewood		7		CP Freight Interference at Galewood			Frnt	D	-7	C
22	2225	PM	B17		15		CP Freight Interference due to mechanical issues			Frnt	DE	-15	NC

NCS

DELAY INFORMATION													
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE			TYPE	CODE	ARR	C / NC

- S.A.L. Scheduled @ Location
- D Freight Delay
- D1 Freight Delay Train Ahead
- DD Freight Dispatcher Error (Involving Freight)
- RF Freight Dispatcher Error  
(Non Frt Related, i.e. forgot to line-up, wrong line-up)

- DE Freight-Mechanical
- DR Freight-Human Error (Crew)
- DM Freight-Accident/Incident
- YF Derailment - Accident Foreign Line
- ZD PTC Freight Train (On Board)
- DW Freight Weather Related

## CP - 2021 APR

## MIL North

MIL North											
DELAY INFORMATION											
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC
9	2156		A20		10		CP Freight Train Interference	Fr	D	-10	C
26	2108	AM	A20		18		CP Freight Train Interference	Fr	D	-20	C

## MIL West

MIL West											
DELAY INFORMATION											
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC
12	2244	PM	Galewood		20		Following CP Freight Train	Fr	D	-15	C
	2252		Galewood		16		CP Freight Train Interference	Fr	D	-9	C
16	2244	PM	B17		11		CP Freight Train Interference	Fr	D	-11	C
	2227	PM	B17		13		CP Freight Train Interference	Fr	D	-13	C
23	2223	PM	Rohlwing		12		Passing CP473 in emergency at Rohlwing Rd	Fr	DE	-11	NC
26	2240	PM	B12		16		CP Freight Train Interference	Fr	D	-6	C
	2221	PM	B12		17		CP Freight Train Interference	Fr	D	-17	C
27	2242	PM	B17		10		Held for 2223 acct single tracking around CP Freight	Fr	D	-6	C

## NCS

NCS											
DELAY INFORMATION											
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC

S.A.L. Scheduled @ Location  
 D Freight Delay  
 D1 Freight Delay Train Ahead  
 DD Freight Dispatcher Error (Involving Freight)  
 RF Freight Dispatcher Error  
 (Non Frt Related, i.e. forgot to line-up, wrong line-up)

DE Freight-Mechanical  
 DR Freight-Human Error (Crew)  
 DM Freight-Accident/Incident  
 YF Derailment - Accident Foreign Line  
 ZD PTC Freight Train (On Board)  
 DW Freight Weather Related

CP - 2021 MAY

MIL North

MIL North											
DELAY INFORMATION											
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC
7	2108	AM	A5 Tower		9		Single tracking around CP Freight in emergency	Frt	DE1	-9	NC
10	2124	AM	Lake Forest		10		Followed CP286 Lake Forest to A20	Frt	D	-9	C
14	2125	PM	Fox Lake		24		Wrong line-up at Libertyville	Disp	RF	-18	C
18	2156		Rondout		9		Followed CP Freight Train Rondout to A20	Frt	D	-13	C
20	2146	PM	Rondout		5		Followed CP Freight Train Rondout to A20	Frt	D	-8	C

MIL West

MIL West											
DELAY INFORMATION											
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC
5	2225	PM	Almora		26		CP Freight blocking route at Almora	Frt	D	-26	C
	2227	PM	Almora		6		CP Freight blocking route at Almora	Frt	D	-6	C
8	2722		Galewood		15		Following CP140 (10051 ft) yarding at Galewood	Frt	D	-15	C
	2723		B17		25		Following CP Freight that lost air enroute	Frt	DE	-25	NC
15	2718		B12		34		CP Freight yarding. Train encountered B/O switch	Frt	D	-34	NC
16	2718		Galewood		25		CPG45 going to Belt had PTC Issues	PTC	ZD	-15	NC
	2722		Cicero West		10		CP140	Frt	D	-7	C
19	2222	AM	B17		8		CP472	Frt	D	-8	C
21	2242	PM	B12		8		CP freight train interference	Frt	D	-8	C
	2252		B17		10		CP freight train interference	Frt	D	-6	C
24	2252		B17		10		CP Freight Train Interference	Frt	D	-6	C
25	2202	AM	Franklin Pk		8		CP Freight train crossing over ahead	Frt	D	-6	C
	2203	AM	Franklin Pk		7		Late arrival / turn from delayed 2202 (see above)	Frt	D1	-6	C
	2221	PM	Franklin Pk		19		Single tracking around C Freight on track 2	Frt	D	-6	C
	2242	PM	B17		13		Single tracking around CP Freight waiting for recrew	Frt	D	-13	C
	2244		Galewood		10		Following G45 (6992 ft) to Galewood	Frt	D	-7	C
29	2710		B12		40		Stopped behind CP281 in emergency	Frt	DE	-40	NC

NCS

NCS											
DELAY INFORMATION											
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC
7	115		B12		10		Following 2235 & 2237 to B12 acct CP Frt on passing trk	Frt	D	-10	C
	102	AM	B12		5		Accommodating 2208 pass acct CP Frt in Emergency	Frt	DE1	-9	NC

- S.A.L. Scheduled @ Location  
 D Freight Delay  
 D1 Freight Delay Train Ahead  
 DD Freight Dispatcher Error (Involving Freight)  
 RF Freight Dispatcher Error  
 (Non Frt Related, i.e. forgot to line-up, wrong line-up)

- DE Freight-Mechanical  
 DR Freight-Human Error (Crew)  
 DM Freight-Accident/Incident  
 YF Derailment - Accident Foreign Line  
 ZD PTC Freight Train (On Board)  
 DW Freight Weather Related



CP - 2021 JUN

**MIL North**

MIL North											DELAY INFORMATION			
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE				TYPE	CODE	ARR	C / NC
2	2124	AM	A20		9		Followed CP Freight Deerfield to A20				Fr	D	-6	C
6	2698		Lake Forest		10		Followed CP Freight Lake Forest to A20				Fr	D	-9	C
11	2156		Deerfield		20		Stopped behind 2811 freight.				Fr	D	-18	C
12	2616		A20		15		Followed 198-08 A20				Fr	D	-12	C
28	2136		A20		12		Followed CP Freight to A20				Fr	D	-11	C
29	2136		Deerfield		12		Followed CP Freight Deerfield to Northbrook				Fr	D	-12	C

**MIL West**

MIL West											DELAY INFORMATION			
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE				TYPE	CODE	ARR	C / NC
1	2202	AM	B17		15		Freight Train Interference				Fr	D	-10	C
	2203	AM	B17		8		Late turn at CUS from delayed 2202 (see above delay)				Fr	D1	-7	C
6	2718		B17		20		Freight Train Interference				Fr	D	-20	C
9	2242	PM	B17		12		Freight Train Interference				Fr	D	-6	C
14	2227	PM	B12		9		Held for inbound 2244 acct single tracking around Frt				Fr	D	-8	C
17	2248	PM	B17		13		Freight Train Interference				Fr	D	-13	C
18	2206	AM	Big Timber		9		Followed freight Big Timber to Roselle				Fr	D	-10	C
	2208	AM	B17		9		Freight Train Interference				Fr	D	-11	C
	2210	AM	B17		9		Following delayed 2208				Fr	D1	-8	C
19	2708		B17		15		Freight Train Interference				Fr	D	-28	C
21	2206	AM	Big Timber		11		Followed freight Big Timber to Roselle				Fr	D	-9	C
	2208	AM	Medinah		15		Followed Freight Medinah to Roselle				Fr	D	-12	C
	2210	AM	Medinah		10		Followed delayed 2208 (see above delay)				Fr	D1	-9	C
23	2217		Franklin Pk		18		Single tracking around CP freight				Fr	D	-16	C

**NCS**

NCS											DELAY INFORMATION			
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE				TYPE	CODE	ARR	C / NC

- S.A.L. Scheduled @ Location
- D Freight Delay
- D1 Freight Delay Train Ahead
- DD Freight Dispatcher Error (Involving Freight)
- RF Freight Dispatcher Error  
(Non Frt Related, i.e. forgot to line-up, wrong line-up)

- DE Freight-Mechanical
- DR Freight-Human Error (Crew)
- DM Freight-Accident/Incident
- YF Derailment - Accident Foreign Line
- ZD PTC Freight Train (On Board)
- DW Freight Weather Related

CP - 2021 JUL

**MIL North**

MIL North														
											DELAY INFORMATION			
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE				TYPE	CODE	ARR	C / NC
2	2124	AM	A20		9		Following CP Freight Deerfield to A20				Frt	D	-6	C
6	2608		Lake Forest		10		Following CP Freight Lake Forest to A20				Frt	D	-9	C
11	2156		Deerfield		20		Following CP Freight to Deerfield				Frt	D	-18	C
12	2616		A20		15		Following CP198-08 at A20				Frt	D	-12	C
28	2136		Deerfield		12		Following CP Freight Deerfield to A20				Frt	D	-11	C
29	2136		Deerfield		14		Following CP Freight Deerfield to Northbrook				Frt	D	-12	C

**MIL West**

MIL West														
											DELAY INFORMATION			
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE				TYPE	CODE	ARR	C / NC
5	2716		B17		16		Freight train interference				Frt	D	-16	C
9	2251		B17		12		Freight train interference				Frt	D	-11	C
11	2721		B17		14		Freight train interference				Frt	D	-11	C
	2723		B17		16		CP 686 (5974 ft)				Frt	D	-15	C
14	2230		B17		51		CP199 (13,000 ft) yarding at Bensenville				Frt	D	-41	C
	2223		B12		12		Held for Inbound acct single tracking around freight				Frt	D	-12	C
15	2202		B17		13		12,000 ft Frt move				Frt	D	-10	C
	2203		B17		10		Late turn at CUS from delayed 2202 (see above delay)				Frt	D1	-7	C
18	2722		B12		12		6 min CP140-18; 6 min PTC issues at Elgin				Frt	D	-12	C
19	2202		B17		13		Freight train interference				Frt	D	-8	C
20	2230		B17		28		CP281				Frt	D	-18	C
21	2242	PM	Spaulding		12		CN Freight Traffic at Spaulding				Disp	RF	-11	C
	2206	AM	Big Timber		10		Following CP Freight Big Timber to Franklin Park				Frt	D	-9	C
	2208	AM	Medinah		14		Freight Train Interference Medinah to Roselle				Frt	D	-12	C
	2210	AM	Medinah		10		Following late 2208				Frt	D1	-9	C
23	2217		Franklin Pk		16		Held for 2236 single tracking around Freight				Frt	D	-16	C

**NCS**

NCS														
											DELAY INFORMATION			
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE				TYPE	CODE	ARR	C / NC

- S.A.L. Scheduled @ Location
- D Freight Delay
- D1 Freight Delay Train Ahead
- DD Freight Dispatcher Error (Involving Freight)
- RF Freight Dispatcher Error  
(Non Frt Related, i.e. forgot to line-up, wrong line-up)

- DE Freight-Mechanical
- DR Freight-Human Error (Crew)
- DM Freight-Accident/Incident
- YF Derailment - Accident Foreign Line
- ZD PTC Freight Train (On Board)
- DW Freight Weather Related

CP - 2021 AUG

MIL North

MIL North											DELAY INFORMATION			
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE				TYPE	CODE	ARR	C / NC
1	2627		Rondout		15		Delayed at Rondout for CP Freight				Frt	D	-15	C
5	2102	AM	Rondout		10		Following CP Freight Rondout to A20				Frt	D	-10	C
20	2622		Rondout		12		Following CP Freight Rondout to A20				Frt	D	-8	C

MIL West

MIL West											DELAY INFORMATION			
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE				TYPE	CODE	ARR	C / NC
3	2203	AM	A5		6		CP Freight Train Interference				Frt	D	-7	C
	2212	AM	Rondout		6		Following delayed 2210				Frt	D	-6	C
5	2230		B17		20		CP 281 Stopped on main between B17 and B12				Frt	D	-12	C
6	2222	AM	B17		12		CP199 (11500ft)				Frt	D	-12	C
24	2404	AM	B12		6		CP Freight Train Interference				Frt	D	-6	C
25	2235	PM	Spaulding		10		CP Freight Train Interference				Frt	D	-10	C
31	2232		B17		6		CP Freight Train Interference				Frt	D	-6	C

NCS

NCS											DELAY INFORMATION			
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE				TYPE	CODE	ARR	C / NC

- S.A.L. Scheduled @ Location
- D Freight Delay
- D1 Freight Delay Train Ahead
- DD Freight Dispatcher Error (Involving Freight)
- RF Freight Dispatcher Error  
(Non Frt Related, i.e. forgot to line-up, wrong line-up)

- DE Freight-Mechanical
- DR Freight-Human Error (Crew)
- DM Freight-Accident/Incident
- YF Derailment - Accident Foreign Line
- ZD PTC Freight Train (On Board)
- DW Freight Weather Related

CP - 2021 SEPT

MIL North

MIL North															
DELAY INFORMATION															
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE					TYPE	CODE	ARR	C / NC

MIL West

MIL West															
DELAY INFORMATION															
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE					TYPE	CODE	ARR	C / NC
2	2230		B17		9		CP Freight Train Interference					Frnt	D	-9	C
8	2222	AM	Roselle		10		CP Freight Train Interference					Frnt	D1	-13	C
13	2240		B17		10		CP Freight Train Interference					Frnt	D	-10	C
	2232		B17		5		CP Freight Train Interference					Frnt	D	-12	C
15	2244	PM	B17		7		Held for 2219 acct single tracking around CP Freight					Frnt	D	-7	C
	2404		B17		9		Late turn of delayed 2219 (see above delay)					Frnt	D1	-9	C
25	2717		B17		11		CP198-21 yarding at Bensenville					Frnt	D	-10	C
	2720		B17		12		Following CP686-757 Elgin to 12					Frnt	D	-11	C
26	2714		B17		16		CP Frt yarding at B17					Frnt	D	-20	C
30	2236		B17		14		CP286 (12,245 ft)					Frnt	D	-4	C
	2217		B17		12		CP286 (12,245 ft)					Frnt	D	-2	C

NCS

NCS															
DELAY INFORMATION															
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE					TYPE	CODE	ARR	C / NC
3	100	AM	B12		8		CP Freight Train Interference					Frnt	D	-12	C
	101	AM	B12		5		Late turn at CUS from delayed 100 (see above delay)					Frnt	D1	-7	C
10	112	AM	B12		16		CP Freight Train Interference					Frnt	D	-10	C

- S.A.L. Scheduled @ Location
- D Freight Delay
  - D1 Freight Delay Train Ahead
  - DD Freight Dispatcher Error (Involving Freight)
  - RF Freight Dispatcher Error (Non Frt Related, i.e. forgot to line-up, wrong line-up)

- DE Freight-Mechanical
- DR Freight-Human Error (Crew)
- DM Freight-Accident/Incident
- YF Derailment - Accident Foreign Line
- ZD PTC Freight Train (On Board)
- DW Freight Weather Related



CP - 2021 OCT

MIL North

					DELAY INFORMATION						
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC

MIL West

					DELAY INFORMATION						
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC
1	2202	AM	B12		3		2202 routed trk 1 instead of trk 3 acct NS17V 8500ft on trk 3	Fr	D		C
	2204	AM	B12		25		CP Q165 off IHB for Schiller Park	Fr	D	-19	C
	2206	AM	B12		10		Following delayed NCS100 (see below delay)	Fr	D1	-7	C
	2208	AM	B12		3		2208 routed trk 2 instead of trk 3 acct CP141 9893 ft on trk 3	Fr	D		C
	2230		B17		10		CP199 (11,000 ft)	Fr	D	-3	C
	2232		B12		5		2232 routed trk 1 instead of trk 3 acct CP281 13,995 ft on trk3	Fr	D		C
2	2709		B17		11		CP286 (12,000 ft)	Fr	D	-5	C
5	2232		B12				2232 routed trk 1 instead of trk 3 acct CP281 13,000 ft on trk 3	Fr	D		C

NCS

					DELAY INFORMATION						
DATE	TRAIN	PEAK	LOCATION	S.A.L.	DURATION	MIN	CAUSE	TYPE	CODE	ARR	C / NC
1	100	AM	B12		10		Followed delayed MW2204 acct CP Q165 on track 2	Fr	D1	-12	C

S.A.L. Scheduled @ Location

- D Freight Delay
- D1 Freight Delay Train Ahead
- DD Freight Dispatcher Error (Involving Freight)
- RF Freight Dispatcher Error  
(Non Frt Related, i.e. forgot to line-up, wrong line-up)

- DE Freight-Mechanical
- DR Freight-Human Error (Crew)
- DM Freight-Accident/Incident
- YF Derailment - Accident Foreign Line
- ZD PTC Freight Train (On Board)
- DW Freight Weather Related

# **EXHIBIT E**

## **Verified Statement of Greg Godfrey**

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

---

**STB Finance Docket No. 36500**

---

**CANADIAN PACIFIC RAILWAY LIMITED; CANADIAN PACIFIC RAILWAY COMPANY; SOO LINE RAILROAD COMPANY; CENTRAL MAINE & QUEBEC RAILWAY US INC.; DAKOTA, MINNESOTA & EASTERN RAILROAD CORPORATION; AND DELAWARE & HUDSON RAILWAY COMPANY, INC. – CONTROL – KANSASCITY SOUTHERN, THE KANSAS CITY SOUTHERN RAILWAY COMPANY, GATEWAY EASTERN RAILWAY COMPANY, AND THE TEXAS MEXICAN RAILWAY COMPANY**

---

**VERIFIED STATEMENT OF GREG J.M. GODFREY**

---

1. I am Greg J.M. Godfrey. I am the Director of the Consolidated Control Center (train dispatching office) with two years with Metra and nineteen years railroad experience.
2. In my current role my responsibilities include overseeing traffic control for several of Metra's Districts, staffing of trains and passenger stations, and supervising a staff of approximately 65 employees and approximately 500 train movements daily.
3. Before taking this position, I was the Assistant Supt. for Train Movement with Amtrak for 6 year overseeing Chicago Union Station, Michigan Line and New Orleans, with responsibility for the making up of 28 Amtrak trains and more than 500 train movements daily. Prior to that I was Director of Operations for Caltrain, overseeing Caltrain in California responsible for 112 train movements daily. I have a Masters Degree in City and Regional Planning with a focus on urban design and transportation. For a decade, I have been compiling statistics, reports, and other analytics on train movements, performance and safety.
4. A copy of my resume is attached as **Exhibit E-1**.
5. I have been directly involved in a key leadership role in the transition and oversight of the hand off and acceptance of other railroad carriers, including the transition of safety

related operating protocols and documents. I led the train movement and training portion for operating rules for a railroad transition to my staff, which included the operation of several important industrial tracks for freight operations. While significantly reducing passenger train delays on the line, I also worked and excelled at train dispatching service for local businesses, industrial freight, and protected the operation of the flow of goods to keep local businesses running through continual training of staff. I developed strategic customer service protocols for the freight and industrial customers to ensure delivery windows would keep local businesses in operation.

6. I am familiar with excel, analysis, and other train movement data streams and able to mass analyze complex data streams.

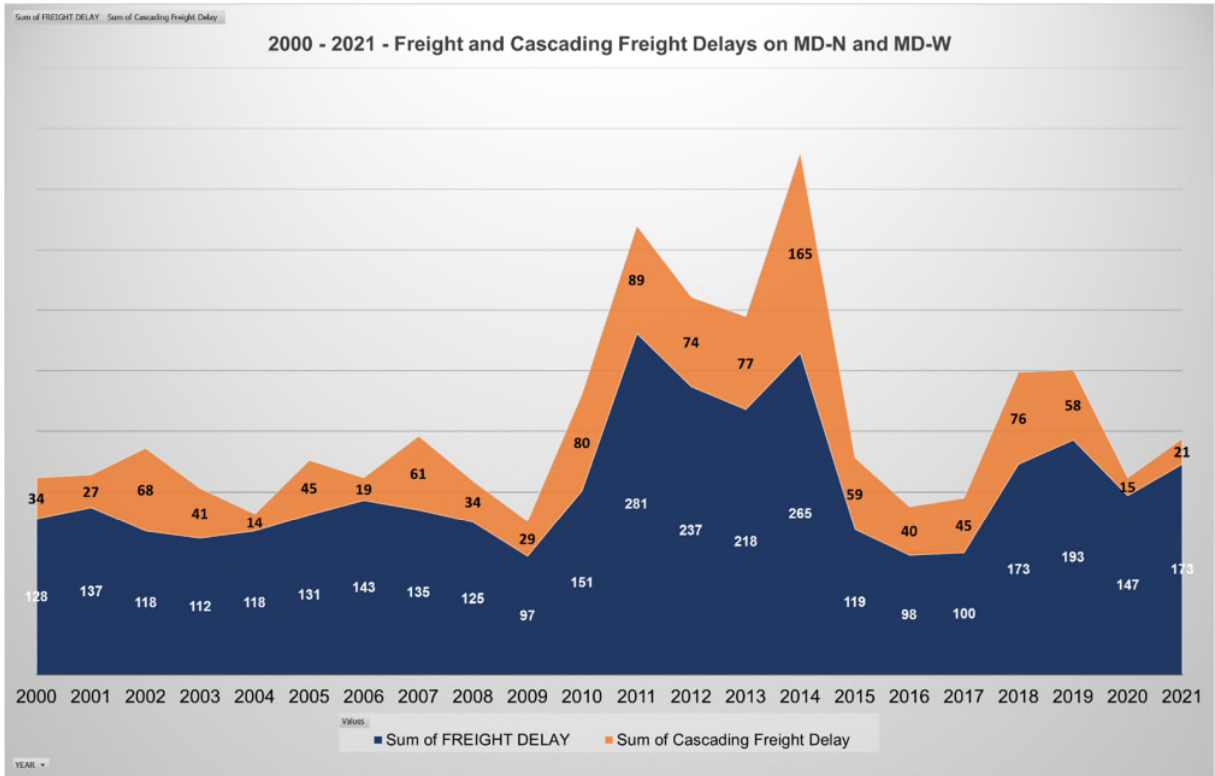
#### **Evaluation of Metra Data on CP-Caused Delays**

7. In preparation for Metra's comments in these proceedings I reviewed train event delay data for Metra's Milwaukee District-North Line ("MD-N") and Milwaukee District-West Line ("MD-W") in order to evaluate and represent the scope and nature of freight-caused delays on these lines. The data I evaluated came from raw data in Metra's data warehouse (TOPS) —Train Operations and Performance System. In order to separate freight-caused delays from other delays, I extracted Freight Delay and Cascading Freight Delay Code Data from this archive. This data is designated with a D and a D1 code. D data is directly related train movement and decision-making delays caused when a freight train operational decision interferes with the timely operation of a Metra train. Other data – D1 data – is cascading delays resulting from these decisions. For example, a decision could be made that delays a train. This train then arrives at its terminal late and then turns for another train which departs late because the departure was waiting on the train and/or crew operating the first train. This data represents Metra's most accurate count of



reported delays, *i.e.* delays that resulted in a Metra train reaching its final destination more than five minutes and 59 seconds (or, for construction schedules, more than 15 minutes and 59 seconds) after its scheduled arrival at its final destination.

8. In order to capture the full impact of freight interference on Metra’s service on MD-N and MD-W, I assessed both delays caused directly by freight interference as well as “cascading delays” caused indirectly by freight interference. Cascading delays refer to delays caused by an initial delay caused by freight activity. If a Metra train is delayed in making it to its final destination, that means the same trainset needed to depart in the reverse direction will usually also be delayed. Because the initial train is delayed, when it “flips” directions as a new train, it starts behind schedule. Another reason for cascading delays is the limited ability for train signal systems to support additional throughput.
9. To evaluate and represent the impact of direct and “cascading” delays, I first calculated the total number of delays for each year from 2000 to 2021 on MD-N and MD-W, and then represented them graphically, showing both delays directly caused by freight interference as well as “cascading delays” caused by the knock-on effects of freight-caused delays. The results of this analysis, showing in **Figure 1** indicate that during this time freight-related delays impacted 1.23 million Metra customers with delays totaling 57,048 minutes, or nearly 40 days and nights. Notably, this data captures only reportable delays, not delays that are shorter than five minutes and 59 seconds (or 15 minutes and 59 seconds for construction schedules).



**Figure 1**

10. Because TOPS data is used to track reportable delays, it does not reflect unreported delays or other types of interference. In response to continual issues with CP delays, and given the specific and limited nature of reportable delay data, from October 2020 to September 2021 my office has also tracked CP-caused freight delays in more systematic detail on MD-N and MD-W. This data, recorded in spreadsheet form (“CP Delay Data”), reflects delay events that do not meet the thresholds for reportable delays but nevertheless impact Metra’s service. This includes brief descriptions about delays, exact minutes of delay, whether the delay impacted peak period trains, and whether the delay was attributed to specific causes, *e.g.* dispatcher delays. I am familiar with CP Delay Data and can attest to its accuracy, and I have reviewed it in preparing this Verified Statement.

**Experience With Dispatching-Related Issues with CP**

11. In my capacity as Director of Dispatching at Metra, I have personal knowledge regarding the manner in which CP's control of dispatching impacts Metra's service on MD-N and MD-W. I have furthermore reviewed and analyzed the data sources above to help further assist in my assessment of the impacts of CP's control of dispatching.
12. Since my time at Metra, I have personally experienced CP's dispatching of Metra's MD-N and MD-W has regularly interfered with Metra's commuter rail service. On a nearly weekly basis, CP dispatchers regularly prioritize freight trains ahead of Metra trains, even during Metra's "peak periods" when CP is contractually obligated to prioritize Metra's trains. The data reviewed and analyzed above further supports my experience, reflecting that the issues regarding consistent freight interference with Metra service caused by CP dispatching and operational practices precede my arrival at Metra.
13. To provide one example, in February 2020, just before the full impact of the COVID-19 pandemic, Metra's MD-W Line experienced 22 freight-related delays on 11 different days, during both peak and off-peak times, resulting in an average of 40 minutes delay each day in which delays occurred, and as much as two hours in a single day. Causes for the delays included stopped or slowed freight trains on Metra's mainline track, including crew changes on mainline track near CP's busy Bensenville Yard.
14. On March 28, 2020, a CP train stopped on Metra's mainline track to cut off power and make a crew change outside of Bensenville Yard, even though this activity is supposed to be conducted inside the yard precisely to avoid interference with Metra trains. The event resulted in delays of 16 minutes and 25 minutes for two separate Metra trains.
15. Since implementation of Precision Scheduled Railroading (PSR) by CP during 2019-2020, the number of intentional delays, i.e. those delays where CP dispatching decisions are made to advance freight traffic knowing that a delay to a Metra train or trains will

necessarily result, have noticeably increased. A similarly troubling recent trend is that of documented incidents where senior CP management is directly involved in the prioritization of freight operations.

16. On a number of recent occasions my staff and I have witnessed CP dispatchers who are able to prioritize or avoid delay to Metra being directly told by senior management to move CP trains, regardless of the impact on the network. Because of the timetable authority of CP train dispatchers over Metra train dispatchers, sometimes Metra train dispatchers are even forced and required by CP to follow these instructions to display signals for freight trains ahead of Metra trains.
17. CP's control over dispatching also causes interoperability issues. In 2021, when upgrading new TMDS CAD software in Metra and CP systems, some Metra installations were required to be delayed to accommodate interoperability with CP's other systems on non-Metra owned lines. Although Metra offered CP the opportunity to update its own software at the same time as Metra, CP declined. Because the software interface changed between updates, some of the same features included in the new update were not available in the older version. This difference resulted in at least one dispute between Metra and CP regarding the ability of a dispatcher to correct a signal designation that lead to exasperating a delay of Metra trains. The fact that CP's timetable, rule book, and protocols and decisions regarding software updates govern the operation of Metra's service on Metra's lines increases the likelihood of unnecessary disruption to Metra's operations.
18. Additionally, because of the differences in Operating Timetables, Metra's Train Dispatching system requires two sets of logic programming, with Canadian Pacific approving and reviewing one set of logic. This costs Metra staff time, staff planning time, and delays to its own deployment of its software and safety needs. If there was one



operating timetable, Metra's on Metra's owned lines, these safety and operational programming requirements would be streamlined, enabling Metra to avoid negative impacts caused by the Transaction while ensuring both freight trains and passenger trains on Metra's lines are routed in an efficient and effective manner.

19. The conclusion I draw from CP's past and current conduct in operating and dispatching Metra's lines is that Metra will see a greater adverse impact on train schedules and reliability, on passenger safety and convenience, and on operational efficiency due to the proposed merger.
20. The comments, facts and statements that I have provided, including analytical graphs, graphics, and charts as displayed and submitted as part of this process on behalf of Metra and I Greg J.M. Godfrey will attest to their accuracy based on the available raw data in Metra's data warehouse (TOPS).

I, Greg J.M. Godfrey, declare under penalty of perjury that the foregoing is true and correct.

Further, I certify that I am qualified and authorized to file this Verified Statement.

Executed on March 15<sup>th</sup>, 2022.



---

Greg J.M. Godfrey

**EXHIBIT E-1**

**Greg Godfrey Resume**

**PROFESSIONAL SUMMARY**

A focused and driven leader with diversified management experience in safety, customer service, train dispatching, operations, technology, positive train control, reporting, and long-range operational planning and strategy. Creative, logical, and engaged with front-line managers and employees to build safety and service culture to be proud of. Agile at prioritization of multiple complex tasks and customers while communicating service solution timelines. Effective communicator as well as collaborator between multiple disciplines.

**EDUCATION****Edward J. Bloustein School of Planning and Public Policy, Rutgers University****2000 - 2002**

Masters in City and Regional Planning. September 2002. GPA: 3.9.  
Excellence Graduate Fellowship

**Rutgers University, Honors Program****1996 - 2000**

B.A. English. GPA Overall: 3.8, High Honors.  
GPA Major: 4.0, Highest Honors.  
Phi Beta Kappa.

**Michigan State University****2014**

Railway Management Program

**EXPERIENCE****Metra – Director System Operations, CCF****December 2019 - Present**

- Oversee operations staff of 65 employees, including CAD software, Train Dispatching, Crew Calling and Chicagoland Network Integration
- Directly responsible for the safe and efficient operation of more than 500 trains daily.

**HDR – Senior Railroad Project Manager****January 2019 – November 2019**

- Support commuter and freight railroad operations with planning and strategy services.

**Amtrak Assistant Superintendent Train Movement****June 2012 – January 2019**

- Directly responsible for 510 train movements per day (30 staff) in Chicago, Michigan, and New Orleans.
- 2016 Progressive Railroading Under 40 Rising Star Award.
- Core leadership team of three leading the transfer of 133 miles of dispatch territory and timetable production:

- Personally arranged for its safe and efficient transfer by organizing multiple technical teams into work groups with clear deliverables and safety protocols (signal, rules, operations, and customer service).
- Demonstrable immediate improvement in the reduction of delays to customers.
- Leadership role in Positive Train Control (PTC) integration into the dispatching environment.
- Expand limits and development of automated authorities, including continuous dispatch process improvements in safety and traffic efficiency.
- Represent Amtrak on Chicago Terminal Coordination Office panel working with all key freight and passenger roads in a direct role.
- Developed innovative and industry leading dispatcher manual.
- Cost avoidance of \$1.4 million in regulatory fines through dispatch side technology audit trail software revision for a waterway crossing problem.

**Amtrak Director Commuter Operations, Caltrain****March 2011 – June 2012**

- Directly responsible for 112 trains per day and 23 staff, including management and train dispatchers.
- Responsible for the commissioning of expanded San Jose depot, several major bridge structures cutovers, Federal compliance enhancements, and procedural modifications to reduce response time to incidents.

**Amtrak Network and Operations Specialist****January 2010 – March 2011**

- Responsible for traffic planning and guiding scheduling team for several major infrastructure projects, including completely alternating traffic flow for several months between Baltimore and Washington D.C.
- Initiated several key data integration projects yielding new real-time information to customers.

**Amtrak Block Operator, Train Dispatcher, and Asst. Chief Dispatcher****January 2003 – December 2009**

- Gained positive media attention for Amtrak and New Jersey Transit by changing the Code of Federal Regulations for movable bridge (Portal).
- Dock Tower Operator, Train Dispatcher, and Assistant Chief for New York Operations: Mile post 0 to Mile post 75.



# **EXHIBIT F**

## **Verified Statement of Aaron Maertins**

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

---

**STB Finance Docket No. 36500**

---

**CANADIAN PACIFIC RAILWAY LIMITED; CANADIAN PACIFIC RAILWAY  
COMPANY; SOO LINE RAILROAD COMPANY; CENTRAL MAINE & QUEBEC  
RAILWAY US INC.; DAKOTA, MINNESOTA & EASTERN RAILROAD  
CORPORATION; AND DELAWARE & HUDSON RAILWAY COMPANY, INC. –  
CONTROL – KANSASCITY SOUTHERN, THE KANSAS CITY SOUTHERN  
RAILWAY COMPANY, GATEWAY EASTERN RAILWAY COMPANY,  
AND THE TEXAS MEXICAN RAILWAY COMPANY**

---

**VERIFIED STATEMENT OF AARON R. J. MAERTINS**

---

1. I am Aaron Robert James Maertins. I am the Data Analytics Manager - Operations Projects at Metra.
2. In my current role my responsibilities include leading the collection and analysis of complex and multi-dimensional operations data; conducting and managing studies and projects identifying operational inefficiencies, researching best practices, and recommending process improvements; providing top level management with information to aid in decision-making; and leading change management efforts. I have held this position since August 2021.
3. Before taking this position, I held three separate positions in Metra's Division of Strategic Planning and Performance between August 2014 and August 2021. From October 2019- August 2021 I held the position of Manager, Transportation Planning. In this position, I managed a team responsible for the reporting and analysis of the on-time performance of the Metra system. In all three positions, I worked with the data contained within Metra's data warehouse (TOPS) – Train Operations and Performance System.
4. I am familiar with the reporting and analysis of Metra on-time performance, including the process where the root cause of delays is determined.

**Experience With Dispatching-Related Issues with CP**

5. In my capacity as Data Analytics Manager - Operations Projects, I have personal knowledge regarding the manner in which CP's control of dispatching impacts Metra's service on Metra's Milwaukee District-North Line ("MD-N") and Milwaukee District-West Line ("MD-W").

**Evaluation of Metra Data on CP-Caused Delays**

6. In preparation for Metra's comments in these proceedings I reviewed train event delay data for MD-N and MD-W dated from 2016 to 2021 in order to evaluate and represent the scope and nature of freight-caused delays on these lines. The data I evaluated came from raw data in Metra's data warehouse (TOPS) —Train Operations and Performance System. This information shows that, even with the impact of COVID-19 on ridership, the problems with CP-caused delays persist and in some ways are worse.
7. To evaluate and represent the impact of delays from more recent data, I first calculated the total delay time by year from 2016 to 2021. I then represented the results graphically, see below Figure 1. The results show that MD-N and MD-W passengers collectively experienced 53,196 hours of delay due to freight interference – 2,217 days or just over six years of time collectively spent delayed due to freight interference. While the overall number of delay hours was down in 2020 and 2021, proportional to the reduction in overall passenger hours experienced due to COVID-19, delay hours were actually higher.

From January 2016 to December 2021, MD-N and W passengers experienced a collective 53,196 hours of delay due to freight interference – 2,217 days or just over six years of time spent delayed due to freight interference.

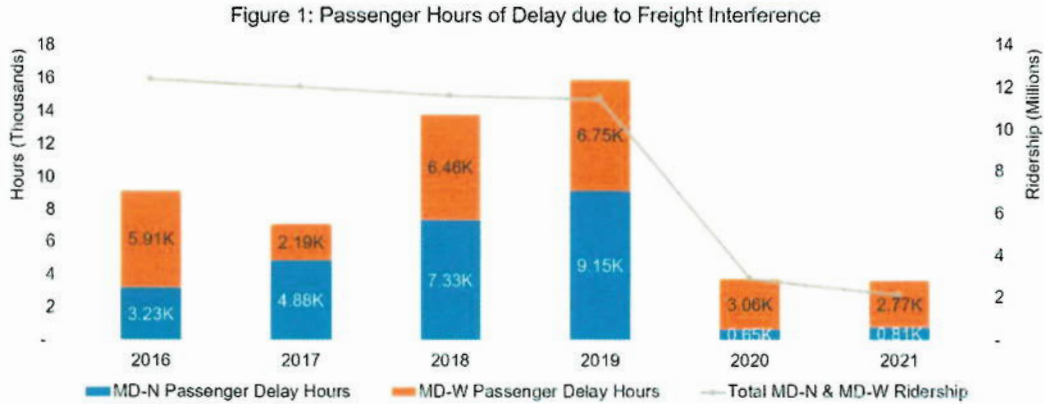


Figure 1

8. In order to understand trends in freight-caused delays, I graphically represented freight delay data as trend lines. The data show that although COVID-19-era ridership is lower and fewer trains are being operated, the share of riders experiencing a freight interference delay has increased since 2016. Overall, MD-N and MD-W riders are twice as likely to have experienced a freight delay in 2021 compared to 2016; and MD-W riders are three times as likely to have experienced a freight delay since 2016. Figures 2 below depicts these trends.

Despite COVID-era ridership being lower and fewer trains being operated, the share of riders experiencing a freight interference delay has increased since 2016. **Overall, MD-N and W riders are twice as likely to have experienced a freight delay in 2021 compared to 2016; and MD-W riders are three times as likely to have experienced a freight delay since 2016.**

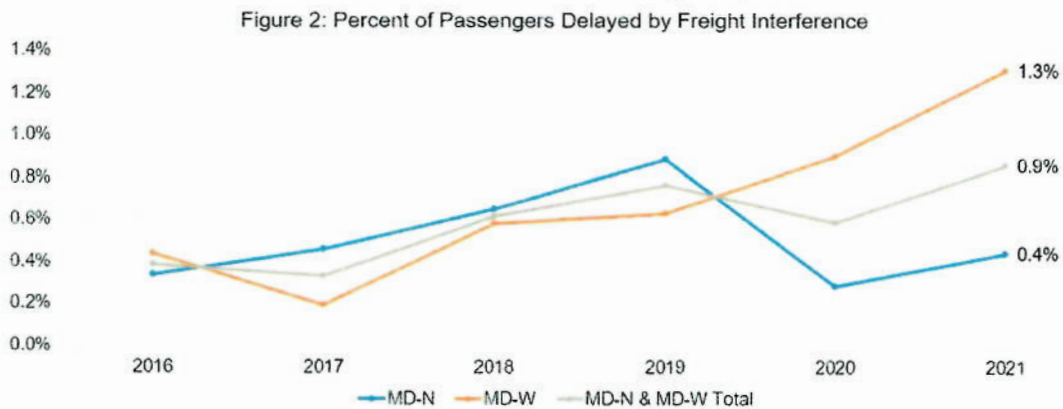


Figure 2



9. Metra passenger train delays, due to freight train interference on MD-N, increased each year between 2016 and 2019, increasing by 137% in that period. In 2020 and 2021 delays due to freight train interference on MD-N fell but only proportionally to the reduced number of passenger trains operated by Metra due to the COVID pandemic. Likewise, Metra passenger train delays, due to freight train interference on MD-W, increased each year between 2018 and 2021, increasing by 23% in that period and reaching five-year highs in both 2020 and 2021. For the five-year period from 2017-2021, freight train interference delays caused the combined MD-N and MD-W lines to miss its 95% on-time performance goal. Even if 95% on time performance were satisfactory—Metra strives to exceed this metric—allocating it all to CP-caused events of course allows Metra no margin of error to account for unpreventable delays attributable to no-one.
10. The data I reviewed also shows that although the onset of the COVID-19 pandemic resulted in a greater than 95% reduction in daily ridership (at the lowest point in Spring 2020) as compared to pre-March 2020 levels, MD-W freight delays reached a five-year high in both 2020 and 2021. MD-N delays in 2020 and 2021 were proportionally as bad or worse to delays in previous years when taking into account the reduced number of trains being operated. Figure 3 represents this data.

Despite fewer trains being operated compared to pre-COVID levels from March 2020 to the present, MD-W freight delays reached five-year highs in both 2020 and 2021. MD-N delays fell in 2020 and 2021 proportionally to the reduced number of trains being operated.

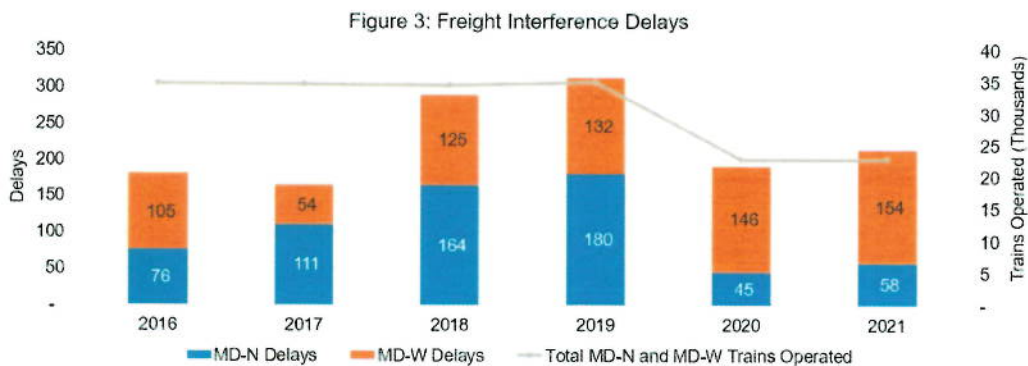


Figure 3

11. More than 87,000 riders experienced a freight interference delay on the MD-N and MD-W in 2019. Despite COVID-era ridership being much lower than pre-2020 levels, more than 16,000 riders experienced a freight delay on the MD-N or MD-W lines in 2020. In 2021, while ridership went even lower due to COVID-19, passengers experiencing a freight delay increased to 18,000. These numbers represent only passengers on a train that experienced a reportable delay (greater than five minutes). Figure 4 below represents the trends in passenger experienced delays on MD-N and MD-W from 2016 through 2021.

More than 87,000 riders experienced a freight interference delay on the MD-N and W in 2019. Despite COVID-era ridership being much lower than pre-2020 levels, more than 16,000 riders experienced a freight delay on the MD-N and MD-W lines in 2020. In 2021, while ridership went even lower due to COVID-19, passengers experiencing a freight delay increased to 18,000. These numbers represent only passengers on a train that experienced a reportable delay (greater than five minutes).



Figure 4

\*\*\*\*\*

12. The comments, facts and statements that I have provided, including analytical graphs, graphics, and charts as displayed and submitted as part of this process on behalf of Metra and I Aaron J. Maertins will attest to their accuracy based on the available raw data in Metra’s data warehouse (TOPS).

I, Aaron R. J. Maertins, declare under penalty of perjury that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this Verified Statement.

Executed on February 24, 2022.



Aaron R. J. Maertins

# **EXHIBIT G**

## **Verified Statement of Brian Stepp**



**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

---

**STB Finance Docket No. 36500**

---

**CANADIAN PACIFIC RAILWAY LIMITED; CANADIAN PACIFIC RAILWAY COMPANY; SOO LINE RAILROAD COMPANY; CENTRAL MAINE & QUEBEC RAILWAY US INC.; DAKOTA, MINNESOTA & EASTERN RAILROAD CORPORATION; AND DELAWARE & HUDSON RAILWAY COMPANY, INC. – CONTROL – KANSAS CITY SOUTHERN, THE KANSAS CITY SOUTHERN RAILWAY COMPANY, GATEWAY EASTERN RAILWAY COMPANY, AND THE TEXAS MEXICAN RAILWAY COMPANY**

---

**VERIFIED STATEMENT OF BRIAN STEPP**

---

1. I am Brian Thomas Stepp. I am the Senior Director of the Grant Management & Accounting Division and have been employed by Metra for 10 years.
2. In my current role my responsibilities include overseeing and directing administration and implementation of grant funds received by Metra. This includes oversight of functions responsible for preparation of schedules of grant expenditures, grantor receivables, and grantor equity.
3. Before taking this position, I worked in other positions in the Grant Management & Accounting Division since 2012, and worked in other positions related to receipt of grant funds at prior employers.
4. I am familiar with principles and practices of grant management, grant recordkeeping, and grant expenditure reporting.
5. In preparation for Metra’s comments in these proceedings I reviewed Metra’s data regarding financial contributions by Metra and the Canadian Pacific Railway (“CP”) to capital improvements on the Milwaukee District-North and Milwaukee District-West (collectively, the “Milwaukee District Lines”) from 2012-2021. Specifically, I looked at amounts based on actual billing data related to contributions for improvements towards

both maintaining and, in some cases, increasing capacity on these lines. My office keeps this data in the regular course of its business.

6. **Table 1** below reflects the results of this review. It shows total annual contributions by Metra and CP for the Milwaukee District Lines. CP's contributions, which are only for shared-use assets, are also subdivided into "grantor" contributions, which reflect contributions for which CP entered into a project agreement with Metra committing a certain level of funding, as well as "railshare" contributions, for which CP and Metra enter into an annual letter agreement providing general estimates of costs for which CP will reimburse Metra.

**Table 1**

Year	Metra Contributions (commuter-specific assets)	Metra Contributions (shared-use assets)	CP contributions (grantor)	CP contributions (railshares)	Total CP contribution (grantor plus railshares)
2012	1,042,398.36	11,127,766.15		2,597,820.78	2,597,820.78
2013	657,749.61	9,099,896.12		2,309,275.14	2,309,275.14
2014	(55,420.42)	11,937,748.38		3,750,747.77	3,750,747.77
2015	488,278.27	15,067,690.08		4,613,687.37	4,613,687.37
2016	862,505.71	18,892,593.45	372,106.08	2,955,471.43	3,327,577.51
2017	5,726,391.74	16,061,302.83	3,689,112.14	2,459,463.57	6,148,575.72
2018	5,693,679.97	29,743,798.53	2,069,330.20	2,004,454.07	4,073,784.27
2019	5,550,213.35	34,927,367.37	3,708,900.76	3,996,980.60	7,705,881.36
2020	1,839,834.63	24,497,478.65	6,735,256.18	3,648,655.03	10,383,911.21
2021	2,739,544.52	14,720,111.23	2,475,734.02	2,605,274.51	5,081,008.53
<b>Grand Total</b>	<b>24,545,175.74</b>	<b>186,075,752.77</b>	<b>19,050,439.38</b>	<b>30,941,830.27</b>	<b>49,992,269.65</b>
<b>Average annual investment</b>	<b>2,454,517.57</b>	<b>18,607,575.28</b>		<b>3,094,183.03</b>	<b>4,999,226.97</b>

7. As is reflected in the totals from 2012 and 2021 and average annual investments, over the past 10 years CP has paid in total and on average around 21% of total shared-use capital improvement costs for the Milwaukee District Lines.

I, Brian Thomas Stepp, declare under penalty of perjury that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this Verified Statement.

Executed on February 24, 2022.



---

Brian Thomas Stepp  
Senior Director, Grant Management & Accounting

# **EXHIBIT H**

## **Discovery Requests and Responses**



# **EXHIBIT H-1**

## **Metra's First Set of Interrogatories**

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

**STB Finance Docket No. 36500**

---

**CANADIAN PACIFIC RAILWAY LIMITED; CANADIAN PACIFIC RAILWAY COMPANY; SOO LINE RAILROAD COMPANY; CENTRAL MAINE & QUEBEC RAILWAY US INC.; DAKOTA, MINNESOTA & EASTERN RAILROAD CORPORATION; AND DELAWARE & HUDSON RAILWAY COMPANY, INC. – CONTROL – KANSASCITY SOUTHERN, THE KANSAS CITY SOUTHERN RAILWAY COMPANY, GATEWAY EASTERN RAILWAY COMPANY, AND THE TEXAS MEXICAN RAILWAY COMPANY**

---

**FIRST SET OF INTERROGATORIES BY COMMUTER RAIL DIVISION OF THE REGIONAL TRANSPORTATION AUTHORITY D/B/A METRA TO APPLICANTS CANADIAN PACIFIC RAILWAY LIMITED, *ET AL.***

---

Pursuant to the Surface Transportation Board’s (“STB”) rules governing discovery, 49 C.F.R. Part 1114, and in accordance with the definitions and instructions set forth herein, the Commuter Rail Division of the Regional Transportation Authority d/b/a Metra (“Metra”), by its undersigned counsel, propounds the following First Set of Interrogatories for you the Applicants, as that term is defined below, to answer. Pursuant to 49 C.F.R. § 1114.26(a), Metra requests that the responses to this First Set of Interrogatories be produced within 15 days after the date of service hereof to undersigned counsel for Metra.

**DEFINITIONS**

As used herein, the terms listed below have the following meanings ascribed to them:

1. “All” or “any” shall mean “any and all” and shall be inclusive.
2. “Applicants” means CP and KCS.

3. “Application” means the application submitted by Applicants in these proceedings as CP-25/KCS-13.
4. “Chicago Metropolitan Area” means the Chicago-Naperville-Elgin Metropolitan Statistical Area as delineated by the United States Census Bureau.
5. “CP” means the Canadian Pacific Railway Limited, Canadian Pacific Railway Company, and their U.S. rail carrier subsidiaries Soo Line Railroad Company, Central Maine & Quebec Railway U.S. Inc., Dakota, Minnesota & Eastern Railroad Corporation, and Delaware and Hudson Railway Company, Inc., as applicable.
6. “CP-Metra Trackage Rights Agreement” means the trackage rights agreement as between CP and Metra governing their joint use of railroad lines within the Chicago Metropolitan Area, as amended and in effect at the time of receipt of this First Set of Interrogatories.
7. “Document(s)” means all written, electronic, or printed matter of any kind, including the originals and all nonidentical copies, whether different from the originals by reason of any notation made on such copies or otherwise, including, without limitation, correspondence, memoranda, emails, text messages, notes, diaries, statistics, letters, telegraphs, minutes, agenda, contracts, reports, studies, checks, statements, receipts, returns, summaries, transcripts, pamphlets, books, prospectuses, inter-office and intra-office communications, offers, notations of any type of conversation (including, without limitation, telephone conversations or meetings), bulletins, computer printouts, teletypes, data compilations, statistical analyses, telefaxes, invoices, work sheets, graphic or manual records or representations of any kind (including, without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, records and motion pictures), and electronic, mechanical or electric records or representations of any kind (including, without

limitation, tapes, cassettes, discs, records and computerized data stored in any manner), and all drafts, alterations, modifications, changes and amendments of any of the foregoing.

8. “KCS” means Kansas City Southern and its U.S. rail carrier subsidiaries The Kansas City Southern Railway Company, Gateway Eastern Railway Company, and the Texas Mexican Railway Company, as applicable.

9. “Metra” means the Commuter Rail Division of the Regional Transportation Authority, and its present and former parents, subsidiaries, and affiliates, predecessors and successors, and present and former officers, directors, employees, partners, agents, representatives and other persons acting or purporting to act on its behalf.

10. “Non-peak periods” mean the times during which “peak period trains” do not operate as defined in the CP-Metra Trackage Rights Agreement.

11. “Peak periods” means the times during which “peak period trains” operate as defined in the CP-Metra Trackage Rights Agreement.

12. “Person” means the plural as well as the singular, and shall include, without limitation, any individual, firm, corporation, joint venture, company, association, partnership, business, public agency, department, bureau, board or any other form of public, private or legal entity.

13. “Related” means referring, relating, reflecting, containing, pertaining, indicating, showing, evidencing, describing, discussing, mentioning, computing, constituting, defining, embodying, stating, explaining, providing any information on, detailing, discussing or in any way dealing with.

14. “Transaction” means the transactions proposed in the Application that are subject to the Surface Transportation Board’s approval.



15. “Twin City Metropolitan Area” means Minneapolis-St. Paul-Bloomington, MN-WI Metropolitan Statistical Area as delineated by the United States Census Bureau

16. “You” and “your” means the Applicants and their present and former parents, subsidiaries, and affiliates, predecessors and successors, and present and former officers, directors, employees, partners, agents, representatives and other persons acting or purporting to act on its behalf.

17. All railroad-related terms shall be interpreted to retain their standard rail industry meaning.

**INSTRUCTIONS**

1. Unless otherwise specified, these Interrogatories are limited to the time period from January 1, 2011 to and including the date of service of these Interrogatories.

2. If any Interrogatory herein cannot be responded to or complied with in full, it shall be responded to or complied with to the extent possible with an explanation as to why full compliance is not possible.

3. Each paragraph and subparagraph of an Interrogatory shall be construed independently, and no other paragraph or subparagraph shall be referred to or relied on for the purpose of limiting its scope.

4. In answering these Interrogatories, you are required to furnish under oath all information in your possession, custody or control, even if the information is in the possession of third parties. If you or any third party objects to this instruction or answers of such third parties identified in this paragraph are not produced in response to these Interrogatories, the failure or refusal to produce such answers should be stated and declared clearly in the response to these Interrogatories so that separate subpoenas can be issued as necessary.

5. If in answering these Interrogatories, you claim any ambiguity in interpreting the Interrogatory, or a definition or instruction applicable thereto, such claim shall not be a basis for refusing to respond, but there shall be set forth as part of the response the language deemed to be ambiguous and the interpretation chosen or used in responding to the Interrogatory.

6. Estimates or approximations should be given when precise data cannot be supplied. Any estimates or approximations should be designated as such and a statement made as to why precise data cannot be supplied.

7. The source, sources, or derivation of each answer to the Interrogatories should be separately set forth and identified, unless the person signing the answers to these Interrogatories under oath knows of his own personal and direct knowledge of the facts or information forming the basis of all answers given. If a particular source is an individual, that individual's full name, phone number, address, and job title should be provided. In addition, each person who is an employee, officer, director, agent, contractor or consultant for one or more of the Applicants and who has knowledge of the matter addressed in an answer to each Interrogatory, if that person is not already identified in response to the first sentence of this Instruction, should be identified.

8. These Interrogatories are continuing in nature. Any information obtained subsequent to the service of answers to these Interrogatories that would have been included in the answers had the information had been known shall promptly be supplied by supplemental answers whenever you find, locate, acquire or become aware of such information. Supplemental answers are to be served as soon as reasonably possible after receipt of such information.

9. If a claim of privilege (including, but not limited to, the work-product privilege) is asserted in objecting to any means of discovery or disclosure, you shall comply with the

requirements of 49 C.F.R. Part 1114, and identify with respect to the information: (i) the general nature of the information withheld; and (ii) the specific privilege claimed.

### **INTERROGATORIES**

1. a. List each time that CP denied Metra's request to operate commuter trains for reverse commute (from downtown Chicago) on the C&M Subdivision (Metra's Milwaukee District-North Line) during non-peak periods, including but not limited to the CP's position discussed in the correspondence in Attachment A. For each instance, describe the basis upon which CP relied in denying the request.

b. For each such denial described in Interrogatory 1.a. above, explain whether and how CP's response to a similar request made immediately following consummation of the Transaction described in the Application is expected to change if Metra were to make the same requests again.

c. Identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

#### **Response:**

2. a. List each instance in which CP has used mainline track on the Elgin Subdivision (Metra's Milwaukee District-West Line) over which Metra operates trains for conducting crew changes, power swaps, train consist additions or reductions, picking up and setting out locomotives and/or freight cars, or any other activities that would cause freight trains to stop for extended periods of time on such tracks, as opposed to operating through without stopping, and for each such instance, explain the basis upon which CP decided to use these tracks rather than other locations to make crew changes (including but not limited to the Belt Railway Company of

Chicago trackage at Cragin Junction, Galewood Yard, Bensenville Yard or the inbound/outbound trackage toward the junction labelled A20 from the junction labelled B17).

b. Explain the basis upon which CP will make decisions following consummation of the Transactions described in the Application about the location for crew changes, picking up or setting out of locomotives and/or freight cars, or other anticipated situations that would cause freight trains to stop on Metra owned main tracks.

c. Identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response:**

3. Explain the basis for CP's denial of Metra's proposed reinstatement in 2019 of commuter service on CP's C&M Subdivision (Metra's Milwaukee District-North Line) that was terminated in 2018 and explain the response CP would expect to give to Metra's request for such reinstatement following implementation of the Transaction described in the Application.

Identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response:**

4. a. Explain how CP interprets the language in the CP-Metra Trackage Rights Agreement stating that "CP shall not interfere or permit any third party to interfere with peak period trains", and explain the measures that CP takes to ensure that such interference does not occur as well as the consequences when CP's operating decisions cause freight traffic to delay Metra peak period trains. For the purposes of this Interrogatory, the word "measures" includes,



but is not limited to, decisions concerning the scheduling, frequency, length, and operation of trains, and the relationship between these decisions and the scheduled operation of Metra trains.

b. Explain whether and how CP's response in 4.a. above is expected to change immediately following consummation of the Transaction described in the Application.

c. Identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response:**

5. a. Explain how CP determined the scope of CP's non-peak period capacity requirements in denying Metra's proposal to add Metra trains discussed in the correspondence attached as Attachment A, and how CP measured CP's non-peak period capacity requirements in relationship to Metra's non-peak period capacity requirements.

b. Explain whether and how CP's response in 5.a. above would be expected to change if Metra made the same request immediately following consummation of the Transaction described in the Application.

c. Identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response:**

6. Explain the basis for CP's statement in the Operating Plan contained in the Application submitted in these proceedings (CP-25/KCS-13, Vol. 2, page 322, non-confidential version) that "[t]he Transaction is not expected to generate additional freight traffic on this segment, and as a result there will be no impact on Metra operations" on the C&M Subdivision, and how this

statement relates to CP's previous representations to Metra on anticipated increased growth in traffic on this line in the letters addressed at Attachment A, and identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response:**

7. Explain whether CP expects that additional freight traffic generated by the Transaction will not be generated on the C&M Subdivision because new traffic between the Twin City Metropolitan Area and Kansas City will operate exclusively via the CP Marquette Subdivision, thereby bypassing the Chicago Metropolitan Area. If so, explain why capacity limitations on CP's Marquette Subdivision would not result in freight traffic operating instead via the C&M Subdivision and Elgin Subdivision. Identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response:**

8. Identify, describe, and explain the basis for CP's statement in the Operating Plan contained in the Application submitted in these proceedings (CP-25/KCS-13, Vo1. 2, page 322, non-confidential version) that "there is ample capacity" for the anticipated additional 7.1 trains per day and that "Metra service will not be adversely affected" on the Elgin Subdivision, and identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response:**

9. Explain how CP expects the existing infrastructure on CP's Elgin Subdivision, including the two-main-track segment between Bensenville Yard (milepost 15.5) and Randall Road (milepost 40.3) with no passing sidings and limited control points, will not adversely affect Metra's passenger commuter rail service in light of the anticipated additional 7.1 trains per day caused by the Transaction, and identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response:**

10. Explain how, in light of CP's projection of an additional 7.1 trains on CP's Elgin Subdivision due to the Transaction, the reduction from two tracks to a single track at Pingree Grove (milepost 42.0) on CP's Elgin Subdivision will not cause lengthy westward trains that are waiting for opposing eastward trains to clear the single track, thereby potentially blocking access for Metra's trains to the Big Timber Road passenger station. Identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response:**

11. Explain the basis for whether and how the Transaction will result in changes to CP's operational practices on the C&M Subdivision and Elgin Subdivision and whether such changes will reduce the frequency of delays that Metra trains currently experience due to CP train

movements, and identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response:**

12. Explain what measures CP will take after the Transaction to ensure that inbound freight traffic that utilizes the Union Pacific Milwaukee Subdivision between Shermer (Tower A20) and Bryn Mawr (Tower B17) will be accepted by Union Pacific dispatchers immediately upon such train's arrival at Shermer, rather than being stopped and causing the C&M Subdivision to be blocked at Tower A20. Identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response:**

13. Explain what measures CP is taking to prevent the practice of CP's dispatchers routing Metra trains on tracks that result in passengers at scheduled station stops being unable to board at Metra's normal operating tracks, and explain whether and how this practice is expected to change immediately following consummation of the Transaction described in the Application. Identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response:**

14. Explain whether and how the Transaction itself will limit expansion of Metra's passenger commuter rail service in the Chicago Metropolitan Area, including but not limited to all Metra-



owned routes or lines on which CP has trackage rights, and identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response:**

15. Explain the basis for CP's refusal to agree to have Rail Traffic Controller (RTC) modeling conducted in 2019 (as discussed in the correspondence attached as Attachment A) on lines jointly operated by CP and Metra and explain the basis upon which CP will make decisions whether to permit such modeling following implementation of the Transaction described in the Application, and identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response:**

16. Explain the basis for CP's inability in November 2021 to ensure that all CP train dispatchers and towers ensure verbal and positive train control electronic delivery of all mandatory directives and bulletins prior to trains entering the block for which the mandatory directive or bulletin exists by January 1, 2022, as required under federal law. Explain how, following implementation of the Transaction described in the Application, CP will ensure compliance with this requirement, and identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response:**

17. Explain why subsequent to implementation of the Transaction the overall efficiency and safety of operations are best served by having CP, rather than Metra, dispatch trains over line segments owned and maintained by Metra, and identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

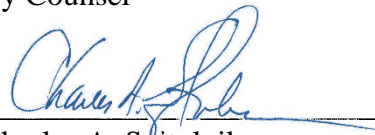
**Response:**

18. If CP objects to Metra's assumption of dispatching for lines or line segments owned and maintained by Metra, explain the basis for such objection, and identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response:**

Respectfully Submitted,

COMMUTER RAIL DIVISION OF THE  
REGIONAL TRANSPORTATION  
AUTHORITY D/B/A/ METRA  
By Counsel

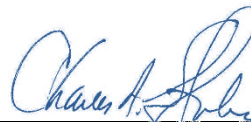


Charles A. Spitulnik  
Christian L. Alexander  
Kaplan Kirsch & Rockwell, LLP  
1634 I (Eye) Street, NW, Suite 300  
Washington, DC 20006  
(202) 955-5600  
[cspitulnik@kaplankirsch.com](mailto:cspitulnik@kaplankirsch.com)  
[calexander@kaplankirsch.com](mailto:calexander@kaplankirsch.com)

Date: December 10, 2021

**CERTIFICATE OF SERVICE**

I hereby certify that on the 10th day of December 2021, I caused the foregoing First Set of Interrogatories by Metra to be served on the following parties and upon all parties of record in this proceeding.



---

Charles A. Spitulnik

**ATTACHMENT A**

**2019 Correspondence Between Metra and CP Regarding  
Additional Reverse Commute Trains**





547 W. Jackson Blvd. Chicago, IL 60661 (312) 322-6900 TTY# 1-312-322-6774

## Memorandum

February 4, 2019

TO: Distribution

FROM: R. P. Oppenheim, Assistant Superintendent

SUBJECT: **Addition of Proposed Off-Peak Metra Trains for Lake County Partners Pilot Program**

This has reference to Metra's proposal to add 4 additional trains to the current Metra Milwaukee North Schedule. 2 of the 4 trains operate in the Metra "Peak Period" and 2, 2191 and 2193, operate outside the Peak Period. The addition of non-peak period trains to the existing schedule is addressed in Section 8.16 of the Metra-CP Operating Agreement:

*"Metra may not change the schedule on Attachment 6 without CP's prior written consent, which may not be unreasonably withheld; providing that such change shall not materially interfere with freight operations."*

Metra contends that neither the proposed schedule of Train 2191 nor the proposed schedule of Train 2193 will materially interfere with freight operations. Under current operations, existing windows between scheduled Metra and Amtrak trains in which freight trains may operate without delaying scheduled trains are well defined. As shown below, the addition of neither 2191 nor 2193 will materially change any of the existing freight windows:

### **2191:**

Proposed schedule has 2191 departing CUS 0535, by Tower A5 0547, by Tower A20 0610 arriving Rondout 0627. Currently freight windows for that time of the morning are structured around the schedule of Amtrak 329 who leaves CUS at 0610, passes Tower A5 at 0619, Tower A20 0637 and Rondout 0648. Westward freight traffic operating via Tower A5 typically must clear Tower A5 by 0535 in order to stay ahead of Amtrak 329. If this window is missed, Westward freight still has time to leave A5 behind Amtrak 329 during the 25 minute gap between Amtrak 329 and Metra 2101. With 2191 due Tower A5 0547 and making local stops through Edgebrook, a Westward freight could still operate out of Tower A5 prior to 0535 and stay ahead of 2191 to Rondout. If this window were missed, the existing window between Amtrak 329 and Metra 2101 would remain unchanged and available for Westward freight use.

Similarly, between Tower A20 and Rondout, early morning windows would still be available ahead of Amtrak 329 as they are now, either ahead of or behind 2191. The larger window between Amtrak 329 and Metra 2101 (from 0637 to 0710) would not change in any way.

**2193:**

2193 was purposely scheduled to depart Chicago at 1520, 5 minutes behind Amtrak 337. Westward freight traffic that shows up at Tower A5 at this time of the afternoon is handled in one of two ways:

1. If freight is at A5 in time to follow Metra 2121 at 1447 and early enough to clear inbound Metra 2138 at 1510 it operates out of A5 directly behind 2121. In this window, freight typically stays ahead of Amtrak 337 past Rondout.
2. If freight cannot clear inbound 2138 at Tower A5, the normal move is to bring the Westward freight out of Tower A5 on #2 Main Track to Mayfair. At Mayfair, freight then normally is held for Amtrak 337 to pass at 1528 and UP 623 at 1540. Freight then crosses to #1 Main Track and continues on to Rondout behind 337. With 2193 scheduled out of Chicago at 1520 and due Mayfair at 1539, the same window would still be available at Mayfair behind 2193 and UP 623.

For Tower A20 to Rondout, current existing windows at this time of day are:

- Following Amtrak 337. Sufficient time would still be there to move a Westward freight out of Tower A20 behind Amtrak 337 and ahead of 2193 without delaying 2193 who makes stops at Morton Grove, Glenview, and North Glenview, or there would still be opportunity to move freight behind 2193 and ahead of 2123.
- There are still two more current windows for moving Westward freight out of Tower A20 which would not in any way be affected by 2193's schedule: Behind 2144 and ahead of 2127 at 1640, and behind 2129 and ahead of 2131 at 1710.

In summary, the addition of proposed trains 2191 and 2193 to the current Metra Milwaukee North Line schedule would not significantly reduce any of the existing freight windows, and would therefore not interfere materially with CP freight operations.

Distribution: B. Marcheschi, J. Milano, J. Bauer, R. Bear



547 W. Jackson Blvd. Chicago, Illinois 60661 Telephone: 312-322-6777

March 5, 2019

Robert A. Johnson  
Executive Vice President – Operations  
Canadian Pacific  
Bldg 1, 7550 Ogden Dale Road  
Calgary, AB T2C 4X9

Re: Proposed Changes to the CP/Metra Trackage Agreement

Dear Mr. Johnson:

As recently discussed, Metra desires to pursue a pilot program of new reverse commuting operations between Chicago and Lake Forest, Illinois. This new commuter operation is an experimental solution to a problem of providing an alternate method of transportation to those people residing in the City of Chicago, but with job opportunities in the northern suburbs. These suburbs, Lake County, Pace Bus and others feel strongly enough about this issue to step forward and work together to show others a method to tackle regional issues through a coordinated team effort.

Lake County and Metra have partnered in this pilot program and we feel this new Metra service is one solution to a prevailing issue in the congested Chicago region.

Metra also understands that CP has its own operational capacity issues in the Chicago region. In an effort to reach resolution with CP, Metra is now proposing a change to the Metra Peak Periods as shown and defined on the attached replacement page 14 from the May 27, 1993, Supplemental Agreement between our organizations. Metra feels this revision allows Metra to add new service to its Peak Periods and in turn offers CP new windows for its train operation.

Metra remains ready to meet with you personally, hopefully in the next 30 days, to discuss this solution and others to help both parties address their current operational needs and the infrastructure needs for the future.

Please signify your acceptance and receipt of this proposed change by signing both original counterparts of this letter and returning one to my office.

Sincerely,

James M. Derwinski  
CEO/Executive Director

Acknowledged and Accepted by CP:

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

CUS to B-12 & Big Timber Road - - westbound

5:15 a.m. - 8:30 a.m.

4:00 p.m. - 6:15 p.m.

Rondout to CUS - - southbound

6:00 a.m. - 7:50 a.m.

4:20 p.m. - 6:00 p.m.

CUS to A-20 - - northbound

~~6:25 a.m. - 8:45 a.m.~~ 5:35 a.m. - 7:55 a.m.

~~4:15 p.m. - 6:10 p.m.~~ 3:20 p.m. - 5:15 p.m.

A-20 to Rondout - - northbound

~~7:00 a.m. - 8:15 a.m.~~ 6:05 a.m. - 7:20 a.m.

~~4:30 p.m. - 6:20 p.m.~~ 3:55 p.m. - 5:45 p.m.

Fox Lake to Rondout - - southbound

5:00 a.m. - 8:30 a.m.

Rondout to Fox Lake - - northbound

4:30 p.m. - 6:45 p.m.

Except as required by an emergency, CP shall not interfere or permit any third party to interfere with peak period trains. CP shall not object to Metra's operations of peak period trains on the grounds that those operations unreasonably interfere with CP's or third parties' ability to provide efficient freight or intercity





Robert A. Johnson  
Executive Vice-President  
Operations

7550 Ogden Dale Road SE  
Calgary Alberta  
Canada T2C 4X9

T 403 319 3600  
C 612 760 1533  
E Robert\_Johnson@cpr.ca

March 12, 2019

Mr. James M. Derwinski  
CEO/Executive Director  
Metra  
547 W. Jackson Boulevard  
Chicago, IL 60661

Re: Metra's Proposed Changes to CP/Metra Trackage Rights Agreement

Dear Mr. Derwinski:

I am writing regarding Metra's request to amend the May 27, 1993 Supplemental Trackage Rights Agreement (the existing Agreement) per your letter of March 5, 2019 and the proposed timetable changes we received from Rich Oppenheim on March 8, 2019 implementing same by adding additional trains in each direction in the Rondout/Chicago Union Station corridor.

First, let me say we understand Metra's desire to explore the addition of reverse commute operations between downtown Chicago and Lake Forest. We live and work in the metropolitan area too and appreciate the transportation challenge that poses. We also appreciate and understand our obligation to serve our current and future customers, and our commitment to keeping the Chicago Rail Terminal fluid.

Given the accommodations and changes we have made to Metra already—which impact our capacity and ability to serve our customers—we are not in a position to accept Metra's proposed changes and cannot agree to them. Allow me to explain.

Under our existing Agreement, CP is limited to non-Peak periods to handle and move its traffic over the CP/Metra Joint Lines in the Chicago Terminal, and even then must share the capacity with Metra giving commuter trains priority. Peak periods are reserved exclusively for commuter trains to the exclusion of all others. The proposed changes would add three Non-Peak trains in the Rondout/Chicago Union Station corridor, a corridor vital to connecting our customer's traffic to Chicago and the national network.

Section 8.16 of the existing Agreement allows for the possibility, subject to CP's consent, of adding two Non-Peak period trains in each direction between Fox Lake and Chicago Union Station (the Rondout/Chicago Union Station corridor). We have done that already. In 1997, CP agreed to add six new reverse commute weekday trains (three in each direction, one Peak and two Non-Peak) as well as two additional Saturday trains and four additional Sunday trains in this corridor.

Since 1997, we have agreed to add other Non-Peak trains on multiple occasions: in 2002 six additional Non-Peak trains on the West Line (equally vital to CP as the north/south Rondout line), in 2006 four additional Peak trains on the West Line, and in 2008 four additional Non-Peak Saturday trains and two Non-Peak Sunday trains in the Rondout/Union Station corridor. Taken as a whole, these

James M. Derwinski  
March 12, 2019  
Page 2

accommodations have negatively impacted our operating capacity, all the more so currently when rail traffic is increasing and expected to continue to increase.

We believe it is now time for Metra to add capacity to meet this and future service expansions—additional capacity from Union Station north to Rondout, and west from Tower A-5 to Tower B-17 and points beyond. This solution would serve Metra's and the metropolitan area's transportation needs, while serving the needs of the national rail network and economy as well.

We certainly intend to continue to abide by the Peak period provisions of the existing Agreement. If Metra can make its proposed changes work within the existing Peak Period windows that may also be an option.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert A. Johnson". The signature is written in a cursive style with a large, prominent initial "R".

Robert A. Johnson,  
Executive Vice President, Operations

cc: Tony Marquis



547 W. Jackson Blvd. Chicago, IL 60661 (312) 322-6900 TTY# 1-312-322-6774

*Office of the CEO/Executive Director*

March 26, 2019

Mr. Robert A. Johnson  
Executive Vice President, Operations  
Canadian Pacific Railroad  
7550 Ogden Dale Road SE  
Calgary Alberta  
Canada T2C 4X9

***Re: Metra Request to Add Reverse Commuter Trains on Milwaukee North Line***

Dear Mr. Johnson:

Thank you for your letter of March 12, 2019, indicating that CP is not in a position to consent to amending Metra's commuter schedule to add two additional reverse commuter trains on the Milwaukee North Line during non-peak hours. While CP has consented to four new trains within the peak period, Metra would like to request CP reconsider Metra's request to shift two of those new trains to the non-peak period.

Since Metra acquired the Joint Lines in 1987, subject to CP's trackage rights, the train schedule has been adjusted many times to accommodate the ebbs and flows of freight and commuter traffic. CP has in the past consented to adding commuter trains, as set out in your letter, but please recall that Metra also made capital improvements at CP's request so that CP's traffic would not be impacted.

More recently, in February, 2018, Metra eliminated two daily weekday peak period North Central Service trains on the Milwaukee West Line and six weekend Milwaukee North non-peak trains. Please note that several times a week CP does run a train during Metra's peak period, so eliminating peak period trains does provide operational benefit to CP. Even more recently, on March 16, 2019, CP began running an additional ten daily freight trains on both Milwaukee North and West lines due to Midwest bridge outages. The point is that traffic evolves with short and long term freight and commuter needs, and those traffic changes have benefited each railroad.

We would like to emphasize that the proposed new trains are part of Metra's response to recent demand from the local businesses and communities for reverse commuter service. These new trains serve employees from major local employers such as AbbVie, Verizon, Tenneco and Grainger. The initial feed back we have received from our local partners on the peak period trains that have been introduced has been very positive. To support the new service, Metra has a public private-partnership agreement in place which, after a two-year pilot period, will provide for 100% of the funding for new universal crossovers just north of the Lake Forest station. This infrastructure improvement will benefit CP, Amtrak and Metra.

The funding of operating and capital investment in partnership with Metra to the benefit of CP and Amtrak by the business community, County of Lake, City of Lake Forest and Village of Deerfield is testimony to just how important this service is to the citizens of Northeast Illinois. There has been



positive local and national press coverage of this service. Further, this service has come to the attention of local, state and federal elected officials who have expressed a positive view of this service.

Metra is very conscious of the impact of additional commuter trains on CP's traffic and does not make this request without having given the matter much thought. Please reference a Metra internal analysis of the impact of the new service on CP's traffic dated February 4, 2019, previously delivered to CP and attached for your convenience. It is a detailed discussion of Metra's understanding of the impact of the new reverse commute trains on CP traffic. The analysis is buttressed by CP's addition of ten daily freight trains without impacting Metra's schedule.

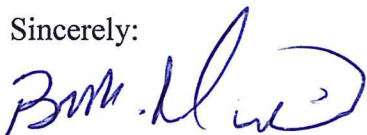
Given the importance of the new service to our local community partners and elected officials, if CP elects to not consent, Metra would appreciate, in return, an analysis in the same degree of detail so that all parties can understand how the mere adding of two trains has resulted in CP's decision. If CP does not consent, Metra is in an awkward position with our local partners and elected officials if we have no explanation beyond a blanket CP refusal.

Metra would like to propose a way forward. First, we would ask that CP agree to permit the additional trains on a pilot basis for one year, effective immediately. At the end of that year, we can assess the true demand and the actual traffic impacts. Again, given that CP has scheduled ten temporary daily additional freight trains without impacting Metra's schedule, there appears to be ample excess capacity on both the Milwaukee North and West lines.

Second, during the pilot period Metra, at Metra's expense, will arrange to have RTC modeling performed on the Milwaukee North and West lines. The modeling will allow us to have future fact based capacity discussions based on minutes of delay per 100 train miles and would be the basis for future capacity and capital improvement discussions. Metra would only ask that CP provide the appropriate train scheduling, movement data and growth assumptions to input into the model. Since CP dispatches the line, this information is not otherwise available to Metra.

Thank you in advance for CP's reconsideration of Metra's requests.

Sincerely:



James M. Derwinski  
CEO/Executive Director





Robert A Johnson  
Executive Vice-President  
Operations

7550 Ogden Dale Road SE  
Calgary Alberta  
Canada T2C 4X9

T 403 319 3600  
C 612 760 1533  
E Robert\_Johnson@cpr.ca

April 2, 2019

Mr. James M. Derwinski  
CEO/Executive Director  
Metra  
547 W. Jackson Boulevard  
Chicago, IL 60661

Re: Metra's Proposed Changes to CP/Metra Trackage Rights Agreement to Add  
Reverse Commuter Trains

Dear Mr. Derwinski:

I am writing with reference to your letter of March 26.

We understand Metra's desire to add additional reverse commuter trains and have offered a way to realize that goal. Under our existing Agreement, which has worked well for decades, Metra enjoys exclusive use of the Joint Lines during the Peak Periods. We have no objection to Metra slotting the additional reverse commuter trains in the Peak Period windows. If that proves difficult, we have indicated a willingness to move the times of the Peak Periods to accommodate the additional trains, but not at the expense of slipping Peak trains into the Non-Peak periods.

The issue is capacity. We have to protect our Non-Peak capacity because CP is limited to the Non-Peak periods to handle and move its traffic, and even then must share Non-Peak capacity with Metra giving commuter trains priority. Protection of capacity is vital. Without it we cannot serve our customers today or in the future. It's important to note too that our business is not static. By all accounts freight rail traffic is growing and will continue to grow especially in the Chicago Terminal, the heart of the national network. Yes, we were able to add ten additional trains recently due to flood related washouts throughout the Midwest. That goes to the point capacity is not an issue confined to today's business and tomorrow's growth. Surge capacity is also necessary to deal with weather related and other challenges we cannot predict or control, but which occur.

We appreciate that the Amtrak Hiawatha project may bring universal crossovers to Lake Forest. This improvement, however, will not address the issues presented by an erosion of CP's Non-Peak capacity. We also appreciate Metra's suggestion regarding modeling of delay minutes per 100 train miles. Modeling is a snapshot in time typically based on past history. It does not capture the dynamics of the business, unpredictable challenges, or the judgment necessary to evaluate capacity. CP is committed to honoring its obligations under the existing Agreement, and has offered Metra a path forward under that Agreement. We also suggest that Metra consider seeking the capital necessary to add additional capacity. This solution would serve Metra's and the metropolitan area's transportation needs, while assisting the needs of the national rail network and economy as well.

James M. Derwinski  
April 2, 2019  
Page 2

We do not intend to engage in a letter writing battle. This is our position in the matter. It is not subject to negotiation or change outside the path forward we have outlined.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert A. Johnson". The signature is written in a cursive style with a large, looped initial "R".

Robert A. Johnson,  
Executive Vice President, Operations

cc: Tony Marquis

## **EXHIBIT H-2**

### **Applicants' Joint Response to Metra's First Interrogatories**

BEFORE THE  
SURFACE TRANSPORTATION BOARD

---

Finance Docket No. 36500

CANADIAN PACIFIC RAILWAY LIMITED, *ET AL.*  
– CONTROL –  
KANSAS CITY SOUTHERN, *ET AL.*

---

**KANSAS CITY SOUTHERN AND CANADIAN PACIFIC’S JOINT RESPONSES AND OBJECTIONS  
TO METRA’S FIRST SET OF INTERROGATORIES**

Pursuant to 49 C.F.R. Part 1114, Subpart B, Canadian Pacific Railway Limited, Canadian Pacific Railway Company, Soo Line Railroad Company, Central Maine & Quebec Railway US Inc., Dakota, Minnesota & Eastern Railroad Corporation, and Delaware and Hudson Railway Company, Inc. (collectively, “Canadian Pacific” or “CP”) and Kansas City Southern, The Kansas City Southern Railway Company, Gateway Eastern Railway Company, and The Texas Mexican Railway Company (collectively, “KCS”; together with CP, the “Applicants”) hereby respond and object as follows to the First Set of Interrogatories to Applicants served by the Commuter Rail Division of the Regional Transportation Authority d/b/a Metra (“Metra”) served on December 10, 2021 (“Metra Interrogatories”) in connection with the above-captioned proceeding.

**GENERAL OBJECTIONS**

The following General Objections apply to each of the Metra Interrogatories and shall have the same force and effect as if set forth in full in response to each individually numbered Metra Interrogatory.



1. Applicants object to the Metra Interrogatories and to each Definition, Instruction and Interrogatory contained therein to the extent they purport to impose upon the Applicants burdens or duties that are greater than, or otherwise conflict with, the requirements or the permissible scope of discovery under 49 C.F.R. Part 1114, Subpart B, or under other Surface Transportation Board (the “Board”) rules or precedents.

2. Applicants object to the Metra Interrogatories and to each Definition, Instruction and Interrogatory contained therein to the extent they purport to seek information that is not relevant to the issues raised in the above-captioned proceeding.

3. Applicants object to the Metra Interrogatories and to each Definition, Instruction and Interrogatory contained therein to the extent that they seek information protected from discovery by the attorney-client privilege, attorney work product doctrine, common interest, or any other applicable privilege, protection, immunity, doctrine, statute, regulation, agreement, or protective order. Any disclosure of such information is inadvertent and should not be construed as a waiver. Applicants reserve all rights under applicable law to demand and/or require the return of all copies thereof and non-use by Metra, or by any other person or entity in this or any other proceeding.

4. Applicants object to the Metra Interrogatories and to each Definition, Instruction and Interrogatory contained therein to the extent that they seek information relating to possible settlement or mediation of this or any other proceeding.

5. Applicants object to the Metra Interrogatories and to each Definition, Instruction and Interrogatory contained therein to the extent they call for information that is confidential, proprietary, or commercially or competitively sensitive. Applicants will make

available information subject to the Board's Protective Order issued in this proceeding on April 2, 2021, and all responses should be treated in accordance with that Order.

6. Applicants object to the Metra Interrogatories and to each Definition, Instruction and Interrogatory contained therein to the extent that they purport to seek information not in the Applicants' possession, custody or control.

7. Applicants object to the Metra Interrogatories and to each Definition, Instruction and Interrogatory contained therein, to the extent that they are not proportional to the needs of the above-captioned proceeding and impose an undue burden on the Applicants.

8. Applicants object to the Metra Interrogatories and to each Definition, Instruction and Interrogatory contained therein to the extent they purport to seek information that is unreasonably cumulative or duplicative of information or documents already in Metra's possession, custody or control, or that are publicly available, or that are otherwise obtainable in a more convenient, less burdensome or less expensive manner than from the Applicants.

9. Applicants object to the Metra Interrogatories and to each Definition, Instruction and Interrogatory contained therein to the extent they purport to seek information that is unreasonably cumulative or duplicative of documents or information encompassed by (i) the Railroad Control Application that CP and KCS filed on October 29, 2021 in this proceeding (the "Application"), and/or by (ii) the accompanying workpapers that CP and KCS submitted to the Board in connection with their Application (the "Workpapers").

10. Applicants object to the Metra Interrogatories and to each Definition, Instruction and Interrogatory contained therein as unduly burdensome and oppressive to the extent that they purport to require the Applicants to conduct a special study or to undertake anything more than a reasonable search for responsive information. In responding to the Metra

Interrogatories, the Applicants will conduct a reasonable search of those accessible files in its possession in which information responsive to the Metra Interrogatories, as limited by the Applicants' Objections, is likely to be located.

11. Applicants object to the Metra Interrogatories and to each Definition, Instruction and Interrogatory contained therein to the extent that they are unduly burdensome in failing to allow for a reasonable time for compliance.

12. Applicants object to the Metra Interrogatories and to each Definition, Instruction and Interrogatory contained therein to the extent they purport to seek information that does not pertain to territory within the scope of Metra's operations.

13. Applicants object to the time period requested in Instruction No. 1 on the grounds that it is overly broad, unduly burdensome, seeks information that is not relevant to the issues raised in the above-captioned proceeding, and is not proportional to the needs of the above-captioned proceeding.

14. Applicants reserve the right to provide responsive information on a rolling basis.

15. Applicants reserve the right to challenge the competency, relevance, materiality, or admissibility of, or to object on any ground to, the use of information requested in the Metra Interrogatories and in any responses the Applicants may provide thereto, in any subsequent proceeding, or further proceedings in this matter. To the extent that the Applicants provide responsive information, the Applicants do not concede that such information is relevant, material, or admissible into evidence, and do not waive the Applicants' objections to any of the Metra Interrogatories.

16. Applicants' Responses and Objections are based upon information presently known to them. Applicants reserve the right to rely upon facts, documents, or other evidence that they may develop or that may subsequently come to their attention; to assert additional objections; and to supplement or amend these responses at any time as this proceeding continues.

### **RESPONSES AND OBJECTIONS TO SPECIFIC INTERROGATORIES**

#### **Interrogatory No. 1:**

a. List each time that CP denied Metra's request to operate commuter trains for reverse commute (from downtown Chicago) on the C&M Subdivision (Metra's Milwaukee District-North Line) during non-peak periods, including but not limited to the CP's position discussed in the correspondence in Attachment A. For each instance, describe the basis upon which CP relied in denying the request.

b. For each such denial described in Interrogatory 1.a. above, explain whether and how CP's response to a similar request made immediately following consummation of the Transaction described in the Application is expected to change if Metra were to make the same requests again.

c. Identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

#### **Response to Interrogatory No. 1:**

In addition to the General Objections set forth above, Applicants object to this Interrogatory on the grounds that it is vague and ambiguous, overly broad, unduly burdensome, and not proportional to the needs of this proceeding. Applicants further object to this



Interrogatory on the grounds that it appears to be based on counterfactual premises. Applicants further object to this Interrogatory to the extent that it asks Applicants to assume facts not in the record and respond to a vague, incomplete and/or counterfactual hypothetical. Applicants further object to this Interrogatory to the extent that it seeks information protected from discovery by the attorney-client privilege, attorney work product doctrine, or any other applicable privilege, protection, immunity, law, or rule.

Subject to and without waiving the General Objections and the specific objections set forth above, Applicants respond as follows:

a. CP has not refused to operate Metra trains for “reverse commute (from downtown Chicago) on the C&M Subdivision (Metra’s Milwaukee District-North Line) during non-peak periods.” As reflected in the Attachment A correspondence, CP has declined to add such trains without the addition of sufficient incremental capacity to offset the capacity that would be consumed by the proposed Metra operations. CP is not aware of occasions on which this issue has arisen beyond those reflected in the Attachment A correspondence.

b. Applicants do not anticipate that the Transaction would have any effect on the analytical approach CPKC would take in analyzing the posited hypothetical request from Metra, given that Applicants do not believe that the Transaction would affect the amount of freight capacity consumed by any particular increment of additional Metra service outside peak periods.

c. Persons with knowledge of the information requested by this Interrogatory include: Tom Albanese (CP), Chuck Hubbard (CP), Robert A. Johnson (former CP employee), Tony Marquis (former CP employee), and Nick Walker (CP). All such persons should be contacted, if at all, only through counsel for Applicants.

**Interrogatory No. 2:**

- a. List each instance in which CP has used mainline track on the Elgin Subdivision (Metra's Milwaukee District-West Line) over which Metra operates trains for conducting crew changes, power swaps, train consist additions or reductions, picking up and setting out locomotives and/or freight cars, or any other activities that would cause freight trains to stop for extended periods of time on such tracks, as opposed to operating through without stopping, and for each such instance, explain the basis upon which CP decided to use these tracks rather than other locations to make crew changes (including but not limited to the Belt Railway Company of Chicago trackage at Cragin Junction, Galewood Yard, Bensenville Yard or the inbound/outbound trackage toward the junction labelled A20 from the junction labelled B17).
- b. Explain the basis upon which CP will make decisions following consummation of the Transactions described in the Application about the location for crew changes, picking up or setting out of locomotives and/or freight cars, or other anticipated situations that would cause freight trains to stop on Metra owned main tracks.
- c. Identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response to Interrogatory No. 2:**

In addition to the General Objections set forth above, Applicants object to this Interrogatory on the grounds that it is vague and ambiguous, overly broad, unduly burdensome, and not proportional to the needs of this proceeding. Applicants further object to this Interrogatory on the grounds that it appears to be based on counterfactual premises. Applicants further object to this Interrogatory to the extent that it asks Applicants to assume facts not in the

record and respond to a vague, incomplete and/or counterfactual hypothetical. Applicants further object to this Interrogatory to the extent that it seeks information protected from discovery by the attorney-client privilege, attorney work product doctrine, or any other applicable privilege, protection, immunity, law, or rule.

Subject to and without waiving the General Objections and the specific objections set forth above, Applicants respond as follows:

a. CP's practice is to not conduct crew changes, power swaps, train consist additions or reductions, picking up and setting out locomotives and/or freight cars, or any other activities that would cause freight trains to stop for extended periods of time on such tracks used by Metra in circumstances where there was a risk of interfering with Metra operations. CP does not possess historical event data showing the precise location of such activities. CP expects that where crew changes were planned for locations proximate to Metra operations (*e.g.*, Bensenville) and the train ended up operating via tracks used by Metra, the actual crew change would generally have occurred within the yard itself or at other locations (such as at Chicago-area yards of other railroads).

b. Applicants do not anticipate that the Transaction will result in additional CPKC trains changing crews on trackage used by Metra. To the contrary, taking into account the reconfiguration of Bensenville Yard, CPKC freight trains will be less likely to change crews on trackage used by Metra.

c. Persons with knowledge of the information requested by this Interrogatory include: Chuck Hubbard (CP), John Klay Jr. (CP), Nicole Kurtenbach (CP), Lucas Lingenfelter (CP), Jacob Rinnels (CP), and Nick Walker (CP). All such persons should be contacted, if at all, only through counsel for Applicants.

**Interrogatory No. 3:**

Explain the basis for CP's denial of Metra's proposed reinstatement in 2019 of commuter service on CP's C&M Subdivision (Metra's Milwaukee District-North Line) that was terminated in 2018 and explain the response CP would expect to give to Metra's request for such reinstatement following implementation of the Transaction described in the Application.

Identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response to Interrogatory No. 3:**

In addition to the General Objections set forth above, Applicants object to this Interrogatory on the grounds that it is vague and ambiguous, overly broad, unduly burdensome, and not proportional to the needs of this proceeding. Applicants further object to this Interrogatory on the grounds that it appears to be based on counterfactual premises. Applicants further object to this Interrogatory to the extent that it asks Applicants to assume facts not in the record and respond to a vague, incomplete and/or counterfactual hypothetical. Applicants further object to this Interrogatory to the extent that it seeks information protected from discovery by the attorney-client privilege, attorney work product doctrine, or any other applicable privilege, protection, immunity, law, or rule.

Subject to and without waiving the General Objections and the specific objections set forth above, Applicants respond as follows: CP's rationale for the decision referenced in this Interrogatory is set forth in the correspondence that has been and/or will be produced to Metra in response to Metra's discovery requests, including Request No. 8. That rationale included, among other considerations, the concern that additional Metra service on CP's C&M Subdivision would consume a portion of CP's non-peak capacity, and that Metra should invest in capacity



additions sufficient to avoid a reduction in capacity available for CP freight operations during those periods. Persons with knowledge of the information requested by this Interrogatory include: Tom Albanese (CP), Chuck Hubbard (CP), Robert A. Johnson (former CP employee), Tony Marquis (former CP employee), and Nick Walker (CP). All such persons should be contacted, if at all, only through counsel for Applicants.

**Interrogatory No. 4:**

a. Explain how CP interprets the language in the CP-Metra Trackage Rights Agreement stating that “CP shall not interfere or permit any third party to interfere with peak period trains,” and explain the measures that CP takes to ensure that such interference does not occur as well as the consequences when CP’s operating decisions cause freight traffic to delay Metra peak period trains. For the purposes of this Interrogatory, the word “measures” includes, but is not limited to, decisions concerning the scheduling, frequency, length, and operation of trains, and the relationship between these decisions and the scheduled operation of Metra trains.

b. Explain whether and how CP’s response in 4.a. above is expected to change immediately following consummation of the Transaction described in the Application.

c. Identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response to Interrogatory No. 4:**

In addition to the General Objections set forth above, Applicants object to this Interrogatory on the grounds that it is vague and ambiguous, overly broad, unduly burdensome, and not proportional to the needs of this proceeding. Applicants further object to this Interrogatory on the grounds that it appears to be based on counterfactual premises. Applicants

further object to this Interrogatory to the extent that it asks Applicants to assume facts not in the record and respond to a vague, incomplete and/or counterfactual hypothetical. Applicants further object to this Interrogatory to the extent that it seeks information protected from discovery by the attorney-client privilege, attorney work product doctrine, or any other applicable privilege, protection, immunity, law, or rule.

Subject to and without waiving the General Objections and the specific objections set forth above, Applicants respond as follows:

a. CP interprets the referenced language as requiring that CP avoid to the extent feasible causing interference with the operation of Metra peak period trains, and CP's practice is to schedule its freight trains and dispatch lines used by Metra so as to avoid such interference.

b. Applicants do not anticipate that the Transaction would have any effect on CP's practice of avoiding interference with Metra's peak period trains.

c. Persons with knowledge of the information requested by this Interrogatory include: Chuck Hubbard (CP), John Klay Jr. (CP), Nicole Kurtenbach (CP), Lucas Lingenfelter (CP), Jacob Rinnels (CP), and Nick Walker (CP). All such persons should be contacted, if at all, only through counsel for Applicants.

**Interrogatory No. 5:**

a. Explain how CP determined the scope of CP's non-peak period capacity requirements in denying Metra's proposal to add Metra trains discussed in the correspondence attached as Attachment A, and how CP measured CP's non-peak period capacity requirements in relationship to Metra's non-peak period capacity requirements.

b. Explain whether and how CP's response in 5.a. above would be expected to change if Metra made the same request immediately following consummation of the Transaction described in the Application.

c. Identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response to Interrogatory No. 5:**

In addition to the General Objections set forth above, Applicants object to this Interrogatory on the grounds that it is vague and ambiguous, overly broad, unduly burdensome, and not proportional to the needs of this proceeding. Applicants further object to this Interrogatory on the grounds that it appears to be based on counterfactual premises. Applicants further object to this Interrogatory to the extent that it asks Applicants to assume facts not in the record and respond to a vague, incomplete and/or counterfactual hypothetical. Applicants further object to this Interrogatory to the extent that it seeks information protected from discovery by the attorney-client privilege, attorney work product doctrine, or any other applicable privilege, protection, immunity, law, or rule.

Subject to and without waiving the General Objections and the specific objections set forth above, Applicants respond as follows:

a. CP did not "determine[] the scope of CP's non-peak period capacity requirements" or "measure[] CP's non-peak period capacity requirements in relationship to Metra's non-peak period capacity requirements." CP's rationale for the decision referenced in this Interrogatory is contained in the correspondence that has been and/or will be produced to Metra in response to Metra's discovery requests, including Request No. 8. That rationale

included, among other considerations, the concern that additional Metra service during non-peak periods would consume a portion of CP's non-peak capacity, and that Metra should invest in capacity additions sufficient to avoid a reduction in capacity available for CP freight operations during those periods.

b. Applicants do not anticipate that the Transaction would have any effect on the analytical approach CPKC would take in analyzing the posited hypothetical request from Metra, given that Applicants do not believe that the Transaction would affect the amount of freight capacity consumed by any particular increment of additional Metra service outside peak periods.

c. Persons with knowledge of the information requested by this Interrogatory include: Tom Albanese (CP), Chuck Hubbard (CP), Robert A. Johnson (former CP employee), Tony Marquis (former CP employee), and Nick Walker (CP). All such persons should be contacted, if at all, only through counsel for Applicants.

**Interrogatory No. 6:**

Explain the basis for CP's statement in the Operating Plan contained in the Application submitted in these proceedings (CP-25/KCS-13, Vol. 2, page 322, non-confidential version) that "[t]he Transaction is not expected to generate additional freight traffic on this segment, and as a result there will be no impact on Metra operations" on the C&M Subdivision, and how this statement relates to CP's previous representations to Metra on anticipated increased growth in traffic on this line in the letters addressed at Attachment A, and identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.



**Response to Interrogatory No. 6:**

In addition to the General Objections set forth above, Applicants object to this Interrogatory on the grounds that it is vague and ambiguous, overly broad, unduly burdensome, and not proportional to the needs of this proceeding. Applicants further object to this Interrogatory on the grounds that it appears to be based on counterfactual premises. Applicants further object to this Interrogatory to the extent that it asks Applicants to assume facts not in the record and respond to a vague, incomplete and/or counterfactual hypothetical. Applicants further object to this Interrogatory to the extent that it seeks information protected from discovery by the attorney-client privilege, attorney work product doctrine, or any other applicable privilege, protection, immunity, law, or rule.

Subject to and without waiving the General Objections and the specific objections set forth above, Applicants respond as follows: The potential traffic growth referred to in the Attachment A correspondence is unrelated to traffic growth anticipated to result from the CP/KCS transaction. Applicants do not anticipate that the Transaction will result in any additional traffic on the C&M Subdivision, but traffic on that Subdivision could grow as a result of factors unrelated to the Transaction (*i.e.*, macroeconomic factors contributing to so-called “organic growth”). Nonetheless, Applicants anticipate that some traffic that would move over the C&M Subdivision absent the Transaction will move between St. Paul and Kansas City via the Marquette Subdivision (*e.g.*, traffic interchanged with other carriers at Chicago that would move via single-line CPKC routes with the transaction). Persons with knowledge of the information requested by this Interrogatory include: Raymond Elphick (CP), Brian Nelson (CP), Steve Ryan (CP), and Todd Workman (CP). All such persons should be contacted, if at all, only through counsel for Applicants.

**Interrogatory No. 7:**

Explain whether CP expects that additional freight traffic generated by the Transaction will not be generated on the C&M Subdivision because new traffic between the Twin City Metropolitan Area and Kansas City will operate exclusively via the CP Marquette Subdivision, thereby bypassing the Chicago Metropolitan Area. If so, explain why capacity limitations on CP's Marquette Subdivision would not result in freight traffic operating instead via the C&M Subdivision and Elgin Subdivision. Identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response to Interrogatory No. 7:**

In addition to the General Objections set forth above, Applicants object to this Interrogatory on the grounds that it is vague and ambiguous, overly broad, unduly burdensome, and not proportional to the needs of this proceeding. Applicants further object to this Interrogatory on the grounds that it appears to be based on counterfactual premises. Applicants further object to this Interrogatory to the extent that it asks Applicants to assume facts not in the record and respond to a vague, incomplete and/or counterfactual hypothetical. Applicants further object to this Interrogatory to the extent that it seeks information protected from discovery by the attorney-client privilege, attorney work product doctrine, or any other applicable privilege, protection, immunity, law, or rule.

Subject to and without waiving the General Objections and the specific objections set forth above, Applicants respond as follows: Applicants anticipate that new traffic attracted to CPKC lines between Kansas City and points south and the Twin Cities and points north would

be routed on CPKC's lines between St. Paul and Kansas City via the Marquette Subdivision. The Operating Plan identifies capital expenditures that will expand capacity on the Marquette Subdivision so that the additional trains can be accommodated on that route, which is shorter and more efficient than routing such trains via the C&M and Elgin Subdivisions. Persons with knowledge of the information requested by this Interrogatory include: Raymond Elphick (CP), Ryan Klepatz (CP), Justin Meyer (CP), and Todd Workman (CP). All such persons should be contacted, if at all, only through counsel for Applicants.

**Interrogatory No. 8:**

Identify, describe, and explain the basis for CP's statement in the Operating Plan contained in the Application submitted in these proceedings (CP-25/KCS-13, Vol. 2, page 322, non-confidential version) that "there is ample capacity" for the anticipated additional 7.1 trains per day and that "Metra service will not be adversely affected" on the Elgin Subdivision, and identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response to Interrogatory No. 8:**

In addition to the General Objections set forth above, Applicants object to this Interrogatory on the grounds that it is vague and ambiguous, overly broad, unduly burdensome, and not proportional to the needs of this proceeding. Applicants further object to this Interrogatory on the grounds that it appears to be based on counterfactual premises. Applicants further object to this Interrogatory to the extent that it asks Applicants to assume facts not in the record and respond to a vague, incomplete and/or counterfactual hypothetical. Applicants further object to this Interrogatory to the extent that it seeks information protected from discovery by the

attorney-client privilege, attorney work product doctrine, or any other applicable privilege, protection, immunity, law, or rule.

Subject to and without waiving the General Objections and the specific objections set forth above, Applicants respond as follows: Based on CP's expertise and analysis of capacity, the existing infrastructure on this segment of track has ample capacity to accommodate the Transaction-related increase in trains without adversely affecting Metra's operations. In particular, CPKC will continue to schedule freight trains to avoid the Metra peak period operating windows. In addition, the reconfiguration of Bensenville Yard will assist in reducing delays associated with freight trains arriving or departing the yard. Persons with knowledge of the information requested by this Interrogatory include: Raymond Elphick (CP), Ryan Klepatz (CP), and Todd Workman (CP). All such persons should be contacted, if at all, only through counsel for Applicants.

**Interrogatory No. 9:**

Explain how CP expects the existing infrastructure on CP's Elgin Subdivision, including the two-main-track segment between Bensenville Yard (milepost 15.5) and Randall Road (milepost 40.3) with no passing sidings and limited control points, will not adversely affect Metra's passenger commuter rail service in light of the anticipated additional 7.1 trains per day caused by the Transaction, and identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response to Interrogatory No. 9:**

In addition to the General Objections set forth above, Applicants object to this Interrogatory on the grounds that it is vague and ambiguous, overly broad, unduly burdensome,



and not proportional to the needs of this proceeding. Applicants further object to this Interrogatory on the grounds that it appears to be based on counterfactual premises. Applicants further object to this Interrogatory to the extent that it asks Applicants to assume facts not in the record and respond to a vague, incomplete and/or counterfactual hypothetical. Applicants further object to this Interrogatory to the extent that it seeks information protected from discovery by the attorney-client privilege, attorney work product doctrine, or any other applicable privilege, protection, immunity, law, or rule.

Subject to and without waiving the General Objections and the specific objections set forth above, Applicants respond as follows: Based on CP's expertise and analysis of capacity, the existing infrastructure on this segment of track has ample capacity to accommodate the Transaction-related increase in trains without adversely affecting Metra's operations. In particular, CPKC will continue to schedule freight trains to avoid the Metra peak period operating windows. In addition, the reconfiguration of Bensenville Yard will assist in reducing delays associated with freight trains arriving or departing the yard. Persons with knowledge of the information requested by this Interrogatory include: Raymond Elphick (CP), Ryan Klepatz (CP), Nick Walker (CP), and Todd Workman (CP). All such persons should be contacted, if at all, only through counsel for Applicants.

**Interrogatory No. 10:**

Explain how, in light of CP's projection of an additional 7.1 trains on CP's Elgin Subdivision due to the Transaction, the reduction from two tracks to a single track at Pingree Grove (milepost 42.0) on CP's Elgin Subdivision will not cause lengthy westward trains that are waiting for opposing eastward trains to clear the single track, thereby potentially blocking access for Metra's trains to the Big Timber Road passenger station. Identify the name, phone number,

address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response to Interrogatory No. 10:**

In addition to the General Objections set forth above, Applicants object to this Interrogatory on the grounds that it is vague and ambiguous, overly broad, unduly burdensome, and not proportional to the needs of this proceeding. Applicants further object to this Interrogatory on the grounds that it appears to be based on counterfactual premises. Applicants further object to this Interrogatory to the extent that it asks Applicants to assume facts not in the record and respond to a vague, incomplete and/or counterfactual hypothetical. Applicants further object to this Interrogatory to the extent that it seeks information protected from discovery by the attorney-client privilege, attorney work product doctrine, or any other applicable privilege, protection, immunity, law, or rule.

Subject to and without waiving the General Objections and the specific objections set forth above, Applicants respond as follows: Based on CP's expertise and analysis of capacity, the existing infrastructure on this segment of track has ample capacity to accommodate the Transaction-related increase in trains without adversely affecting Metra's operations. In addition, the reconfiguration of Bensenville yard, coupled with additional and lengthened sidings between Pingree Grove and Kansas City, will allow CPKC to schedule and dispatch trains in a manner that avoids any Transaction-related increase in the incidence of freight trains blocking access to Metra's Big Timber Road passenger station. Persons with knowledge of the information requested by this Interrogatory include: Raymond Elphick (CP), Ryan Klepatz (CP), Nick Walker (CP), and Todd Workman (CP). All such persons should be contacted, if at all, only through counsel for Applicants.

**Interrogatory No. 11:**

Explain the basis for whether and how the Transaction will result in changes to CP's operational practices on the C&M Subdivision and Elgin Subdivision and whether such changes will reduce the frequency of delays that Metra trains currently experience due to CP train movements, and identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response to Interrogatory No. 11:**

In addition to the General Objections set forth above, Applicants object to this Interrogatory on the grounds that it is vague and ambiguous, overly broad, unduly burdensome, and not proportional to the needs of this proceeding. Applicants further object to this Interrogatory on the grounds that it appears to be based on counterfactual premises. Applicants further object to this Interrogatory to the extent that it asks Applicants to assume facts not in the record and respond to a vague, incomplete and/or counterfactual hypothetical. Applicants further object to this Interrogatory to the extent that it seeks information protected from discovery by the attorney-client privilege, attorney work product doctrine, or any other applicable privilege, protection, immunity, law, or rule.

Subject to and without waiving the General Objections and the specific objections set forth above, Applicants respond as follows: Applicants do not anticipate that the Transaction will result in changes in CP's operational practices on the C&M Subdivision or Elgin Subdivision that bear on the performance of Metra trains. To the extent this Interrogatory presumes that CP's current operating practices cause unwarranted delays to Metra trains, CP disputes that premise. Nonetheless, CP, and CPKC post-Transaction, desires to work

cooperatively with Metra to optimize operations on the C&M and Elgin Subdivisions, including by considering ideas Metra may have to reduce any delays that Metra's trains experience.

Persons with knowledge of the information requested by this Interrogatory include: Raymond Elphick (CP), John Klay Jr. (CP), Ryan Klepatz (CP), Nicole Kurtenbach (CP), Jacob Rinnels (CP), Nick Walker (CP), and Todd Workman (CP). All such persons should be contacted, if at all, only through counsel for Applicants.

**Interrogatory No. 12:**

Explain what measures CP will take after the Transaction to ensure that inbound freight traffic that utilizes the Union Pacific Milwaukee Subdivision between Shermer (Tower A20) and Bryn Mawr (Tower B17) will be accepted by Union Pacific dispatchers immediately upon such train's arrival at Shermer, rather than being stopped and causing the C&M Subdivision to be blocked at Tower A20. Identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response to Interrogatory No. 12:**

In addition to the General Objections set forth above, Applicants object to this Interrogatory on the grounds that it is vague and ambiguous, overly broad, unduly burdensome, and not proportional to the needs of this proceeding. Applicants further object to this Interrogatory on the grounds that it appears to be based on counterfactual premises. Applicants further object to this Interrogatory to the extent that it asks Applicants to assume facts not in the record and respond to a vague, incomplete and/or counterfactual hypothetical. Applicants further object to this Interrogatory to the extent that it seeks information protected from discovery by the



attorney-client privilege, attorney work product doctrine, or any other applicable privilege, protection, immunity, law, or rule.

Subject to and without waiving the General Objections and the specific objections set forth above, Applicants respond as follows: Applicants are not aware of any reason why the Transaction would affect the willingness of Union Pacific (“UP”) dispatchers to accept CP freight trains at Shermer. The Transaction will neither increase the number of CP freight trains heading onto UP trackage at Shermer nor affect the ability of those trains to exit UP trackage at Bryn Mawr. If Metra has concerns about UP dispatching practices, it should take them up with UP. Persons with knowledge of the information requested by this Interrogatory include: Raymond Elphick (CP), Ryan Klepatz (CP), Nick Walker (CP), and Todd Workman (CP). All such persons should be contacted, if at all, only through counsel for Applicants.

**Interrogatory No. 13:**

Explain what measures CP is taking to prevent the practice of CP’s dispatchers routing Metra trains on tracks that result in passengers at scheduled station stops being unable to board at Metra’s normal operating tracks, and explain whether and how this practice is expected to change immediately following consummation of the Transaction described in the Application. Identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response to Interrogatory No. 13:**

In addition to the General Objections set forth above, Applicants object to this Interrogatory on the grounds that it is vague and ambiguous, overly broad, unduly burdensome, and not proportional to the needs of this proceeding. Applicants further object to this Interrogatory on the grounds that it appears to be based on counterfactual premises. Applicants

further object to this Interrogatory to the extent that it asks Applicants to assume facts not in the record and respond to a vague, incomplete and/or counterfactual hypothetical. Applicants further object to this Interrogatory to the extent that it seeks information protected from discovery by the attorney-client privilege, attorney work product doctrine, or any other applicable privilege, protection, immunity, law, or rule.

Subject to and without waiving the General Objections and the specific objections set forth above, Applicants respond as follows: CP does not have a practice of routing Metra trains on tracks that result in passengers at scheduled station stops being unable to board at Metra's normal operating tracks. The Transaction will not affect CP's dispatching of Metra trains, which will continue to comply with all applicable agreements between CP and Metra. To the extent Metra becomes aware of specific instances where CP's dispatchers route Metra trains inappropriately, Metra as always, is encouraged to bring such instances to CP's attention. Persons with knowledge of the information requested by this Interrogatory include Nicole Kurtenbach (CP), Lucas Lingenfelter (CP), and Nick Walker (CP). All such persons should be contacted, if at all, only through counsel for Applicants.

**Interrogatory No. 14:**

Explain whether and how the Transaction itself will limit expansion of Metra's passenger commuter rail service in the Chicago Metropolitan Area, including but not limited to all Metra-owned routes or lines on which CP has trackage rights, and identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response to Interrogatory No. 14:**

In addition to the General Objections set forth above, Applicants object to this Interrogatory on the grounds that it is vague and ambiguous, overly broad, unduly burdensome, and not proportional to the needs of this proceeding. Applicants further object to this Interrogatory on the grounds that it appears to be based on counterfactual premises. Applicants further object to this Interrogatory to the extent that it asks Applicants to assume facts not in the record and respond to a vague, incomplete and/or counterfactual hypothetical. Applicants further object to this Interrogatory to the extent that it seeks information protected from discovery by the attorney-client privilege, attorney work product doctrine, or any other applicable privilege, protection, immunity, law, or rule.

Subject to and without waiving the General Objections and the specific objections set forth above, Applicants respond as follows: Applicants believe that the Transaction will have no effect on Metra's ability to expand its commuter service in the Chicago area. For example, the Transaction will not constrain Metra's ability to add capacity supporting additional service through the construction of rail trackage and facilities and the acquisition of real estate. Persons with knowledge of the information requested by this Interrogatory include: Raymond Elphick (CP), Chuck Hubbard (CP), Nick Walker (CP), and Todd Workman (CP). All such persons should be contacted, if at all, only through counsel for Applicants.

**Interrogatory No. 15:**

Explain the basis for CP's refusal to agree to have Rail Traffic Controller (RTC) modeling conducted in 2019 (as discussed in the correspondence attached as Attachment A) on lines jointly operated by CP and Metra and explain the basis upon which CP will make decisions whether to permit such modeling following implementation of the Transaction described in the

Application, and identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response to Interrogatory No. 15:**

In addition to the General Objections set forth above, Applicants object to this Interrogatory on the grounds that it is vague and ambiguous, overly broad, unduly burdensome, and not proportional to the needs of this proceeding. Applicants further object to this Interrogatory on the grounds that it appears to be based on counterfactual premises. Applicants further object to this Interrogatory to the extent that it asks Applicants to assume facts not in the record and respond to a vague, incomplete and/or counterfactual hypothetical. Applicants further object to this Interrogatory to the extent that it seeks information protected from discovery by the attorney-client privilege, attorney work product doctrine, or any other applicable privilege, protection, immunity, law, or rule.

Subject to and without waiving the General Objections and the specific objections set forth above, Applicants respond as follows: Contrary to the premise of this Interrogatory, CP did not refuse to conduct RTC modeling of the capacity consumed by the proposed Metra services. As set forth in CP's response to Metra's proposal regarding modeling (also in Attachment A), CP's perspective was that modeling of existing capacity would not address the question posed by Metra's proposal, which was the amount of capacity consumed by Metra's proposed services, not the amount of available capacity at a specific snapshot in time. Persons with knowledge of the information requested by this Interrogatory include: Tom Albanese (CP), Chuck Hubbard (CP), Robert A. Johnson (former CP employee), Tony Marquis (former CP employee), and Nick Walker (CP). All such persons should be contacted, if at all, only through counsel for Applicants.



**Interrogatory No. 16:**

Explain the basis for CP's inability in November 2021 to ensure that all CP train dispatchers and towers ensure verbal and positive train control electronic delivery of all mandatory directives and bulletins prior to trains entering the block for which the mandatory directive or bulletin exists by January 1, 2022, as required under federal law. Explain how, following implementation of the Transaction described in the Application, CP will ensure compliance with this requirement, and identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response to Interrogatory No. 16:**

In addition to the General Objections set forth above, Applicants object to this Interrogatory on the grounds that it is vague and ambiguous, overly broad, unduly burdensome, and not proportional to the needs of this proceeding. Applicants further object to this Interrogatory on the grounds that it appears to be based on counterfactual premises. Applicants further object to this Interrogatory to the extent that it asks Applicants to assume facts not in the record and respond to a vague, incomplete and/or counterfactual hypothetical. Applicants further object to this Interrogatory to the extent that it seeks information protected from discovery by the attorney-client privilege, attorney work product doctrine, or any other applicable privilege, protection, immunity, law, or rule.

Subject to and without waiving the General Objections and the specific objections set forth above, Applicants respond as follows: CP believes that the premise of this Interrogatory is incorrect. CP does ensure that all CP train dispatchers and towers provide verbal and positive train control electronic delivery of all mandatory directives and bulletins prior to trains entering

the block for which the mandatory directive or bulletin exists. CPKC will continue to do so following implementation of the Transaction. Persons with knowledge of the information requested by this Interrogatory include John Klay Jr. (CP), Nicole Kurtenbach (CP), Lucas Lingenfelter (CP), and Jacob Rinnels (CP). All such persons should be contacted, if at all, only through counsel for Applicants.

**Interrogatory No. 17:**

Explain why subsequent to implementation of the Transaction the overall efficiency and safety of operations are best served by having CP, rather than Metra, dispatch trains over line segments owned and maintained by Metra, and identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response to Interrogatory No. 17:**

In addition to the General Objections set forth above, Applicants object to this Interrogatory on the grounds that it is vague and ambiguous, overly broad, unduly burdensome, and not proportional to the needs of this proceeding. Applicants further object to this Interrogatory on the grounds that it appears to be based on counterfactual premises. Applicants further object to this Interrogatory to the extent that it asks Applicants to assume facts not in the record and respond to a vague, incomplete and/or counterfactual hypothetical. Applicants further object to this Interrogatory to the extent that it seeks information protected from discovery by the attorney-client privilege, attorney work product doctrine, or any other applicable privilege, protection, immunity, law, or rule.

Subject to and without waiving the General Objections and the specific objections set forth above, Applicants respond as follows: CP dispatches line segments owned and

maintained by Metra by express and longstanding agreement with Metra reflecting bargains struck with Metra at the time those agreements were entered and amended. CP has consistently demonstrated its ability to dispatch those lines safely and effectively, as reflected in the safety record of Metra trains operated over those lines as well as the stellar on-time performance achieved by those trains, including relative to Metra trains on lines dispatched by Metra. Persons with knowledge of the information requested by this Interrogatory include: Raymond Elphick (CP), Chuck Hubbard (CP), Nicole Kurtenbach (CP), Lucas Lingenfelter (CP), and Nick Walker (CP). All such persons should be contacted, if at all, only through counsel for Applicants.

**Interrogatory No. 18:**

If CP objects to Metra's assumption of dispatching for lines or line segments owned and maintained by Metra, explain the basis for such objection, and identify the name, phone number, address and job title of each person who has knowledge of the information requested in this interrogatory and the basis of their knowledge.

**Response to Interrogatory No. 18:**

*See Applicants' Response to Interrogatory No. 17.*

Dated: December 27, 2021

Respectfully submitted,

*/s/ William A. Mullins*

---

William A. Mullins  
Erin A. Glavich  
**BAKER & MILLER PLLC**  
2401 Pennsylvania Ave., N.W.  
Suite 300  
Washington, DC 20037  
Telephone: (202) 663-7820  
Facsimile: (202) 663-7849

*/s/ David L. Meyer*

---

David L. Meyer  
**Law Office of David L. Meyer**  
1105 S Street NW  
Washington, D.C. 20009  
Email: David@MeyerLawDC.com  
Telephone: (202) 294-1399

Adam S. Paris  
**Sullivan & Cromwell LLP**

Adam J. Godderz  
THE KANSAS CITY SOUTHERN  
RAILWAY COMPANY  
P.O. Box 219335  
Kansas City, MO 64121-9335  
Telephone: (816) 983-1360  
Facsimile: (816) 983-1227

*Counsel for KCS*

1888 Century Park East  
Los Angeles, CA 90067-1725  
Email: [parisa@sullcrom.com](mailto:parisa@sullcrom.com)  
Telephone: (310) 712-6663

Sophia A. Vandergrift  
**Sullivan & Cromwell LLP**  
1700 New York Avenue, N.W., Suite 700  
Washington, D.C. 20006-5215  
Email: [vandergrifts@sullcrom.com](mailto:vandergrifts@sullcrom.com)  
Telephone: (202) 956-7625

Jeffrey J. Ellis  
Canadian Pacific  
7550 Ogden Dale Road S.E.  
Calgary, AB T2C 4X9 Canada  
Email: [Jeff\\_Ellis@cpr.ca](mailto:Jeff_Ellis@cpr.ca)  
Telephone: (888) 333-6370

*Counsel for CP*



**CERTIFICATE OF SERVICE**

I hereby certify that I have caused the foregoing Joint Responses and Objections to Metra's First Set of Interrogatories to Kansas City Southern and Canadian Pacific to be served electronically or by first-class mail, postage pre-paid, on all parties of record in these proceedings.

*/s/ Zachary A. Sarnoff*

---

Zachary A. Sarnoff

December 27, 2021

## **EXHIBIT H-3**

### **Metra's Second Set of Interrogatories**

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

**STB Finance Docket No. 36500**

---

**CANADIAN PACIFIC RAILWAY LIMITED; CANADIAN PACIFIC RAILWAY COMPANY; SOO LINE RAILROAD COMPANY; CENTRAL MAINE & QUEBEC RAILWAY US INC.; DAKOTA, MINNESOTA & EASTERN RAILROAD CORPORATION; AND DELAWARE & HUDSON RAILWAY COMPANY, INC. – CONTROL – KANSAS CITY SOUTHERN, THE KANSAS CITY SOUTHERN RAILWAY COMPANY, GATEWAY EASTERN RAILWAY COMPANY, AND THE TEXAS MEXICAN RAILWAY COMPANY**

---

**SECOND SET OF INTERROGATORIES AND FOURTH REQUEST FOR PRODUCTION OF DOCUMENTS BY COMMUTER RAIL DIVISION OF THE REGIONAL TRANSPORTATION AUTHORITY D/B/A METRA TO APPLICANTS CANADIAN PACIFIC RAILWAY LIMITED, *ET AL.***

---

Pursuant to the Surface Transportation Board’s (“STB”) rules governing discovery, 49 C.F.R. Part 1114, and in accordance with the definitions and instructions set forth herein, the Commuter Rail Division of the Regional Transportation Authority d/b/a Metra (“Metra”), by its undersigned counsel, propounds the following Second Set of Interrogatories and Fourth Request for Production of Documents for you the Applicants, as that term is defined below, to answer. Pursuant to 49 C.F.R. § 1114.26(a), Metra requests that the responses be produced within 15 days after the date of service hereof to undersigned counsel for Metra.

**DEFINITIONS**

As used herein, the terms listed below have the following meanings ascribed to them:

1. “All” or “any” shall mean “any and all” and shall be inclusive.

2. “Applicable Routes” means CP’s Marquette Subdivision, CP’s C&M Subdivision, and CP’s Elgin Subdivision, CP’s Chicago Subdivision, CP’s Watertown Subdivision, and CP’s Tomah Subdivision.
3. “Applicants” means CP and KCS.
4. “Application” means the application submitted by Applicants in these proceedings as CP-25/KCS-13.
5. “Chicago Metropolitan Area” means the Chicago-Naperville-Elgin Metropolitan Statistical Area as delineated by the United States Census Bureau.
6. “CP” means the Canadian Pacific Railway Limited, Canadian Pacific Railway Company, and their U.S. rail carrier subsidiaries Soo Line Railroad Company, Central Maine & Quebec Railway U.S. Inc., Dakota, Minnesota & Eastern Railroad Corporation, and Delaware and Hudson Railway Company, Inc., as applicable.
7. “Document(s)” means all written, electronic, or printed matter of any kind, including the originals and all nonidentical copies, whether different from the originals by reason of any notation made on such copies or otherwise, including, without limitation, correspondence, memoranda, emails, text messages, notes, diaries, statistics, letters, telegraphs, minutes, agenda, contracts, reports, studies, checks, statements, receipts, returns, summaries, transcripts, pamphlets, books, prospectuses, inter-office and intra-office communications, offers, notations of any type of conversation (including, without limitation, telephone conversations or meetings), bulletins, computer printouts, teletypes, data compilations, statistical analyses, telefaxes, invoices, work sheets, graphic or manual records or representations of any kind (including, without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, records and motion pictures), and electronic, mechanical or electric records or representations of any kind (including, without



limitation, tapes, cassettes, discs, records and computerized data stored in any manner), and all drafts, alterations, modifications, changes and amendments of any of the foregoing.

8. “KCS” means Kansas City Southern and its U.S. rail carrier subsidiaries The Kansas City Southern Railway Company, Gateway Eastern Railway Company, and the Texas Mexican Railway Company, as applicable.

9. “Metra” means the Commuter Rail Division of the Regional Transportation Authority, and its present and former parents, subsidiaries, and affiliates, predecessors and successors, and present and former officers, directors, employees, partners, agents, representatives and other persons acting or purporting to act on its behalf.

10. “Person” means the plural as well as the singular, and shall include, without limitation, any individual, firm, corporation, joint venture, company, association, partnership, business, public agency, department, bureau, board or any other form of public, private or legal entity.

11. “Related” means referring, relating, reflecting, containing, pertaining, indicating, showing, evidencing, describing, discussing, mentioning, computing, constituting, defining, embodying, stating, explaining, providing any information on, detailing, discussing or in any way dealing with.

12. “RTC modeling” means modeling conducted using Rail Traffic Controller software offered by Berkeley Simulation Software, LLC.

13. “Train modeling” means modeling conducted using RTC or comparable software.

14. “You” and “your” means the Applicants and their present and former parents, subsidiaries, and affiliates, predecessors and successors, and present and former officers, directors,

employees, partners, agents, representatives and other persons acting or purporting to act on its behalf.

15. All railroad-related terms shall be interpreted to retain their standard rail industry meaning.

### **INSTRUCTIONS**

1. If any Interrogatory herein cannot be responded to or complied with in full, it shall be responded to or complied with to the extent possible with an explanation as to why full compliance is not possible.

2. Each paragraph and subparagraph of an Interrogatory shall be construed independently, and no other paragraph or subparagraph shall be referred to or relied on for the purpose of limiting its scope.

3. In answering these Interrogatories, you are required to furnish under oath all information in your possession, custody or control, even if the information is in the possession of third parties. If you or any third party objects to this instruction or answers of such third parties identified in this paragraph are not produced in response to these Interrogatories, the failure or refusal to produce such answers should be stated and declared clearly in the response to these Interrogatories so that separate subpoenas can be issued as necessary.

4. If in answering these Interrogatories, you claim any ambiguity in interpreting the Interrogatory, or a definition or instruction applicable thereto, such claim shall not be a basis for refusing to respond, but there shall be set forth as part of the response the language deemed to be ambiguous and the interpretation chosen or used in responding to the Interrogatory.

5. Estimates or approximations should be given when precise data cannot be supplied. Any estimates or approximations should be designated as such and a statement made as to why precise data cannot be supplied.

6. The source, sources, or derivation of each answer to the Interrogatories should be separately set forth and identified, unless the person signing the answers to these Interrogatories under oath knows of his own personal and direct knowledge of the facts or information forming the basis of all answers given. If a particular source is an individual, that individual's full name, phone number, address, and job title should be provided. In addition, each person who is an employee, officer, director, agent, contractor or consultant for one or more of the Applicants and who has knowledge of the matter addressed in an answer to each Interrogatory, if that person is not already identified in response to the first sentence of this Instruction, should be identified.

7. These Interrogatories are continuing in nature. Any information obtained subsequent to the service of answers to these Interrogatories that would have been included in the answers had the information been known shall promptly be supplied by supplemental answers whenever you find, locate, acquire or become aware of such information. Supplemental answers are to be served as soon as reasonably possible after receipt of such information.

8. If a claim of privilege (including, but not limited to, the work-product privilege) is asserted in objecting to any means of discovery or disclosure, you shall comply with the requirements of 49 C.F.R. Part 1114, and identify with respect to the information: (i) the general nature of the information withheld; and (ii) the specific privilege claimed.

### **INTERROGATORIES AND PRODUCTION REQUEST**

1. Has CP reviewed or conducted, or engaged a third party to review or conduct, any train modeling and/or RTC modeling in part or in whole, on the Applicable Routes at any time since

January 1, 2017? If so, what were the results? Provide all documents related to any such train modeling, including but not limited to inputs, outputs, the modeling files themselves, and results and analyses.

**Response:**

2. Identify the names and all contact information for each person who was involved in the train modeling described in the response to Supplemental Interrogatory and Production Request #1, above.

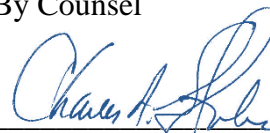
**Response:**

3. Identify all actions CP has taken or proposes to take to address changes to rail infrastructure and related facilities, and/or to alter train operations as a result of the outcomes of the train modeling described in response to Supplemental Interrogatory and Production Request #1, above.

**Response:**

Respectfully Submitted,

COMMUTER RAIL DIVISION OF THE  
REGIONAL TRANSPORTATION  
AUTHORITY D/B/A/ METRA  
By Counsel



---

Charles A. Spitulnik  
Christian L. Alexander  
Kaplan Kirsch & Rockwell, LLP

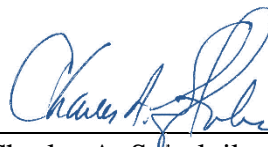


1634 I (Eye) Street, NW, Suite 300  
Washington, DC 20006  
(202) 955-5600  
[cspitulnik@kaplankirsch.com](mailto:cspitulnik@kaplankirsch.com)  
[calexander@kaplankirsch.com](mailto:calexander@kaplankirsch.com)

Date: January 13, 2022

**CERTIFICATE OF SERVICE**

I hereby certify that on the 13th day of January 2022, I caused the foregoing Second Set of Interrogatories and Fourth Request for Production of Documents by Metra to be served on the following parties and upon all parties of record in this proceeding.



---

Charles A. Spitulnik

**EXHIBIT H-4**

**Applicants' Joint Response to Metra's Second  
Interrogatories**

BEFORE THE  
SURFACE TRANSPORTATION BOARD

---

Finance Docket No. 36500

CANADIAN PACIFIC RAILWAY LIMITED, *ET AL.*  
– CONTROL –  
KANSAS CITY SOUTHERN, *ET AL.*

---

**KANSAS CITY SOUTHERN AND CANADIAN PACIFIC’S JOINT RESPONSES AND OBJECTIONS  
TO METRA’S SECOND SET OF INTERROGATORIES AND FOURTH SET OF DOCUMENT REQUESTS**

Pursuant to 49 C.F.R. Part 1114, Subpart B, Canadian Pacific Railway Limited, Canadian Pacific Railway Company, Soo Line Railroad Company, Central Maine & Quebec Railway US Inc., Dakota, Minnesota & Eastern Railroad Corporation, and Delaware and Hudson Railway Company, Inc. (collectively, “Canadian Pacific” or “CP”) and Kansas City Southern, The Kansas City Southern Railway Company, Gateway Eastern Railway Company, and The Texas Mexican Railway Company (collectively, “KCS”; together with CP, the “Applicants”) hereby respond and object as follows to the Second Set of Interrogatories and Fourth Set of Requests for Production of Documents to Applicants the Commuter Rail Division of the Regional Transportation Authority d/b/a Metra (“Metra”) served on January 13, 2022 (“Fourth Metra Requests”) in connection with the above-captioned proceeding.

**GENERAL OBJECTIONS**

The following General Objections apply to each of the Fourth Metra Requests and shall have the same force and effect as if set forth in full in response to each individually numbered Fourth Metra Request.



1. Applicants object to the Fourth Metra Requests and to each Definition, Instruction and Request contained therein to the extent they purport to impose upon the Applicants burdens or duties that are greater than, or otherwise conflict with, the requirements or the permissible scope of discovery under 49 C.F.R. Part 1114, Subpart B, or under other Surface Transportation Board (the “Board”) rules or precedents.

2. Applicants object to the Fourth Metra Requests and to each Definition, Instruction and Request contained therein to the extent they purport to seek information and/or documents that are not relevant to the issues raised in the above-captioned proceeding.

3. Applicants object to the Fourth Metra Requests and to each Definition, Instruction and Request contained therein to the extent that they seek information or documents protected from discovery by the attorney-client privilege, attorney work product doctrine, common interest, or any other applicable privilege, protection, immunity, doctrine, statute, regulation, agreement, or protective order. Any disclosure or production of such information or documents is inadvertent and should not be construed as a waiver. Applicants reserve all rights under applicable law to demand and/or require the return of all copies thereof and non-use by Metra, or by any other person or entity in this or any other proceeding.

4. Applicants object to the Fourth Metra Requests and to each Definition, Instruction and Request contained therein to the extent that they seek the production or identification of documents prepared in connection with, or information relating to, possible settlement or mediation of this or any other proceeding.

5. Applicants object to the Fourth Metra Requests and to each Definition, Instruction and Request contained therein to the extent they call for information or documents that are confidential, proprietary, or commercially or competitively sensitive. Applicants will

make available information and documents subject to the Board's Protective Order issued in this proceeding on April 2, 2021, and all responses and documents should be treated in accordance with that Order.

6. Applicants object to the Fourth Metra Requests and to each Definition, Instruction and Request contained therein to the extent that they purport to seek documents or information not in the Applicants' possession, custody or control.

7. Applicants object to the Fourth Metra Requests and to each Definition, Instruction and Request contained therein to the extent that they are not proportional to the needs of the above-captioned proceeding and impose an undue burden on the Applicants.

8. Applicants object to the Fourth Metra Requests and to each Definition, Instruction and Request contained therein to the extent they purport to seek the production or identification of documents that are unreasonably cumulative or duplicative of documents already in Metra's possession, custody or control, or that are publicly available, or that are otherwise obtainable in a more convenient, less burdensome or less expensive manner than from the Applicants.

9. Applicants object to the Fourth Metra Requests and to each Definition, Instruction and Request contained therein to the extent they purport to seek the production or identification of documents that are unreasonably cumulative or duplicative of documents or information encompassed by (i) the Railroad Control Application that CP and KCS filed on October 29, 2021 in this proceeding (the "Application"), and/or by (ii) the accompanying workpapers that CP and KCS submitted to the Board in connection with their Application (the "Workpapers").

10. Applicants object to the Fourth Metra Requests and to each Definition, Instruction and Request contained therein to the extent they misstate or misconstrue the Application or accompanying Workpapers or any other facts or law.

11. Applicants object to the Fourth Metra Requests and to each Definition, Instruction and Request contained therein as unduly burdensome and oppressive to the extent that they purport to require the Applicants to conduct a special study or to undertake anything more than a reasonable search for responsive information. In responding to the Fourth Metra Requests, the Applicants will conduct a reasonable search of those accessible files in their possession in which information responsive to the Fourth Metra Requests, as limited by the Applicants' Objections, is likely to be located.

12. Applicants object to the Fourth Metra Requests and to each Definition, Instruction and Request contained therein to the extent they seek the discovery of documents or information beyond what the parties have previously agreed to through meet and confer discussions regarding similar requests.

13. Applicants object to the Fourth Metra Requests and to each Definition, Instruction and Request contained therein to the extent that they are unduly burdensome in failing to allow for a reasonable time for compliance.

14. Applicants reserve the right to redact non-responsive material from any document provided in response to the Fourth Metra Requests.

15. Applicants reserve the right to provide responsive materials on a rolling basis.

16. Applicants reserve the right to challenge the competency, relevance, materiality, or admissibility of, or to object on any ground to, the use of information requested in

the Fourth Metra Requests and in any responses the Applicants may provide thereto, in any subsequent proceeding, or further proceedings in this matter. To the extent that the Applicants provide responsive information or documents, the Applicants do not concede that such information is relevant, material, or admissible into evidence, and any such production or identification is not intended to waive any of the Applicants' objections to any of the Fourth Metra Requests.

17. Applicants' Responses and Objections are based upon information presently known to them. Applicants reserve the right to rely upon facts, documents, or other evidence that they may develop or that may subsequently come to their attention; to assert additional objections; and to supplement or amend these responses at any time as this proceeding continues.

### **RESPONSES AND OBJECTIONS TO SPECIFIC REQUESTS**

#### **Request No. 1:**

Has CP reviewed or conducted, or engaged a third party to review or conduct, any train modeling and/or RTC modeling in part or in whole, on the Applicable Routes at any time since January 1, 2017? If so, what were the results? Provide all documents related to any such train modeling, including but not limited to inputs, outputs, the modeling files themselves, and results and analyses.

#### **Response to Request No. 1:**

In addition to the General Objections set forth above, Applicants object to this Request on the grounds that it is vague and ambiguous. Applicants further object to this Request on the grounds that it is overly broad, unduly burdensome and not proportional to the needs of this proceeding, including because it seeks the production of "all" documents without a



reasonable scope limitation. Applicants further object to this Request to the extent it seeks the production of documents or information that are accessible to Metra. Applicants further object to the extent this Request asks Applicants to perform a special study. Applicants further object to the extent this Request seeks documents or information that are irrelevant to this proceeding.

Subject to and without waiving the General Objections and the specific objections set forth above, Applicants respond that CP has performed capacity modeling on certain portions of the Applicable Routes and has previously provided documents related to such modeling in response to Metra discovery requests. CP will provide one additional document related to modeling of a certain portion of the Applicable Routes in response to this Request. CP has not conducted any RTC modeling, or engaged a third party to review or conduct any train modeling and/or RTC modeling on the Applicable Routes since January 1, 2017.

**Request No. 2:**

Identify the names and all contact information for each person who was involved in the train modeling described in the response to Supplemental Interrogatory and Production Request #1, above.

**Response to Request No. 2:**

In addition to the General Objections set forth above, Applicants object to this Request on the grounds that it is vague and ambiguous. Applicants further object to this Request on the grounds that it is overly broad, unduly burdensome and not proportional to the needs of this proceeding. Applicants further object to this Request to the extent it seeks the production of documents or information that are accessible to Metra. Applicants further object to the extent this Request asks Applicants to perform a special study. Applicants further object to the extent this Request seeks documents or information that are irrelevant to this proceeding.

Subject to and without waiving the General Objections and the specific objections set forth above, Applicants respond that the following CP employees were involved in train modeling responsive to Request No. 1: Kelly Storozuk, Ryan Klepatz, and Ray Elphick. All such persons should be contacted, if at all, only through counsel for Applicants.

**Request No. 3:**

Identify all actions CP has taken or proposes to take to address changes to rail infrastructure and related facilities, and/or to alter train operations as a result of the outcomes of the train modeling described in response to Supplemental Interrogatory and Production Request #1, above.

**Response to Request No. 3:**

In addition to the General Objections set forth above, Applicants object to this Request on the grounds that it is vague and ambiguous. Applicants further object to this Request on the grounds that it is overly broad, unduly burdensome and not proportional to the needs of this proceeding, including because it seeks information regarding “all” actions without a reasonable scope limitation. Applicants further object to this Request to the extent it seeks the production of documents or information that are accessible to Metra. Applicants further object to the extent this Request asks Applicants to perform a special study. Applicants further object to the extent this Request seeks documents or information that are irrelevant to this proceeding.

Subject to and without waiving the General Objections and the specific objections set forth above, Applicants respond that CP has made certain additions to capacity as reflected in documents previously provided to Metra including the growth plan train design.

Dated: January 27, 2022

Respectfully submitted,

*/s/ William A. Mullins*

---

William A. Mullins  
Erin A. Glavich  
**BAKER & MILLER PLLC**  
2401 Pennsylvania Ave., N.W.  
Suite 300  
Washington, DC 20037  
Telephone: (202) 663-7820  
Facsimile: (202) 663-7849

Adam J. Godderz  
THE KANSAS CITY SOUTHERN  
RAILWAY COMPANY  
P.O. Box 219335  
Kansas City, MO 64121-9335  
Telephone: (816) 983-1360  
Facsimile: (816) 983-1227

*Counsel for KCS*

*/s/ David L. Meyer*

---

David L. Meyer  
**Law Office of David L. Meyer**  
1105 S Street NW  
Washington, D.C. 20009  
Email: David@MeyerLawDC.com  
Telephone: (202) 294-1399

Adam S. Paris  
**Sullivan & Cromwell LLP**  
1888 Century Park East  
Los Angeles, CA 90067-1725  
Email: parisa@sullcrom.com  
Telephone: (310) 712-6663

Sophia A. Vandergrift  
**Sullivan & Cromwell LLP**  
1700 New York Avenue, N.W., Suite 700  
Washington, D.C. 20006-5215  
Email: vandergrifts@sullcrom.com  
Telephone: (202) 956-7625

Jeffrey J. Ellis  
Canadian Pacific  
7550 Ogden Dale Road S.E.  
Calgary, AB T2C 4X9 Canada  
Email: Jeff\_Ellis@cpr.ca  
Telephone: (888) 333-6370

*Counsel for CP*

**CERTIFICATE OF SERVICE**

I hereby certify that I have caused the foregoing Joint Responses and Objections to Metra's Second Set of Interrogatories and Fourth Set of Requests for Production of Documents to Kansas City Southern and Canadian Pacific to be served electronically or by first-class mail, postage pre-paid, on all parties of record in these proceedings.

*/s/ Sonia Gupta*

\_\_\_\_\_  
Sonia Gupta

January 27, 2022