



January 21, 2019

Case No. 19-00189

**BY E-MAIL:**

To the attached distribution list

Dear Madam and Sirs:

**Re: The Canadian Transportation Agency (Agency)'s investigation into possible freight rail service issues in the Vancouver area, pursuant to subsection 116 (1.11) of the *Canada Transportation Act, S.C. 1996, c.10, as amended (CTA)*.**

**BACKGROUND**

On January 14, 2019, the Agency issued individual letter decisions to the following parties: the Canadian National Railway Company (CN), the Canadian Pacific Railway Company (CP), BNSF Railway (BNSF), the Forest Products Association of Canada (FPAC), the Canadian Oilseed Processors Association (COPA), the Freight Management Association of Canada (FMA), the Western Canadian Shippers' Coalition (WCSC), and the Western Grain Elevator Association (WGEA). In those decisions, the Agency directed each party to submit specific information and data related to its operations in order to provide the Agency with information required for its investigation.

**PROCEDURAL DIRECTION**

The Inquiry Officer's report and a determination regarding confidentiality requests that have been received will be issued on Thursday, January 24, 2019.

The Agency will hold an oral hearing as part of its investigation in Vancouver, British Columbia on Tuesday, January 29 and Wednesday, January 30, 2019. During the oral hearing, participants will have the opportunity to comment on the Inquiry Officer's Report, provide additional information and respond to the Agency's inquiries. The hearing will proceed as follows:

- First, time will be set aside for the railway companies, divided equally between them, unless they collectively propose to the Agency that time should be allocated in a different manner, which the Agency will take under advisement.
- Second, time will be set aside for the various shipper associations, divided equally between them, unless the shippers collectively propose to the Agency that time should be allocated in a different manner, which the Agency will take under advisement.
- Third, time will be allocated for other participants.
- Finally, railway companies will be permitted to make additional comments.

A more detailed Order of Proceedings will follow.

The Inquiry Officer's report and oral hearing are part of the information gathering and fact finding process required to conduct the investigation. The Inquiry Officer's report will not draw conclusions nor make determinations with respect to railway companies' service obligations.

**NEXT STEPS**

Following the conclusion of the oral hearing, the Agency will issue a Direction identifying any issues to be addressed by participants in subsequent written submissions.

All participants will then have 20 days to make written submissions, after which, all participants will have 10 days to submit replies to those written submissions.

The record before the Agency will comprise the Inquiry Officer's report, the information received during the oral hearing and participants' written submissions.

Should the parties have any questions or concerns, please contact Agency staff by email at: [Enquete.ferroviaire-Inquiry.rail@otc-cta.gc.ca](mailto:Enquete.ferroviaire-Inquiry.rail@otc-cta.gc.ca).

**BY THE AGENCY:**

(signed)

\_\_\_\_\_  
Scott Streiner  
Member

(signed)

\_\_\_\_\_  
Gerald Dickie  
Member

(signed)

\_\_\_\_\_  
Lenore Duff  
Member

**DISTRIBUTION LIST**

Canadian National Railway Company: [Eric.Harvey@cn.ca](mailto:Eric.Harvey@cn.ca)  
Cc: [DHodson@mltaikins.com](mailto:DHodson@mltaikins.com), [sean.finn@cn.ca](mailto:sean.finn@cn.ca), [RLepage@mltaikins.com](mailto:RLepage@mltaikins.com)

Canadian Pacific Railway Company: [cassandra\\_quach@cpr.ca](mailto:cassandra_quach@cpr.ca)  
Cc: [Tyme\\_Wittebrood@cpr.ca](mailto:Tyme_Wittebrood@cpr.ca)

BNSF Railway Company: [james.titsworth@bnsf.com](mailto:james.titsworth@bnsf.com)  
Cc: [Dustin.Almaguer@BNSF.com](mailto:Dustin.Almaguer@BNSF.com), [ian.mackay@rogers.com](mailto:ian.mackay@rogers.com)

Western Canadian Shippers' Coalition: [dmontpetit@westshippers.com](mailto:dmontpetit@westshippers.com)

Canadian Oilseed Processors Association: [chris.vervaet@copacanada.com](mailto:chris.vervaet@copacanada.com)

Forest Products Association of Canada: [DNighbor@fpac.ca](mailto:DNighbor@fpac.ca)  
Cc: [jneheimer@fpac.ca](mailto:jneuheimer@fpac.ca), [Lucia.Stuhldreier@mcmillan.ca](mailto:Lucia.Stuhldreier@mcmillan.ca)

Freight Management Association of Canada: [ballantyne@fma-agf.ca](mailto:ballantyne@fma-agf.ca)

Western Grain Elevator Association: [wgea@mymts.net](mailto:wgea@mymts.net)