

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

<p>IN RE NATIONAL RAILROAD PASSENGER CORPORATION:</p> <p>SECTION 213 INVESTIGATION OF SUBSTANDARD PERFORMANCE ON CN RAIL LINES</p>	<p style="text-align: center;">Docket No. NOR 42134</p>
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**JOINT MOTION OF NATIONAL RAILROAD PASSENGER CORPORATION AND
CN REQUESTING STB-SUPERVISED MEDIATION**

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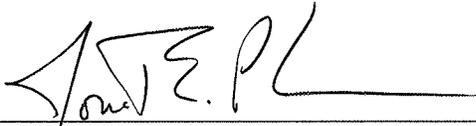
Pursuant to 49 C.F.R. §1109.1, National Railroad Passenger Corporation (“Amtrak”), and Grand Trunk Western Railroad Company and Illinois Central Railroad Company (collectively “CN”),¹ jointly and respectfully move for the Surface Transportation Board to appoint a mediator to assist the parties in resolving the issues raised by this Section 213 proceeding. The parties further request that the Section 213 proceedings (including Amtrak’s Petition and CN’s Motion for Abeyance) be held in abeyance for 90-days while the mediation is pursued, recognizing that either party may notify the Board at any time that normal agency procedures should be reactivated if, in its judgment, it appears that the mediation is unlikely to yield the intended results.

Accordingly, the parties request that the Board:

1. Appoint a mediator;
2. Hold the present action in abeyance for 90 days while the parties pursue mediation, subject to either party’s right at any time to reactivate normal agency procedures upon notice;
3. If mediation does not lead to the consensual resolution of the issues raised in Amtrak’s petition, extend Amtrak’s time to respond to CN’s Motion For Abeyance until 20 calendar days from the date the Board serves notice that normal agency proceedings are reactivated.

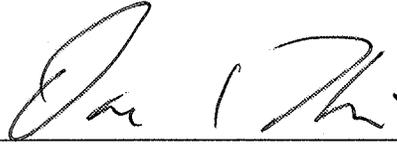
¹ Amtrak operates over the lines of Grand Trunk Western Railroad Company and Illinois Central Railroad Company, both of which are indirectly owned rail operating subsidiaries of Canadian National Railway Company (“CNR”), but CNR is not a host railroad for any of the services operated by Amtrak that are identified in Amtrak’s Petition.

Respectfully submitted,



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