

BEFORE THE
SURFACE TRANSPORTATION BOARD

233713

Docket No. NOR 42134

ENTERED
Office of Proceeding
January 23, 2013
Part of Public
Record

NATIONAL RAILROAD PASSENGER CORPORATION –
SECTION 213 INVESTIGATION OF SUBSTANDARD
PERFORMANCE ON RAIL LINES OF CN

FIRST JOINT REPORT ON SAMPLING

By decision in this proceeding served January 3, 2013, the Board directed the parties “to consult to develop a methodology for sampling the movements on each of the relevant Amtrak routes to provide a representative subset of evidence to represent all subject movements and shall report to the Board on such a sampling methodology by January 23, 2013.” *National Railroad Passenger Corporation-Section 213 Investigation Of Substandard Performance On Rail Lines Of Canadian National Railway Company*, Docket No. NOR 42134, slip op. at 5 (served Jan. 3, 2013). This First Joint Report On Sampling is submitted pursuant to that order.

After separate internal consideration of issues relating to sampling, the parties met by conference call on January 18, 2013. Both parties believe that the focus of sampling should be to identify for fuller investigation a representative subset of delays to Amtrak trains attributed to Freight Train Interference (“FTI”) in Amtrak’s Conductor Delay Reports. The parties are continuing their discussions on these matters and others, including the relevant time period and sample size.

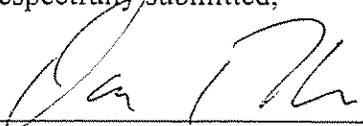
Unless the Board directs otherwise, the parties propose to report next to the Board on February 8 on their joint development of a sampling methodology.

Respectfully submitted,



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