

# BAKER & MILLER PLLC

ATTORNEYS and COUNSELLORS  
2401 PENNSYLVANIA AVENUE, NW  
SUITE 300  
WASHINGTON, DC 20037  
TELEPHONE: (202) 663-7820  
FACSIMILE: (202) 663-7849

William A. Mullins  
E-Mail: [wmullins@bakerandmiller.com](mailto:wmullins@bakerandmiller.com)

Direct Dial: (202) 663-7823

September 11, 2012

## VIA E-FILING

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

232956  
ENTERED  
Office of Proceedings  
September 11, 2012  
Part of  
Public Record

Re: *Genesee & Wyoming Inc. – Control – RailAmerica, Inc., et al.*,  
STB Docket No. FD 35654

Dear Ms. Brown:

In accordance with the procedures set forth in the Board's September 5, 2012 decision in the above-referenced proceeding, enclosed is The Kansas City Southern Railway Company's Notice of Intent to Participate. If there are any questions concerning this filing, please contact me by telephone at (202) 663-7823 or by e-mail at [wmullins@bakerandmiller.com](mailto:wmullins@bakerandmiller.com).

Sincerely,



William A. Mullins

Enclosure

cc: W. James Wochner  
David C. Reeves

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**STB DOCKET NO. FD 35654**

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**GENESEE & WYOMING INC. – CONTROL – RAILAMERICA, INC., ET AL.**

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**THE KANSAS CITY SOUTHERN RAILWAY COMPANY'S  
NOTICE OF INTENT TO PARTICIPATE**

**W. James Wochner, Esq.  
David C. Reeves, Esq.  
THE KANSAS CITY SOUTHERN  
RAILWAY COMPANY  
P.O. Box 219335  
Kansas City, MO 64121-9335  
Telephone: (816) 983-1324  
Facsimile: (816) 983-1227**

**William A. Mullins, Esq.  
Robert A. Wimbish, Esq.  
BAKER & MILLER PLLC  
2401 Pennsylvania Ave., N.W.  
Suite 300  
Washington, DC 20037  
Telephone: (202) 663-7823  
Facsimile: (202) 663-7849**

**Attorneys for The Kansas City Southern  
Railway Company**

**Dated: September 11, 2012**

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**STB DOCKET NO. FD 35654**

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**GENESEE & WYOMING INC. – CONTROL – RAILAMERICA, INC., ET AL.**

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**THE KANSAS CITY SOUTHERN RAILWAY COMPANY'S  
NOTICE OF INTENT TO PARTICIPATE**

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Pursuant to the procedures set forth in the Surface Transportation Board's ("Board") September 5, 2012 decision, The Kansas City Southern Railway Company ("KCSR") hereby gives notice of its intent to participate in the above-captioned proceeding as a party of record. Immediately below are the interested parties likely to participate on behalf of KCSR.

W. James Wochner, Jr., Esq.  
David C. Reeves, Esq.  
KANSAS CITY SOUTHERN  
RAILWAY COMPANY  
P.O. Box 219335  
Kansas City, MO 64121-9335  
Telephone: (816) 983-1324  
Facsimile: (816) 983-1227

William A. Mullins, Esq.  
Robert A. Wimbish, Esq.  
BAKER & MILLER PLLC  
2401 Pennsylvania Ave., N.W.  
Suite 300  
Washington, DC 20037  
Telephone: (202) 663-7823  
Facsimile: (202) 663-7849

KCSR notes that the Board is applying its "One Party--One Representative" policy for the service list in this proceeding. Accordingly, please list the undersigned as counsel of record, and list both W. James Wochner and David C. Reeves as "Non-Parties," so that each will receive copies of all Board decisions, orders, and notices.

If there are any questions concerning this filing, please contact me by telephone at (202) 663-7823 or by e-mail at [wmullins@bakerandmiller.com](mailto:wmullins@bakerandmiller.com).

Respectfully submitted,

W. James Wochner, Esq.  
David C. Reeves, Esq.  
THE KANSAS CITY SOUTHERN  
RAILWAY COMPANY  
P.O. Box 219335  
Kansas City, MO 64121-9335  
Telephone: (816) 983-1324  
Facsimile: (816) 983-1227



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Robert A. Wimbish, Esq.  
BAKER & MILLER PLLC  
2401 Pennsylvania Ave., N.W.  
Suite 300  
Washington, DC 20037  
Telephone: (202) 663-7823  
Facsimile: (202) 663-7849

Attorneys for The Kansas City Southern  
Railway Company

Dated: September 11, 2012

## CERTIFICATE OF SERVICE

I have this day served a copy of the foregoing Notice of Intent to Participate upon the four parties listed below by U.S. mail in a properly-addressed envelope with adequate first-class postage thereon prepaid, or by other, more expeditious means. The parties that comprise the final service list will be served promptly upon Board issuance its official service list on or after September 19, 2012.

Secretary of Transportation  
1200 New Jersey Avenue, S.E.  
Washington, DC 20590

Attorney General of the United States  
c/o Assistant Attorney General  
Department of Justice  
Antitrust Division, Room 3109  
Washington, DC 20530

Terence M. Hynes  
Sidley Austin LLP  
1501 K Street, N.W.  
Washington, DC 20005

David H. Coburn  
Steptoe & Johnson LLP  
1330 Connecticut Ave., NW  
Washington, DC 20036

Dated: September 11, 2012



Robert A. Wimbish  
Attorney for The Kansas City Southern  
Railway Company