



**MEMORANDUM OF UNDERSTANDING
BETWEEN THE UNITED STATES SURFACE TRANSPORTATION BOARD
AND THE CANADIAN TRANSPORTATION AGENCY
CONCERNING ENGAGEMENT AND INFORMATION SHARING**

**THE UNITED STATES SURFACE TRANSPORTATION BOARD (THE “STB”) AND
THE CANADIAN TRANSPORTATION AGENCY (THE “AGENCY”),** hereinafter referred to as
the “Participants”,

CONSIDERING that the Agency is an independent, quasi-judicial Canadian tribunal and economic regulator that makes decisions on a wide range of matters involving federally-regulated modes of transportation (air, rail, marine, and, for purposes of accessibility, extraprovincial bus). Along with its roles as a regulator and an aeronautical authority, the Agency works to facilitate accessible transportation, and serves as a dispute resolution authority over certain transportation rate and service complaints. The Agency supports the goal of a competitive and accessible national transportation system that fulfills the needs of Canadians and the Canadian economy,

CONSIDERING that the STB is an independent adjudicatory and economic United States federal regulatory agency with, as here pertinent, economic regulatory oversight of freight railroads, including rates; service; construction, acquisition and abandonment of rail lines; carrier mergers; the interchange of traffic among railroads; and certain oversight of passenger rail carriers, bus companies, and water carriers in the noncontiguous domestic trade. The STB regulates so as to promote a competitive rail industry with revenues adequate to provide a safe and efficient rail network to meet the needs of the public and the national defense,

CONSIDERING that both Participants serve as independent governmental agencies with decision-making authorities and economic regulatory roles associated with rail transportation,

CONSIDERING that they each have mandates that impact upon transportation by rail within their respective countries,

RECOGNIZING the importance of engagement and sharing of information to support independent consideration of potential approaches to support and promote best practices in their respective regulatory actions,

HAVE COME to the following understanding:

1. GENERAL STATEMENT OF PURPOSE

The purpose of this Memorandum of Understanding (MOU) is to facilitate cooperation and information-sharing between the Participants on:

- (a) approaches and best practices related to the discharge of their adjudicative and regulatory mandates; and,
- (b) developments in rail transportation.

2. AREAS OF COOPERATION

The Participants intend to cooperate by promoting ongoing open information exchanges through:

- (a) staff engagement; and,
- (b) an annual Chair-level meeting, to be scheduled at a mutually determined date.

3. CONFIDENTIALITY AND RELEASE OF INFORMATION

The Participants intend to exchange non-confidential information or information that may be released consistent with each Participant's respective national laws.

4. FINANCIAL ARRANGEMENTS

Each Participant, subject to applicable funding laws and regulations, intends to pay the costs it incurs in conducting activities under this MOU.

5. NOTIFICATION

The Participants designate the following as their contact for Notices and communications under this MOU:

- (a) For the STB:

Chief of Staff
Office of the Chairman
Surface Transportation Board
395 E Street, SW
Washington, DC 20423
- (c) For the Agency:

Chief Strategy Officer
Analysis and Outreach Branch
Canadian Transportation Agency
19th Floor, 15 Eddy Street
Gatineau, Quebec
K1A0N9

6. STATUS

This MOU is not legally binding, nor does it obligate funding on the part of either Participant.

7. FINAL DISPOSITIONS

- (a) This MOU is intended to take effect on the date of signature and remain valid until terminated in accordance with sub-paragraph (c).
- (b) The Participants may modify this MOU upon their mutual written consent.
- (c) Either Participant may discontinue its participation in this MOU and is expected to provide thirty (30) days' notice in writing to the other Participant.

SIGNED in duplicate at
in the English and French languages.

, on this eighth day of December 2016

**FOR THE UNITED STATES SURFACE
TRANSPORTATION BOARD**

**FOR THE CANADIAN TRANSPORTATION
AGENCY**

Daniel R. Elliott III
Chairman
Surface Transportation Board

Scott Streiner
Chair and CEO
Canadian Transportation Agency