1 Massachusetts Avenue, NW, Washington, DC 20001 Email william.flynn@amtrak.com Tel 202-906-3963



November 1, 2021

The Honorable Pete Buttigieg U.S. Secretary of Transportation 1200 New Jersey Ave, SE Washington, DC 20590

# Dear Secretary Buttigieg:

The Metrics and Minimum Standards for Intercity Passenger Rail Service final rule set forth at 49 C.F.R. Part 273 and published by the Federal Railroad Administration ("FRA") on November 16, 2020 (the "Final Rule"), introduces a certified schedule metric that requires Amtrak to report to the FRA the number of certified Amtrak schedules, uncertified schedules, and disputed schedules, by train, route, and host railroad.

The Final Rule defines a "certified schedule" as a published Amtrak train schedule that Amtrak and the host railroad jointly certify is aligned with the customer on-time performance ("OTP") metric and standard set forth in the Final Rule. The customer OTP metric is the percentage of all customers who arrive at their detraining point no later than fifteen (15) minutes after their published scheduled arrival time, reported by train and by route, and the customer OTP standard is eighty (80) percent for any two consecutive calendar quarters. See 49 C.F.R. 273.5(a)(1) & (2).

As required by the Final Rule, Amtrak and Metro-North Commuter Railroad Company (MNRR) are transmitting this joint letter reporting the following schedules that remain uncertified as of October 31, 2021, as agreement has not been reached on whether the schedules are aligned with the customer OTP metric and standard:

- 1. Acela Trains 2150, 2151, 2154, 2155, 2159, 2160, 2163, 2164, 2165, 2167, 2168, 2171, 2175, 2190, 2253, 2254, 2255, 2256, 2258, 2259, 2260, 2261, 2275 and 2290
- 2. Adirondack Trains 68 and 69
- 3. Ethan Allen Express Trains 290, 291, 292, 293, 295 and 296
- 4. Maple Leaf Trains 63 and 64
- 5. New York Albany Trains 230, 232, 233, 234, 235, 236, 237, 238, 241, 242, 243, 244, 245, 250, 252, 253, 254, 255, 256, 259, 260 and 261
- 6. New York Niagara Falls Trains 280, 281, 283, 284 and 288
- 7. Northeast Regional Trains 132, 137, 140, 141, 146, 148, 149, 150, 163, 167, 168, 177, 178, and 179
- 8. Richmond/Newport News/Norfolk Trains 65, 66, 67, 82, 86, 95, 96, 174 and 194



- 9. Roanoke Trains 171 and 176
- 10. Vermonter Trains 54, 55, 56 and 57.

Exhibit A details Amtrak's position regarding the components of the train schedules upon which Amtrak and MNRR have not yet agreed, signed by me.

Exhibit B details MNRR's position regarding the components of the train schedules upon which Amtrak and MNRR have not yet agreed, signed by MNRR President Catherine Rinaldi.

Amtrak and MNRR will continue to meet regularly to discuss the certification of all schedules. Please let us know if you have any questions regarding the information provided in this transmittal.

Sincerely,

William J. Flynn

Chief Executive Officer

#### Attachments

cc: The Honorable Martin J. Oberman, Chairman, Surface Transportation Board

The Honorable Peter A. DeFazio, Chair, Committee on Transportation and Infrastructure, U.S. House of Representatives

The Honorable Sam Graves, Ranking Member, Committee on Transportation and Infrastructure, U.S. House of Representatives

The Honorable Maria Cantwell, Chair, Committee on Commerce, Science, and Transportation, U.S. Senate

The Honorable Roger Wicker, Ranking Member, Committee on Commerce, Science, and Transportation, U.S. Senate

The Honorable Rosa L. DeLauro, Chair, Committee on Appropriations, U.S. House of Representatives

The Honorable Kay Granger, Ranking Member, Committee on Appropriations, U.S. House of Representatives

The Honorable Patrick Leahy, Chair, Committee on Appropriations, U.S. Senate

The Honorable Richard Shelby, Ranking Member, Committee on Appropriations, U.S. Senate

The Honorable Don Beyer, U.S. House of Representatives



The Honorable Richard Blumenthal, U.S. Senate

The Honorable Cory Booker, U.S. Senate

The Honorable Jamaal Bowman, U.S. House of Representatives

The Honorable Brendan Boyle, U.S. House of Representatives

The Honorable Anthony Brown, U.S. House of Representatives

The Honorable Ben Cardin, U.S. Senate

The Honorable Tom Carper, U.S. Senate

The Honorable Bob Casey, U.S. Senate

The Honorable David Cicilline, U.S. House of Representatives

The Honorable Yvette Clark, U.S. House of Representatives

The Honorable Ben Cline, U.S. House of Representatives

The Honorable Gerry Connolly, U.S. House of Representatives

The Honorable Chris Coons, U.S. Senate

The Honorable Joe Courtney, U.S. House of Representatives

The Honorable Madeleine Dean, U.S. House of Representatives

The Honorable Antonio Delgado, U.S. House of Representatives

The Honorable Adriano Espaillat, U.S. House of Representatives

The Honorable Dwight Evans, U.S. House of Representatives

The Honorable Brian Fitzpatrick, U.S. House of Representatives

The Honorable Kirsten Gillibrand, U.S. Senate

The Honorable Bob Good, U.S. House of Representatives

The Honorable Morgan Griffith, U.S. House of Representatives

The Honorable Andy Harris, U.S. House of Representatives

The Honorable Maggie Hassan, U.S. Senate

The Honorable Jahana Hayes, U.S. House of Representatives

The Honorable Brian Higgins, U.S. House of Representatives

The Honorable Jim Himes, U.S. House of Representatives

The Honorable Steny Hoyer, U.S. House of Representatives

The Honorable Chris Jacobs, U.S. House of Representatives

The Honorable Hakeem Jeffries, U.S. House of Representatives

The Honorable Mondaire Jones, U.S. House of Representatives

The Honorable Tim Kaine, U.S. Senate

The Honorable John Katko, U.S. House of Representatives

The Honorable Ann McLane Kuster, U.S. House of Representatives

The Honorable Jim Langevin, U.S. House of Representatives

The Honorable John Larson, U.S. House of Representatives

The Honorable Elaine Luria, U.S. House of Representatives

The Honorable Stephen Lynch, U.S. House of Representatives

The Honorable Nicole Malliotakis, U.S. House of Representatives

The Honorable Carolyn Maloney, U.S. House of Representatives

The Honorable Sean Patrick Maloney, U.S. House of Representatives



The Honorable Ed Markey, U.S. Senate

The Honorable Donald McEachin, U.S. House of Representatives

The Honorable James McGovern, U.S. House of Representatives

The Honorable Gregory W. Meeks, U.S. House of Representatives

The Honorable Bob Menendez, U.S. Senate

The Honorable Grace Meng, U.S. House of Representatives

The Honorable Kweisi Mfume, U.S. House of Representatives

The Honorable Joseph Morelle, U.S. House of Representatives

The Honorable Chris Murphy, U.S. Senate

The Honorable Jerrold Nadler, U.S. House of Representatives

The Honorable Richard Neal, U.S. House of Representatives

The Honorable Donald Norcross, U.S. House of Representatives

The Honorable Eleanor Holmes Norton, U.S. House of Representatives

The Honorable Alexandria Ocasio-Cortez, U.S. House of Representatives

The Honorable Frank Pallone, Jr., U.S. House of Representatives

The Honorable Donald M. Payne, Jr., U.S. House of Representatives

The Honorable Ayanna Pressley, U.S. House of Representatives

The Honorable Jamie Raskin, U.S. House of Representatives

The Honorable Jack Reed, U.S. Senate

The Honorable Kathleen Rice, U.S. House of Representatives

The Honorable Lisa Blunt Rochester, U.S. House of Representatives

The Honorable C. A. Dutch Ruppersberger, U.S. House of Representatives

The Honorable Bernie Sanders, U.S. Senate

The Honorable John P. Sarbanes, U.S. House of Representatives

The Honorable Mary Gay Scanlon, U.S. House of Representatives

The Honorable Chuck Schumer, U.S. Senate

The Honorable Bobby Scott, U.S. House of Representatives

The Honorable Jeanne Shaheen, U.S. Senate

The Honorable Albio Sires, U.S. House of Representatives

The Honorable Christopher H. Smith, U.S. House of Representatives

The Honorable Abigail Spanberger, U.S. House of Representatives

The Honorable Elise Stefanik, U.S. House of Representatives

The Honorable Thomas Suozzi, U.S. House of Representatives

The Honorable Claudia Tenney, U.S. House of Representatives

The Honorable Paul Tonko, U.S. House of Representatives

The Honorable Pat Toomey, U.S. Senate

The Honorable Ritchie Torres, U.S. House of Representatives

The Honorable Chris Van Hollen, U.S. Senate

The Honorable Nydia Velazquez, U.S. House of Representatives

The Honorable Mark Warner, U.S. Senate

The Honorable Elizabeth Warren, U.S. Senate

The Honorable Pete Buttigieg November 1, 2021 Page 5



The Honorable Bonnie Watson Coleman, U.S. House of Representatives
The Honorable Peter Welch, U.S. House of Representatives
The Honorable Jennifer Wexton, U.S. House of Representatives
The Honorable Sheldon Whitehouse, U.S. Senate
The Honorable Rob Wittman, U.S. House of Representatives

## Exhibit A

## Amtrak's position regarding the disagreed upon components of the train schedules.

The Final Rule defines a "certified schedule" as a published train schedule that Amtrak and the host railroad jointly certify is aligned with the customer on-time performance ("OTP") metric and minimum standard set forth in the Final Rule. To date, MNRR and Amtrak have been unable to reach agreement to certify 70% (90 uncertified of 129 total) of the Amtrak train schedules operating on MNRR.

Amtrak has worked with over 20 host railroads to successfully certify nearly 90% of train schedules to date. While Amtrak has invested, and will continue to invest, significant management time and is engaged at all levels to work towards resolution, MNRR remains the only host railroad for which Amtrak has uncertified schedules.

As we are approaching the one-year anniversary of the publication of FRA's Final Rule, we do not currently see a pathway to certification with MNRR for the remaining 90 train schedules.

Sincerely,

William J. Flynn

Chief Executive Officer

Amtrak

Table 1: Amt	rak Sched	lule Alignment Analysi	s Results by Train				
			1. Prior Customer		3. Recovery Time-	4. Recovery Time	
		Train Origin-	OTP Schedule	2. Strong Historical	Ridership	Distributed to	Assessment based on
Service	Train	Destination	Modifications	Performance	Correlation	Passenger Benefit	Criteria
Acela	2150	Washington-Boston	$\sqrt{}$	$\sqrt{}$		$\sqrt{}$	Aligned to Customer OTP
Acela	2151	Boston-Washington	$\sqrt{}$	$\sqrt{}$	$\sqrt{}$	$\sqrt{}$	Aligned to Customer OTP
Acela	2154	Washington-Boston	$\sqrt{}$	$\sqrt{}$		$\sqrt{}$	Aligned to Customer OTP
Acela	2155	Boston-Washington	$\sqrt{}$	$\sqrt{}$	$\sqrt{}$	V	Aligned to Customer OTP
Acela	2159	Boston-Washington	V	V	√	V	Aligned to Customer OTP
Acela	2160	Washington-Boston	V	V			Aligned to Customer OTP
Acela	2163	Boston-Washington	V	V		V	Aligned to Customer OTP
Acela	2164	Washington-Boston	√	V		V	Aligned to Customer OTP
Acela	2165	Boston-Washington	√	V		V	Aligned to Customer OTP
Acela	2167	Boston-Washington	√	V		V	Aligned to Customer OTP
Acela	2168	Washington-Boston	√	V			Aligned to Customer OTP
Acela	2171	Boston-Washington	V	$\sqrt{}$	$\sqrt{}$	V	Aligned to Customer OTP
Acela	2175	Boston-Washington	√	V	V		Aligned to Customer OTP
Acela	2190	New York-Boston	√	V		V	Aligned to Customer OTP
Acela	2253	Boston-Washington	√	V	V	V	Aligned to Customer OTP
Acela	2254	Washington-Boston	√	V			Aligned to Customer OTP
Acela	2255	Boston-Washington	√	V	V	V	Aligned to Customer OTP
Acela	2256	Washington-Boston	√	V		V	Aligned to Customer OTP
Acela	2258	Washington-Boston	√				Aligned to Customer OTP
Acela	2259	Boston-Washington	√	$\sqrt{}$	V	V	Aligned to Customer OTP
Acela	2260	Washington-Boston	V	$\sqrt{}$		V	Aligned to Customer OTP
Acela	2261	Boston-Washington	√	V		V	Aligned to Customer OTP
Acela	2275	Boston-Washington	V	$\sqrt{}$	$\sqrt{}$	V	Aligned to Customer OTP
Acela	2290	New York-Boston	V	V		V	Aligned to Customer OTP
Adirondack	68	New York-Montreal	V		V	V	Aligned to Customer OTP
Adirondack	69	New York-Montreal	√	V		V	Aligned to Customer OTP
Ethan Allen	290	New York-Rutland	√	V	V	V	Aligned to Customer OTP
Express							_
Ethan Allen	291	New York-Rutland	√	V			Aligned to Customer OTP
Express							_
Ethan Allen	292	New York-Rutland	√	V		V	Aligned to Customer OTP
Express							

Ethan Allen	293	New York-Rutland	$\sqrt{}$	$\sqrt{}$		V	Aligned to Customer OTP
Express							
Ethan Allen	295	New York-Rutland	$\sqrt{}$				Aligned to Customer OTP
Express							
Ethan Allen	296	New York-Rutland	$\sqrt{}$	$\sqrt{}$	$\sqrt{}$	$\sqrt{}$	Aligned to Customer OTP
Express							
Maple Leaf	63	New York-Toronto	$\sqrt{}$			$\sqrt{}$	Aligned to Customer OTP
Maple Leaf	64	New York-Toronto	$\sqrt{}$	$\sqrt{}$		$\sqrt{}$	Aligned to Customer OTP
New York -	230	New York-Albany	$\sqrt{}$	$\sqrt{}$	V	$\sqrt{}$	Aligned to Customer OTP
Albany							
New York -	232	New York-Albany	V	V	V	V	Aligned to Customer OTP
Albany							
New York -	233	New York-Albany	V	$\sqrt{}$	V		Aligned to Customer OTP
Albany							
New York -	234	New York-Albany	V	V	V	V	Aligned to Customer OTP
Albany							
New York -	235	New York-Albany	$\sqrt{}$	V	V		Aligned to Customer OTP
Albany							
New York -	236	New York-Albany	V	V	V	V	Aligned to Customer OTP
Albany							
New York -	237	New York-Albany	V	V	V	V	Aligned to Customer OTP
Albany							
New York -	238	New York-Albany	V	V	V	V	Aligned to Customer OTP
Albany							
New York -	241	New York-Albany	$\sqrt{}$	V	V		Aligned to Customer OTP
Albany							
New York -	242	New York-Albany	$\sqrt{}$	V	V		Aligned to Customer OTP
Albany							
New York -	243	New York-Albany	$\sqrt{}$	V	V		Aligned to Customer OTP
Albany							
New York -	244	New York-Albany	V	V	V	V	Aligned to Customer OTP
Albany							
New York -	245	New York-Albany	V	V	V		Aligned to Customer OTP
Albany							
New York -	250	New York-Albany	$\sqrt{}$	$\sqrt{}$	V	$\sqrt{}$	Aligned to Customer OTP
Albany							
New York -	252	New York-Albany	V		√	V	Aligned to Customer OTP
Albany							

New York - Albany	253	New York-Albany	V	V	V	V	Aligned to Customer OTP
New York - Albany	254	New York-Albany	V	V	V	V	Aligned to Customer OTP
New York - Albany	255	New York-Albany	V	V	V		Aligned to Customer OTP
New York - Albany	256	New York-Albany	V	V	V	V	Aligned to Customer OTP
New York - Albany	259	New York-Albany	V	V	V	V	Aligned to Customer OTP
New York - Albany	260	New York-Albany	V	V	V	V	Aligned to Customer OTP
New York - Albany	261	New York-Albany	V	V	V	V	Aligned to Customer OTP
New York - Niagara Falls	280	New York-Niagara Falls	V	V	V	V	Aligned to Customer OTP
New York - Niagara Falls	281	New York-Niagara Falls	V				Aligned to Customer OTP
New York - Niagara Falls	283	New York-Niagara Falls	V				Aligned to Customer OTP
New York - Niagara Falls	284	New York-Niagara Falls	V	V	V	V	Aligned to Customer OTP
New York - Niagara Falls	288	New York-Niagara Falls	V	V	V	V	Aligned to Customer OTP
Northeast Regional	132	Washington-Boston	V	V			Aligned to Customer OTP
Northeast Regional	137	Boston-Washington	V	V	V	V	Aligned to Customer OTP
Northeast Regional	140	Washington- Springfield	V	V			Aligned to Customer OTP
Northeast Regional	141	Springfield- Washington	V	V	V	V	Aligned to Customer OTP

Northeast	146	Washington-	$\sqrt{}$	$\sqrt{}$			Aligned to Customer OTP
Regional		Springfield					
Northeast	148	Washington-	$\sqrt{}$	$\sqrt{}$			Aligned to Customer OTP
Regional		Springfield					
Northeast	149	Boston-Washington	V	$\sqrt{}$	V	V	Aligned to Customer OTP
Regional							
Northeast	150	Washington-Boston	$\sqrt{}$	$\sqrt{}$			Aligned to Customer OTP
Regional							
Northeast	163	Boston-Washington	$\sqrt{}$	$\sqrt{}$			Aligned to Customer OTP
Regional							
Northeast	167	Boston-Washington	V	$\sqrt{}$	V	V	Aligned to Customer OTP
Regional							
Northeast	168	Washington-Boston	V	$\sqrt{}$			Aligned to Customer OTP
Regional							
Northeast	177	Boston-Washington	V	$\sqrt{}$			Aligned to Customer OTP
Regional							
Northeast	178	Washington-Boston	V	V			Aligned to Customer OTP
Regional							
Northeast	179	Boston-New York	V	$\sqrt{}$	V		Aligned to Customer OTP
Regional							
Richmond /	65	Boston-Newport	$\sqrt{}$	$\sqrt{}$	$\sqrt{}$		Aligned to Customer OTP
Newport		News					
News /							
Norfolk							
Richmond /	66	Newport News-	$\sqrt{}$	$\sqrt{}$		$\sqrt{}$	Aligned to Customer OTP
Newport		Boston					
News /							
Norfolk							
Richmond /	67	Boston-Newport	$\sqrt{}$	$\sqrt{}$	$\sqrt{}$		Aligned to Customer OTP
Newport		News					
News /							
Norfolk			,			,	
Richmond /	82	Richmond-Boston	$\sqrt{}$	$\sqrt{}$		$\sqrt{}$	Aligned to Customer OTP
Newport							
News /							
Norfolk			,	,	,	,	
Richmond /	86	Richmond-Boston	$\sqrt{}$	$\sqrt{}$	$\sqrt{}$	$\sqrt{}$	Aligned to Customer OTP
Newport							

News /							
Norfolk							
Richmond /	95	Boston-Norfolk	V	V		V	Aligned to Customer OTP
Newport							
News /							
Norfolk							
Richmond /	96	Newport News-	$\sqrt{}$	$\sqrt{}$		$\sqrt{}$	Aligned to Customer OTP
Newport		Boston					
News /							
Norfolk							
Richmond /	174	Newport News-	$\sqrt{}$	$\sqrt{}$		$\sqrt{}$	Aligned to Customer OTP
Newport		Boston					
News /							
Norfolk			,				
Richmond /	194	Newport News-	$\sqrt{}$	$\sqrt{}$		$\sqrt{}$	Aligned to Customer OTP
Newport		Boston					
News /							
Norfolk							
Roanoke	171	Boston-Roanoke	$\sqrt{}$	V	$\sqrt{}$	$\sqrt{}$	Aligned to Customer OTP
Roanoke	176	Roanoke-Boston	$\sqrt{}$	V			Aligned to Customer OTP
Vermonter	54	Washington DC-St.	$\sqrt{}$	$\sqrt{}$		$\sqrt{}$	Aligned to Customer OTP
		Albans					
Vermonter	55	Washington DC-St.	$\sqrt{}$	$\sqrt{}$	$\sqrt{}$	$\sqrt{}$	Aligned to Customer OTP
		Albans					
Vermonter	56	Washington DC-St.	V	$\sqrt{}$		$\sqrt{}$	Aligned to Customer OTP
		Albans					
Vermonter	57	Washington DC-St.	V	V	V	V	Aligned to Customer OTP
		Albans					

## Exhibit B

Metro-North Commuter Railroad Company's ("Metro-North") position on the disagreed-upon components of Amtrak's train schedules.

Metro-North, a New York State public benefit corporation and subsidiary of the Metropolitan Transportation Authority ("MTA"), operates the second-busiest commuter railroad in the country. Pre-COVID, Metro-North operated 713 weekday revenue trains carrying an average of 289,000 weekday riders. Pursuant to certain Trackage Rights Agreements between Metro-North and Amtrak, Amtrak operates over Metro-North's New Haven and Hudson Lines (Metro-North's "territory"). Amtrak enters Metro-North's New Haven Line territory in New Haven, CT and leaves the New Haven Line in New Rochelle, NY, continuing on to Penn Station in midtown Manhattan. Amtrak enters Metro-North's Hudson Line territory in Poughkeepsie, NY and exits near Riverdale in the Bronx, NY, again continuing on to Penn Station.

The *Metrics and Minimum Standards for Intercity Passenger Rail Service*, 49 C.F.R. Part 273, published by the Federal Railroad Administration ("FRA") on November 16, 2020 (the "Final Rule") defines a "certified schedule" as a published train schedule for Amtrak trains that Amtrak and the host railroad jointly certify is aligned with the Customer On-Time Performance ("OTP") metric and standard set forth in the Final Rule. To ensure Amtrak's train schedules meet the Customer OTP metric and standard, Amtrak's schedules must provide trains with sufficient running time while in Metro-North's territory. Amtrak's trains traverse long distances; Metro-North has no control over events outside of its territory and must account for such unknowns in its review and certification of Amtrak's schedules. As such, the "host running time" metric, also established by the Final Rule, which compares a train's actual running time with the scheduled running time between the first and final reporting points for a host railroad, is important and must be accurately calculated **prior to certification** to demonstrate the schedule adjustments necessary for Amtrak trains to have enough time to traverse Metro-North's territory and successfully meet the Customer OTP metric and standard.

Amtrak has submitted 24 train schedules (26% of the uncertified schedules) to be certified for trains that are not currently operating and have no proposed effective date to begin operating. It is Metro-North's position, which is supported by the regulation, that trains with no defined plan to operate need not be certified at this time. Metro-North is fully committed to work with Amtrak on certifying these schedules once they have a proposed effective date. There are numerous factors that impact the run time of a train including, but not limited to, time of day, track work, infrastructure work, etc. Without knowing when a train will operate, it is neither feasible nor realistic to determine whether the schedule is possible. For example, on Metro-North's New Haven Line, the State of Connecticut will be replacing Walk Bridge in Norwalk, Connecticut. This major infrastructure project has the potential to reduce the number of available tracks on which to operate from 4 to 2 for several years. This example is only one that demonstrates why it is necessary for Amtrak to identify the intended date of operation for Metro-North to appropriately certify a schedule. Without this critical factual information, it is pure conjecture as to whether the schedule meets the Customer and OTP metric and standard. Furthermore, the regulation does not require future schedules without proposed effective dates to be certified, so it is unclear why Amtrak included these schedules from the outset.

Metro-North is committed to continuing to work with Amtrak in an effort to certify the remaining schedules and to ensure the schedules meet the Customer OTP metric and regulatory requirement. As an illustration of this commitment, Amtrak recently returned 17 trains to service and Metro-North is agreeable to certifying 8 of those schedules that align with the Customer OTP metric and standard. Those trains are: 293, 239, 149, 163, 82, 132, 54 and 2169.

Additionally, Metro-North and Amtrak recently implemented a schedule change on Metro-North's Hudson Line due to the infrastructure effects of Tropical Storm Ida. Metro-North is willing to certify all 26 Amtrak trains currently operating on the Hudson Line under the revised schedule. However, Amtrak has not provided a response to Metro-North as to whether Amtrak is agreeable to certify those schedules. The 26 schedules on the Hudson Line represent approximately 28% of the remaining uncertified schedules.

The attached Table 1 lists each Amtrak train that Metro-North has not certified to date based on the well-established framework and analysis that Metro-North has used since the regulation became effective.

There are currently 92 schedules that are uncertified according to Amtrak's list. If this amount is reduced by the 24 schedules not currently in operation, the 26 schedules on the Hudson Line, and 8 schedules that Metro-North is agreeable to certify, there are only 34 remaining schedules to certify. Of those, current operational data shows that these trains do not consistently meet Customer OTP in accordance with the current schedule and are frequently late. Metro-North cannot certify Amtrak schedules for which data reveals an incapability to traverse Metro-North territory in the run time printed on the schedule. Metro-North trusts that the spirit of the regulation requires these trains to be adjusted to reflect actual run time proven through operational data.

Although Amtrak claimed in their narrative that "MNRR remains the only host railroad for which Amtrak has uncertified schedules," we believe this characterization is not fully accurate. Many other railroads immediately classified schedules as "disputed" in May 2021, and they currently remain in a disputed status with Amtrak's schedules. In contrast, Metro-North has attempted in good faith to continue reviewing and discussing the schedules with Amtrak in furtherance of meeting the Customer OTP standards over the last several months. As demonstrated by the information above, Amtrak has declined to compromise with Metro-North on these issues to make effective progress in certification.

As another passenger railroad who aims to provide the best service possible to our customers and those for Amtrak, we have attempted to resolve our schedule discrepancies and believed that strategy to be more beneficial to the rail network than prolonging disagreement and simply classifying schedules as "disputed" like so many other railroads did at the commencement of this process. We also believe that the spirit of the regulation calls for railroads to engage in both meaningful and reasonable negotiations on the schedules; but if we are not met with that same belief, we will similarly review our options to resolve these issues pursuant to the regulation.

Metro-North remains dedicated to meeting the intent of 49 CFR Part 273 and will maintain our obligations to support the improved metrics and minimum standards for measuring the performance and service quality of intercity passenger train operations.

Very truly yours,

Catherine Rinaldi

President

Metro-North Commuter Railroad Company

askerine Rinalde

Train	(1) Train is Currently Operating as of May 2021	(2) Schedule Provided to Metro-North between May 2020 and May 2021	(3) Metro-North Action Taken	(4) MNR-Calculated Running Time (Minutes)	(5) Current Amtrak Running Time (Minutes)	(6) Running Time Deficiency
293	No	No	Certification Approved	75	76	0
239	No	No	Certification Approved	75	75	0
290	Yes	Yes	Review for Certification	75	70	5
291	Yes	Yes	Review for Certification	75	70	5
292	Yes	Yes	Review for Certification	75	70	5
295	No	No	Review for Certification	75	70	5
296	No	No	Review for Certification	75	70	5
63	Yes	Yes	Review for Certification	75	70	5
64	Yes	Yes	Review for Certification	75	71	4
233	Yes	Yes	Review for Certification	75	70	5
236	Yes	Yes	Review for Certification	75	70	5
238	Yes	Yes	Review for Certification	75	70	5
241	Yes	Yes	Review for Certification	75	70	5
243	Yes	Yes	Review for Certification	75	70	5
250	Yes	Yes	Review for Certification	75	70	5
253	Yes	Yes	Review for Certification	75	70	5
255	No	No	Review for Certification	75	70	5
256	No	No	Review for Certification	75	70	5
259	Yes	Yes	Review for Certification	75	70	5
260	Yes	Yes	Review for Certification	75	70	5
283	Yes	Yes	Review for Certification	75	70	5
284	Yes	Yes	Review for Certification	75	70	5
232	Yes	Yes	Review for Certification	73	70	3
234	Yes	Yes	Review for Certification	73	68	5
237	Yes	Yes	Review for Certification	73	67	6
244	Yes	Yes	Review for Certification	73	68	5
280	Yes	Yes	Review for Certification	73	68	5
281	Yes	Yes	Review for Certification	73	68	5
68	No	No	Waiting for Schedule			·
69	No	No	Waiting for Schedule	_		

Train	(1) Train is Currently Operating as of May 2021	(2) Schedule Provided to Metro-North between May 2020 and May 2021	(3) Metro-North Action Taken	(4) MNR-Calculated Running Time (Minutes)	(5) Current Amtrak Running Time (Minutes)	(6) Running Time Deficiency
230	No	No	Waiting for Schedule			
235	No	No	Waiting for Schedule			
242	No	No	Waiting for Schedule			
245	No	No	Waiting for Schedule			
252	No	No	Waiting for Schedule			
254	No	No	Waiting for Schedule			
261	No	No	Waiting for Schedule			
288	No	No	Waiting for Schedule			
149	No	Yes	Certification Approved	79	82	0
163	No	Yes	Certification Approved	79	80	0
82	No	Yes	Certification Approved	79	84	0
132	No	No	Certification Approved	77	79	0
54	No	Yes	Certification Approved	77	77	0
2169	No	No	Certification Approved	73	73	0
137	Yes	Yes	Review for Certification	79	71	8
140	Yes	Yes	Review for Certification	79	75	4
141	Yes	Yes	Review for Certification	79	75	4
148	Yes	Yes	Review for Certification	79	76	3
150	Yes	Yes	Review for Certification	79	74	5
167	Yes	Yes	Review for Certification	79	74	5
168	Yes	Yes	Review for Certification	79	76	3
177	Yes	Yes	Review for Certification	79	75	4
178	Yes	Yes	Review for Certification	79	76	3
179	No	Yes	Review for Certification	79	77	2
65	Yes	Yes	Review for Certification	79	72	7
66	Yes	Yes	Review for Certification	79	76	3
67	Yes	Yes	Review for Certification	79	72	7
96	Yes	Yes	Review for Certification	79	74	5
174	Yes	Yes	Review for Certification	79	76	3
194	Yes	Yes	Review for Certification	79	76	3
176	Yes	Yes	Review for Certification	79	76	3
146	Yes	Yes	Review for Certification	77	73	4
171	Yes	Yes	Review for Certification	77	74	3
55	No	Yes	Review for Certification	77	72	5
2154	Yes	Yes	Review for Certification	75	68	7
2253	Yes	Yes	Review for Certification	75	72	3

Train	(1) Train is Currently Operating as of May 2021	(2) Schedule Provided to Metro-North between May 2020 and May 2021	(3) Metro-North Action Taken	(4) MNR-Calculated Running Time (Minutes)	(5) Current Amtrak Running Time (Minutes)	(6) Running Time Deficiency
2259	Yes	Yes	Review for Certification	75	71	4
86	No	No	Review for Certification	75	70	5
95	Yes	Yes	Review for Certification	75	70	5
56	No	Yes	Review for Certification	75	73	2
57	No	Yes	Review for Certification	75	74	1
2150	Yes	Yes	Review for Certification	73	70	3
2155	Yes	Yes	Review for Certification	73	68	5
2159	Yes	Yes	Review for Certification	73	69	4
2163	Yes	Yes	Review for Certification	73	70	3
2254	Yes	Yes	Review for Certification	73	70	3
2255	Yes	Yes	Review for Certification	73	70	3
2256	Yes	Yes	Review for Certification	73	67	6
2151	No	No	Waiting for Schedule			
2160	No	No	Waiting for Schedule			
2164	No	No	Waiting for Schedule			
2165	No	No	Waiting for Schedule			
2167	No	Yes	Waiting for Schedule			
2168	No	Yes	Waiting for Schedule			
2171	No	No	Waiting for Schedule			
2175	No	No	Waiting for Schedule			
2190	No	No	Waiting for Schedule			<u>-</u>
2258	No	No	Waiting for Schedule			
2260	No	No	Waiting for Schedule			
2261	No	Yes	Waiting for Schedule			
2275	No	No	Waiting for Schedule			<u>-</u>
2290	No	No	Waiting for Schedule			