

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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Finance Docket No. 36025

TEXAS CENTRAL RAILROAD AND INFRASTRUCTURE, INC. &  
TEXAS CENTRAL RAILROAD, LLC  
-AUTHORITY TO CONSTRUCT AND OPERATE-  
PASSENGER RAIL LINE BETWEEN DALLAS, TX AND HOUSTON, TX

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FIRST SET OF INTERROGATORIES TO  
TEXAS CENTRAL RAILROAD AND INFRASTRUCTURE, INC. &  
TEXAS CENTRAL RAILROAD, LLC

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To: Petitioners Texas Central Railroad & Infrastructure, Inc. and Texas Central Railroad, LLC, by and through attorneys of record, Raymond Atkins & Terence M Hynes, Sidley Austin LLP, 1501 K Street, N.W. Washington, D.C. 20005; Kathryn K. Floyd & Jay Johnson, Venable LLP, 575 7<sup>th</sup> Street, N.W. Washington, D.C. 20004.

Pursuant to 49 CFR §§1121.2 and 1114.26, Texans Against High Speed Rail, Inc. serves this First Set of Interrogatories on Petitioners Texas Central Railroad and Infrastructure, Inc. & Texas Central Railroad, LLC, and request that Petitioners answer each of the following interrogatories within fifteen (15) days of service. Answers to these Interrogatories are to be produced to the offices of The Beckham Group, 3400 Carlisle Street, Suite 550, Dallas, Texas 75204 within 15 days of service, or at such other time and location as may be mutually agreed upon by the parties.

**INSTRUCTIONS**

1. The words and phrases listed in these Interrogatories will have the meanings set forth in the definitions section wherever such words and phrases appear. Words and phrases not listed in the definitions section will have their ordinary meaning.
2. When appropriate in the context of an Interrogatory, the singular shall mean the plural and vice versa.

3. These Interrogatories are continuing requests, and require supplemental responses in accordance with the applicable rules.

### **DEFINITIONS**

4. **“You” or “Your” or “Texas Central”** means Texas Central Railroad & Infrastructure, Inc. and Texas Central Railroad, LLC, and its officers, affiliates, directors, employees, agents and representatives, and all those acting on their behalf.
5. **“Texas Central Line”** is the proposed 240-mile high-speed passenger rail line between Dallas and Houston, Texas.
6. **“Exemption Petition”** means the Petition for Exemption filed by Texas Central Railroad & Infrastructure, Inc. and Texas Central Railroad, LLC on April 19, 2016.
7. **“Verified Exemption Statement”** means the Verified Statement of Timothy B. Keith attached to the Exemption Petition.
8. **“Clarification Petition”** means the Petition for Clarification filed by Texas Central Railroad & Infrastructure, Inc. and Texas Central Railroad, LLC on April 19, 2016.
9. **“Verified Clarification Statement”** means the Verified Statement of Timothy B. Keith attached to Clarification Petition.
10. The terms “evidencing,” “concerning,” “mentioning,” “reflecting,” or “referring to” mean, in addition to their customary and usual meaning, referring to, relating to, pertaining to, alluding to, connected with, containing, regarding, discussing, embodying, identifying, explaining, or constituting.
11. "Identify," "identity," and "describe":
  - a. When used in reference to an individual or person, shall mean his or her full name, present home address, or last known home address if present home address is unknown, current business affiliation and business address, and employer and job title;
  - b. When used in reference to a firm or corporation, shall mean its full name, its current address; the place where it was incorporated, and its principal place of business;
  - c. When used in reference to someone or something other than an individual, person, firm or corporation, shall mean its official name, its organizational form, and its current address;
  - d. When used in reference to a document, shall mean the type of document, date, author, addressee, title, its present location, the name and address of its custodian, and the substance of its contents;

- e. When used in reference to a communication, shall mean the form of communication (e.g., telephone conversation, letter, electronic mail, telegram, teletype, telecopy, written memorandum, face-to-face conversation, or any other form; the date of the communication or the date on which the communication was sent and/or received, if not the same; the person(s) to whom the communication was made, the person(s) who initiated it, and the person(s) present during any part of the communication; the present location and the name and address of the custodian if the communication was written or memorialized in written form.

## **INTERROGATORIES**

### **INTERROGATORY NO. 1:**

Identify and describe the source of all private financing you claim to have obtained for the construction and operation of the Texas Central Line.

### **INTERROGATORY NO. 2:**

State the total amount, in dollars, of the private financing currently available for the construction and operation of the Texas Central Line.

### **INTERROGATORY NO. 3:**

Identify and describe all federal or state loans which you have applied for, including the type of loan, the date the application was filed, and the status of the application.

### **INTERROGATORY NO. 4:**

Identify and describe all federal or state grants which you have applied for, including the type of grant, the date the application was filed, and the status of the application.

### **INTERROGATORY NO. 5:**

Identify and describe the terms of any financing agreements you have with any third party that are conditioned on “key milestones within defined timeframes,” as referenced by you on Page 4 of the Clarification Petition

### **INTERROGATORY NO. 6:**

To the extent you claim the Texas Central Line will not require TSA-level security, identify and describe all security measures Texas Central will enforce on the Texas Central Line.

**INTERROGATORY NO. 7:**

Identify and describe all facts and evidence which support your claim that “Texas Central’s safe, efficient and convenient high-speed service will attract approximately four million riders annually by the year 2025,” as alleged by you on Page 8 of the Exemption Petition.

**INTERROGATORY NO. 8:**

Identify and describe all facts and evidence which support your claim that “by 2026 approximately 20% of Dallas-Houston travelers will choose Texas Central’s high-speed passenger service,” as alleged by you on Page 8 of the Exemption Petition.

**INTERROGATORY NO. 9:**

Identify and describe all facts and evidence which support your claim that “Texas Central Line will create more than 10,000 jobs per year during the project’s anticipated four-year construction phase,” as alleged by you on Page 11 of the Exemption Petition.

**INTERROGATORY NO. 10:**

Identify and describe all facts and evidence which support your claim that “[Texas Central’s] rail operations are projected to create approximately 1,000 permanent jobs,” as alleged by you on Page 11 of the Exemption Petition.

**INTERROGATORY NO. 11:**

Identify and describe all facts and evidence which support your claim that the Texas Central Line “could spur \$36 billion in economic benefits, and generate nearly \$2.5 billion in tax revenues to the state, counties, local municipalities, school districts and other taxing entities, between 2015 and 2040,” as alleged by you on Page 11 of the Exemption Petition.

**INTERROGATORY NO. 12:**

Will firearms be allowed on the Texas Central Line? If not, identify and describe all security measures Texas Central intends to take to enforce this prohibition.

**INTERROGATORY NO. 13:**

Will flammable liquids, such as gasoline, be allowed on the Texas Central Line? If not, identify and describe all security measures Texas Central intends to take to enforce this prohibition.

**INTERROGATORY NO. 14:**

Identify and describe all facts and evidence which support your claim that “Texas Central service will reduce automobile traffic in the Dallas-Houston corridor, mitigating congestion and reducing carbon emissions,” as alleged by you on Page 12 of the Exemption Petition.

**INTERROGATORY NO. 15:**

Identify and describe all facts and evidence which support your claim that “[c]onstruction and operation of the Texas Central Line will not generate substantial adverse environmental impacts,” as alleged by you on Page 13 of the Exemption Petition.

**INTERROGATORY NO. 16:**

Identify and describe all facts and evidence which support your claim that “Texas Central’s ongoing train operations will not significantly increase existing levels of noise, vibration or pollutants,” as alleged by you on Page 13 of the Exemption Petition.

**INTERROGATORY NO. 17:**

Identify and describe all facts and evidence which support your claim that the Dallas to Houston I-45 corridor is “one of the nation’s busiest and most highly congested transportation corridors,” as alleged by you on Page 24 of the Exemption Petition.

**INTERROGATORY NO. 18:**

Identify and describe all facts and evidence which support your claim that “approximately 20% of Dallas-Houston travelers will choose Texas Central’s high-speed passenger service,” as alleged by you on Page 28 of the Exemption Petition.

**INTERROGATORY NO. 19:**

Identify and describe all facts and evidence which support your claim that the “[a]verage automobile transit time between the two regions is expected to increase to 6.5 hours by 2035,” as alleged by you on Page 6 of the Verified Exemption Statement.

**INTERROGATORY NO. 20:**

Identify and describe all facts and evidence which support your claim that the “average automobile travel speed is likewise projected to decrease from 59 MPH to 39 MPH by 2035,” as alleged by you on Page 6 of the Verified Exemption Statement.

**INTERROGATORY NO. 21:**

On April 23, 2014, your representative Robert Eckels told the Houston Public Media, “From the bankers, there have been multiple studies, and they spent millions of dollars on an investment grade market study, and they are convinced that it is a viable project and are continuing to fund our portion of the project.” Identify and describe all “studies” Robert Eckels was referring to, including the author, title, and date of each study.

**INTERROGATORY NO. 22:**

Identify and describe all facts and evidence which support your claim that “private development related to the project will create approximately 14,000 direct jobs and 21,000 indirect jobs,” as alleged by you on Page 9 of the Verified Exemption Statement.

**INTERROGATORY NO. 23:**

Identify and describe all facts and evidence which support your claim that “[c]onstruction and operation of the Texas Central Line will have a positive impact on the environment,” as alleged by you on Page 10 of the Verified Exemption Statement.

**INTERROGATORY NO. 24:**

Identify all events or milestones set forth in your “project schedule,” referenced by you on Page 2 of the Clarification Petition, including the estimated dates of completion of each event or milestone.

**INTERROGATORY NO. 25:**

Identify all events or milestones set forth in your “construction schedule,” referenced by you on Page 4 Footnote 13 of the Clarification Petition, including the estimated dates of completion of each event or milestone.

**INTERROGATORY NO. 26:**

In a YouTube video published in the media section on your website - <https://youtu.be/k6igUibrfwc> - you claim that 90,000 vehicles travel between Dallas and Houston daily. Identify and describe all facts and evidence which support this claim.

**INTERROGATORY NO. 27:**

Identify and describe all “key milestones within defined timeframes,” referenced by you on Page 4 of the Clarification Petition.

**INTERROGATORY NO. 28:**

Do you claim that your ridership projections, such as your projection that four million annual passengers will ride the Texas Central Line by 2025 (Exemption Petition, Page 8), constitute Texas Central’s trade secrets or confidential commercial/financial information?

**INTERROGATORY NO. 29:**

When passenger service commences, how much is a one-way ticket going to cost to ride the Texas Central Line?

**INTERROGATORY NO. 30:**

Approximately how many parking spots will there be for passengers at the Dallas and Houston depots, respectively?

**INTERROGATORY NO. 31:**

How much is parking at the Texas Central Line depot going to cost per day? Will there be a discount for multiple day parking?

**Dated: May 25, 2016.**

Respectfully submitted,

/s/ Patrick McShan  
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***ATTORNEYS FOR TEXANS AGAINST HIGH  
SPEED RAIL, INC.***

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document has been delivered to the following counsel as indicated below on May 25, 2016.

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