



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

June 10, 2020

Mr. Anishkumar Gandhi
Acting Executive Director – PTC
Metro-North Commuter Railroad
420 Lexington Avenue, 10th Floor
New York, NY 10017

AGandhi@mnr.org,

Re: Metro-North Commuter Railroad’s Request for Amendment to Its Positive Train Control Implementation Plan – Approval (Docket Number FRA-2010-0032)

Dear Mr. Gandhi:

The Federal Railroad Administration (FRA) has completed its review of the Metro-North Commuter Railroad’s (MNR) request for amendment (RFA), dated April 16, 2020,¹ to its current Positive Train Control Implementation Plan (PTCIP), Revision 8.1, Volume 2, dated June 14, 2019. MNR submitted this RFA under Title 49 Code of Federal Regulations (CFR) Section 236.1021, *Discontinuances, material modifications, and amendments*.

In its RFA, MNR requests to update its alternative schedule and sequence for its New Haven Line, splitting it into three segments and updating the dates for commencing revenue service demonstration of its PTC system on those three segments during 2020. In addition, MNR requests to extend the applicable period of the FRA-approved Main Line Track Exclusion Addendum (MTEA), dated April 13, 2017, for MNR’s Waterbury Branch and Waterbury Station tracks.

On May 18, 2017, FRA temporarily approved MNR’s request for two “limited operations” main line track exceptions for MNR’s Waterbury Branch, including: (I) from Control Point (CP) 500 at Milepost (MP) 0.21 to MP 26.4 under 49 CFR §§ 236.1019(c)(1)(ii) and 236.1019(e), based on the temporal separation of passenger and freight operations, and (II) from MP 26.4 to the division post at MP 27.1 of MNR’s Waterbury Station, where all trains are limited to restricted speed, pursuant to 49 CFR § 236.1019(c)(1)(i). *See also* 49 U.S.C. § 20157(i)(4)(B). MNR previously requested that the MTEA apply only temporarily, and FRA’s temporary approval of the MTEA specified that a PTC system must be fully implemented on these specific track

¹ FRA’s records indicate that MNR submitted its RFA to FRA’s Secure Information Repository on May 19, 2020.

segments by December 31, 2020, even though they are not main lines subject to the statutory mandate. MNR's current RFA requests that FRA extend the temporary MTEA until December 31, 2021, citing schedule impacts to its cab signal and PTC upgrades, as further described in its RFA. In the interim, in addition to continuing to meet the exception criteria under 49 CFR § 236.1019(c)(1), as specified above, MNR's RFA notes that it will continue to operate with the safety enhancements already deployed on the Waterbury Branch, including distant switch indication and transponders that enable civil speed enforcement.

In accordance with 49 CFR §§ 236.1019 and 236.1021, FRA hereby approves MNR's RFA, dated April 16, 2020, and the associated changes MNR made to Appendix C of its PTCIP, Revision 8.1, Volume 2, dated June 14, 2019. *See also* 49 U.S.C. § 20157(a)(2)(C). As a reminder, the Positive Train Control Enforcement and Implementation Act of 2015 requires MNR to fully implement an FRA-certified and interoperable PTC system on its PTC-mandated main lines, in accordance with its PTCIP, including any FRA-approved amendments. *See* 49 U.S.C. § 20157(a)(2)(D), (e).

FRA reserves the right to modify or rescind this approval letter upon receipt of information about the safety of rail operations or noncompliance with any applicable regulatory or statutory requirement. Also, please note that MNR must submit to FRA for review and approval an RFA to its FRA-approved PTCIP if, for example, MNR intends to:

- Initiate a new category of service (e.g., passenger or freight);
- Add, subtract, or otherwise materially modify one or more lines of railroad for which implementation of a PTC system is required;
- Decrease the PTC system's limits (e.g., by excluding or removing a PTC system from a track segment);
- Modify a safety-critical element of a PTC system; or
- Modify a PTC system in a way that would affect the safety-critical functionality of any other PTC system with which it interoperates.

See 49 CFR §§ 236.1009(a)(2)(ii), 236.1021(h). Before any such changes occur, FRA's Associate Administrator for Railroad Safety must approve the RFA. *See* 49 CFR § 236.1021(a); 49 U.S.C. § 20157(a)(2)(C).

If you have any questions regarding this letter, please contact Mr. Gabe Neal, Acting Staff Director, PTC/Signal & Train Control Division at (816) 516-7168 or gabe.neal@dot.gov.

Sincerely,

Karl Alexy
Associate Administrator for Railroad Safety
Chief Safety Officer