

# **EXHIBIT 3-CC**

**Docket No. DCA-08-MR009**

**NATIONAL TRANSPORTATION SAFETY BOARD  
WASHINGTON, D.C. 20594**

**The Number of Occasions During the Past 2 ½ Years  
that California PUC or Federal Railroad Administration  
Participated in Efficiency Testing**

# Connex Railroad

## **3-CC: The Number of Occasions During the Past 2 ½ Years that California PUC or Federal Railroad Administration Participated in Efficiency Testing**

- Until 2008 the Connex Efficiency Test Database did not have a specifically designated field to document when FRA and PUC accompanied Connex managers in the joint tests.. The available documented information regarding joint tests is provided below. Additional tests may have been done by PUC and FRA without Connex present.
- Connex has determined that no single document exists which sets forth these instances of testing in a manner subject to attachment as an exhibit.
- **PUC Joint Testing with Connex**
  - 2006: 2 Documented Occasions
  - 2007: 0 Documented Occasions
  - 2008: 7 Documented Occasions
  - 2009: 3 Documented Occasions
- **FRA Joint Efficiency Testing**
  - 2006, 2007 and 2008 – One day per year

