

RAIL POLICY WORK

Posted on January 31, 2024

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McMillan's Rail Transportation Group regularly makes submissions to both Houses of Parliament, Transport Canada, the Canadian Transportation Agency and other bodies in connection with rail regulatory and economic policy on its own behalf and on behalf of clients. Below is a list of public submissions we have authored or which our clients have submitted:

Quick Links:

- [Recent Submissions, Papers and Bulletins](#)
- [Bill C-47 \(Budget Implementation Act\)](#)
- [National Supply Chain Task Force](#)
- [Canadian Transportation Agency Consultations](#)
- [Bill C-49 \(Transportation Modernization Act\)](#)
- [CTRE](#)
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- [2015 Canada Transportation Act Review](#)
- [Bill C-52 \(Safe and Accountable Rail Act\)](#)
- [Other](#)

Recent Submissions, Papers and Bulletins

December 2023

Lucia Stuhldreier

[Publication – Journal of Transportation Law, Logistics & Policy - “The Regulation of Interswitching in Canada: A Different Perspective on the Case for Ditching the Switch”](#)

September 26, 2023

Coalition for the Factual Analysis of International Rail Rates

[White Paper – Rail Rates in Canada – Response by the Coalition for the Factual Analysis of International Rail Rates to the 2023 CPCS Report \(International Comparison of Railway Freight Rates\)](#)

Bill C-47 (Budget Implementation Act)

May 19, 2023

François Tougas, Lucia Stuhldreier and Ryan Gallagher

[Submission – The Senate Standing Committee on Transport and Communications regarding Division 22 of Part 4, Bill C-47](#)

May 17, 2023

The Forest Products Association of Canada and the Western Canadian Shippers' Coalition

[Submission – The Senate Standing Committee on Transport and Communications regarding Division 22 of Part 4, Bill C-47](#)

May 12, 2023

The Forest Products Association of Canada and the Western Canadian Shippers' Coalition

[Letter to Minister of Transport – Re Regulated Interswitching and Long Haul Interswitching](#)

National Supply Chain Task Force

July 19, 2022

The Forest Products Association of Canada

[Letter to National Supply Chain Co-Chairs and Task Force Members](#)

([See below](#), a three-part series of Bulletins regarding the Final Report of the National Supply Chain Task Force: [Part I](#), [Part II](#), [Part III](#))

Canadian Transportation Agency Consultations

September 9, 2021

Teck Resources Limited and affiliates (supported by the Western Grain Elevator Association and the Canadian Canola Growers Association)

[Submission \(2 of 2\) – Agency Consultation on General Purpose Debt: Responses to Submissions of August 20, 2021](#)

August 19, 2021

Teck Resources Limited and affiliates (supported by the Western Grain Elevator Association and the Canadian Canola Growers Association)

[Submission \(1 of 2\) – Agency Consultation on General Purpose Debt](#)

February 2, 2021

Teck Resources Limited and affiliates (supported by the Western Grain Elevator Association, the Canadian Canola Growers Association and the Mining Association of Canada)

[Submission \(3 of 3\) – Agency Consultation on Cost of Capital Rates – Response to Initial Submissions](#)

January 18, 2021

Teck Resources Limited and affiliates (supported by the Western Grain Elevator Association, the Canadian Canola Growers Association and the Mining Association of Canada)

[Submission \(2 of 3\) – Agency Consultation on Cost of Capital Rates – Response to Initial Submissions](#)

November 25, 2020

Teck Resources Limited and affiliates (supported by the Western Grain Elevator Association, the Canadian Canola Growers Association and the Mining Association of Canada)

[Submission \(1 of 3\) – Agency Consultation on Cost of Capital Rates](#)

October 27, 2020

The Forest Products Association of Canada

[Submission – Consultation on the Canadian Transportation Agency's Proposed Changes to Rate-Setting and Billing on Regulated Interswitching](#)

October 27, 2020

Teck Resources Limited and affiliates (supported by the Western Grain Elevator Association, the Canadian Canola Growers Association, the Mining Association of Canada and the Western Canadian Shippers' Coalition)

[Submission \(2 of 2\) – Consultation on the Agency's Approach to Setting Regulated Interswitching Rates: Submissions in response to Consultation – Proposed Amendments to Railway Interswitching Regulations](#)

October 27, 2020

The Western Canadian Shippers' Coalition (supported by Pulse Canada)

[Submission – Regulated Interswitching – Proposed Changes to Rate Setting and Billing](#)

August 21, 2019

Teck Resources Limited and affiliates (supported by the Western Grain Elevator Association, the Canadian Canola Growers Association, the Mining Association of Canada and the Western Canadian Shippers' Coalition)

[Submission \(1 of 2\) – Consultation on the Agency's Approach to Setting Regulated Interswitching Rates](#)

September 28, 2018

Teck Resources Limited and affiliates (supported by the Western Grain Elevator Association, the Canadian Canola Growers Association, the Western Canadian Shippers' Coalition and the Mining Association of Canada)

[Submission – Consultation on the Rail Modernization Initiative](#)

January 31, 2013

Teck Resources Limited and affiliates

[Submission \(2 of 2\) – Uniform Classification of Accounts Consultation](#)

November 22, 2012

Teck Resources Limited and affiliates

[Submission \(1 of 2\) – Uniform Classification of Accounts Consultation](#)

Bill C-49 (*Transportation Modernization Act*)

May 3, 2018

[House of Commons Debates \(Hansard\) – Kelly Block \(CPC\) quotes F. Tougas presentation to the House Standing Committee on Transport, Infrastructure and Communities regarding Bill C-49](#)

February 13, 2018

François Tougas

[Appearance as Witness – Standing Senate Committee on Transport and Communications](#)

February 6, 2018

The Western Canadian Shippers' Coalition

[Submission – Standing Senate Committee on Transport and Communications](#)

February, 2018

Teck Resources Limited

[Submission – Standing Senate Committee on Transport and Communications for Bill C-49](#)

October 3, 2017

[Mention – House Standing Committee on Transport, Infrastructure and Communities – Discussion of F. Tougas's testimony from Sept 13, 2017 appearance before the House Standing Committee on Transport, Infrastructure and Communities regarding Bill C-49](#)

September 13, 2017

The Forest Products Association of Canada

[Submission – Standing Committee on Transport, Infrastructure and Communities](#)

September 13, 2017

François Tougas

[Appearance as Witness – House Standing Committee on Transport, Infrastructure and Communities](#)

September 13, 2017

François Tougas

[Submission – Standing Senate Committee on Transport and Communications – Regarding Bill C-49](#)

September 12, 2017

Lucia Stuhldreier

[Appearance as Witness – House Standing Committee on Transport, Infrastructure and Communities](#)

September 12, 2017

Teck Resources Limited

[Submission – Teck comments on Bill C-49](#)

July 2017

The Western Canadian Shippers' Coalition

[Submission – Response to the *Transportation Modernization Act*](#)

CTRF

May 2024

Lucia Stuhldreier, Ryan Gallagher and François Tougas

[“Setting the Record Straight: Fair Rail Coalition’s Response to Public Claims and Analyses Regarding International Rail Freight Rate Comparisons”](#)

59th Annual Conference

May 2024

Lucia Stuhldreier, Ryan Gallagher and François Tougas

[“Consequences or conjectures: The impact of extending railway interswitching limits”](#)

59th Annual Conference

May 2024

Conner Wylie and Lucia Stuhldreier

[“Yours or mine: A history of interswitching in Canada”](#)

59th Annual Conference

June 2022

Ryan Gallagher and Julia Loney

[“Rail Fuel Surcharges – History and Recent Developments”](#)

57th Annual Conference

June 2020

Ryan Gallagher, Lucia Stuhldreier and François Tougas

[“Railway Line Capacity Metrics”](#)

55th Annual Conference

May 2019

Ryan Gallagher, François Tougas and Lucia Stuhldreier

[“Operating Ratio as a Measure of Railway Operating Efficiency”](#)

54th Annual Conference

May 2016

Ryan Gallagher and François Tougas

[“Rail Level of Service Decisions and Shipper Service Requirements”](#)

51st Annual Conference

May 2015

Ryan Gallagher and François Tougas

[“Risk Shifting As Use of Market Power: Transportation of Dangerous Goods”](#)

50th Annual Conference

June 2013

Ryan Gallagher and François Tougas

[“The Disclosure of Rail Carrier Costing Information”](#)

48th Annual Conference

June 2012

Ryan Gallagher and François Tougas

[“Apportioning Potential Liability for the Rail Transportation of Hazardous Commodities”](#)

47th Annual Conference

May 2011

David Gillen and François Tougas

[“Transportation Policy, Competition and Economic Growth”](#)

46th Annual Conference

May 2011

Ryan Gallagher and François Tougas

["Shipper Incentives to Invest in Infrastructure and Operations"](#)

46th Annual Conference

Bulletins

May 3, 2023

Conner Wylie, Ryan Gallagher, Lucia Stuhldreier and François Tougas

["2023 Budget Legislation Proposes Amendments to the Canada Transportation Act"](#)

April 12, 2023

Transportation Group

["Budget Foreshadows Significant Changes to Federal Transportation Regulation"](#)

January 16, 2023

Ryan Gallagher, François Tougas and Lucia Stuhldreier

["Transport Canada Finalizes Amendments to the Transportation Information Regulations"](#)

November 15, 2022

François Tougas, Ryan Gallagher and Lucia Stuhldreier

["A Call to Address Canada's Transportation Supply Chain Crisis: Final Report – Part III"](#)

October 26, 2022

Transportation Group

["A Call to Address Canada's Transportation Supply Chain Crisis: Final Report – Part II"](#)

October 14, 2022

Transportation Group

["A Call to Address Canada's Transportation Supply Chain Crisis: Final Report"](#)

July 2019

Ryan Gallagher, François Tougas and Lucia Stuhldreier

["Don't Count Your Efficiencies Before They Hatch: Exploring the Factors That Impact A Railway's Operating Ratio"](#)

April 2019

Ryan Gallagher, Lucia Stuhldreier and François Tougas

["Regulations Implementing the Transportation Modernization Act"](#)

June 2017

François Tougas, Lucia Stuhldreier and Ryan Gallagher

["Bill C-49: Some Welcome Improvements to Rail Service Level Arbitration"](#)

May 2017

François Tougas, Lucia Stuhldreier and Ryan Gallagher

["Bill C-49: Is the Long-Haul Interswitching Remedy Really New?"](#)

May 2017

François Tougas, Lucia Stuhldreier and Ryan Gallagher

["Bill C-49: Government of Canada Proposes to Amend the *Canada Transportation Act*"](#)

April 2017

Ryan Gallagher, Lucia Stuhldreier and François Tougas

["The Minister of Transport Confirms Rail Legislation Coming in Spring Session"](#)

March 2017

François Tougas

["Canadian Transportation Agency Closes Submissions on Regulatory Costing Model Consultation"](#)

January 2017

François Tougas

["Canadian Transportation Agency Closes Railway Capital Structure Consultation"](#)

August 2016

Ryan Gallagher and François Tougas

["The Govt of Canada Extends the *Fair Rail for Grain Farmers Act*"](#)

April 2016

François Tougas and Ryan Gallagher

["Will the Government of Canada Extend the *Fair Rail for Grain Farmers Act*?"](#)

April 2016

François Tougas

["Final Report: *Canada Transportation Act Review – Part II \(Rail Freight Traffic\)*"](#)

March 2016

François Tougas

["Final Report: *Canada Transportation Act Review*"](#)

June 2015

Ryan Gallagher

["Update: *Safe and Accountable Rail Act* receives Royal Assent"](#)

February 2015

François Tougas and Ryan Gallagher

["Update: Government of Canada Proposes to Change Federal Railway Liability Regime"](#)

2015 *Canada Transportation Act* Review

June 2016

The Western Canadian Shippers' Coalition

[Submission – Response to the *Canada Transportation Act* Review Report](#)

April 2015

The Western Canadian Shippers' Coalition

[Submission – Supplementary Information *Canada Transportation Act* Review Panel](#)

December 30, 2014

François Tougas

[Submission – 2015 *Canada Transportation Act* Review](#)

December 18, 2014

The Forest Products Association of Canada

[Submission – Review Panel on the Statutory Review of the *Canada Transportation Act*](#)

December 2014

The Western Canadian Shippers' Coalition

[Submission – Presentation to the *Canada Transportation Act* Review Panel](#)

Bill C-52 (*Safe and Accountable Rail Act*)

March 7, 2013

[Mention – House Standing Committee on Transport, Infrastructure and Communities – Quoting F. Tougas's testimony from Feb 28, 2013 appearance before the House Standing Committee on Transport, Infrastructure and Communities regarding Bill C-52](#)

February 28, 2013

François Tougas

[Appearance as Witness – House Standing Committee on Transport, Infrastructure and Communities](#)

Other

Spring 2015

François Tougas and Ryan Gallagher

[Publication – American Bar Association Antitrust Law Section: Transportation, Energy & Antitrust – “Canadian Regulation of Cross-Border Mergers and Acquisitions in the Transportation Sector”](#)

November 4, 2014

François Tougas

[Presentation – Energy Bar Association – “Crude-by-Rail: Regulatory Developments in Canada”](#)