

Congress of the United States
Washington, DC 20515

March 17, 2008

Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423-0001

RE: STB Finance Docket No. 35087, Canadian National Railway Company and Grand Trunk Corporation – Control EJ&E West Company

Dear Ms. Quinlan:

We are writing to express our opposition to Canadian National Railroad's (CN) acquisition of the Elgin, Joliet and Eastern Railroad (EJ&E) as currently proposed and ask that the Surface Transportation Board (STB) take our views into consideration when proceeding with STB Finance Docket Number 35087.

First, we are concerned with the adverse impacts the proposed increase in freight traffic will have on many communities along the EJ&E. Many communities unaccustomed to and ill-equipped to handle increased freight traffic are facing a four-fold increase. This increase will cause significant delays on already congested arterial roads in the collar counties. Additionally, first responders will be unable to respond quickly to emergencies in communities that will now be divided by trains nearly two miles in length.

In CN President E. Hunter Harrison's verified statement in Canadian National's Railroad Control Application filed October 30, 2007, he stated, "We are committed to working with the communities affected by the re-routed traffic to address their specific concerns." However, in an article that ran in *The Chicago Tribune* on February 13, 2008, CN officials stated the company was only willing to pay its "fair share" to build overpasses or underpasses at "three or four" points along the EJ&E. In a March 7, 2008, letter from Mr. Harrison to Senator Richard Durbin and Congresswoman Melissa Bean, he writes, "...the respective specific mitigation measures that will be needed in each community are still being determined, but CN anticipates investing roughly \$40 million for mitigation efforts."

With at least 140 crossings along the EJ&E, we believe CN should submit publicly which crossings it believes deserve grade separations, which crossings do not, and why \$40 million is a "fair share" of the enormous mitigation needed for communities along the line. We also want to know what CN believes is the "fair share" that local communities, the state of Illinois, and the federal government should pay to support this private transaction.

Looking broadly at the entire region, we are also concerned that the proposed acquisition plan only projects freight traffic for the next three years. We understand that CN is in the process of

purchasing a container terminal at the Port of Prince Rupert, which will lead to international freight traffic growth on its tracks for many years beyond the three year projection. Much of this increased traffic will be routed through the Chicago area, which will mean either an increase beyond the projections for the EJ&E line, or a return of freight traffic on the CN lines which the EJ&E is meant to detour. We would like to reiterate the requests of several municipalities that CN be required to make freight traffic projections beyond three years on all tracks (current CN control and EJ&E) to 2035.

Furthermore, we are concerned that the proposed acquisition could jeopardize Metra's New Start project STAR Line (Suburban Transit Access Route). The STAR Line is a first-of-its-kind project to connect suburbs to suburbs, providing 1.2 million residents with new access to mass transit. The Chicago area delegation has worked tirelessly to bring this project to fruition in order to spur economic development and make the Chicago area more accessible for the proposed 2016 Olympics. However, the STAR Line's 55-mile route would utilize a corridor running approximately 36 miles along the EJ&E railroad. Any increase in freight traffic along this track would likely require Metra to build additional track to operate commuter trains, increasing proposed costs and delaying completion. This additional cost would come at a time when the state of Illinois is struggling to meet the current needs of our regional transit system. We ask the STB to require Metra and CN to provide an accounting of the increased costs to the STAR Line as part of any environmental analysis.

Finally, at a state level, CN's acquisition of the EJ&E would jeopardize Amtrak service between Chicago, Champaign and Carbondale. Currently, Amtrak uses an eleven mile stretch of CN's track between the St. Charles Airline and 95th Street in the city of Chicago. The proposed acquisition would allow CN to abandon this stretch of track. CN recently suggested that Amtrak would be allowed to use the Airline indefinitely; however, assuming Amtrak would cover all maintenance expenses associated with the line. IDOT and others have asked CN multiple times for details on the entire cost of maintaining that track, unfortunately they have refused to disclose that cost. We ask the STB to require these details be made public and examine the economic loss this essential rail service would have on those communities.

Last year, routes along this line had the greatest increase in ridership of any Amtrak route in the national system—a 67.4 percent increase. Compromising these routes would almost certainly jeopardize further Amtrak expansion in Illinois and devastate the Illinois communities along the routes. Despite requests, CN has declined to make any commitment to addressing this concern and has instead left Amtrak's future operations in question.

An acquisition of this size will have a dramatic impact on the Chicago region for years to come. At this point, Canadian National has not demonstrated a willingness to meet the needs of the communities along the EJ&E, provide long-term commitments to the region, or guarantee full cooperation with the proposed STAR Line and current Amtrak service, which leads us to oppose the acquisition as it stands today. We look forward to working with the STB as the process proceeds in setting up field hearings across the state to further examine this acquisition and allow for our constituents to continue expressing their concerns.

Sincerely,

Melvin L. Bean

Henry J. Costello

Donald M. Myrtle

Judy Biggert

T. H. H.

Proctor

Bill Foster

Signers (7)

U.S. Representative Melissa L. Bean (IL-08)

U.S. Representative Jerry F. Costello (IL-12)

U.S. Representative Donald A. Manzullo (IL-16)

U.S. Representative Judy Biggert (IL-13)

U.S. Representative Timothy V. Johnson (IL-15)

U.S. Representative Peter J. Roskam (IL-06)

U.S. Representative Bill Foster (IL-14)