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16TH DISTRICT, ILLINOIS

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MANUFACTURING

December 5, 2007

The Honorable Charles D. Nottingham
Chairman
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Subject: *Canadian National Railway Co., et at – Control – EJ&E West Company,* STB Finance Docket No. 35087

Dear Chairman Nottingham:

It is with regret that I learned over the Thanksgiving holiday, while Congress was not in session, that the Surface Transportation Board (STB) decided to treat the application of the Canadian National Railway Corporation and Grand Trunk Corporation (otherwise known as CN) to acquire control of the Elgin, Joliet & Eastern Railway Company (EJ&E) as a "minor" transaction. I appreciate that the STB also concluded that an Environmental Impact Statement (EIS) is warranted. I encourage the STB to take sufficient time and perform the necessary due diligence required to review this pending acquisition. However, for the constituents I am proud to represent in the 16th District of Illinois, CN's proposed purchase of EJ&E is anything but a "minor" transaction. It could amount to a "major" commuting headache for those who travel both by car and rail in the northwestern suburbs of Chicago.

While the EJ&E line does not cross into the 16th District of Illinois, the tracks are within a short distance of our District line, which is the McHenry County border. More than half of the working-age people in McHenry County, Illinois commute to their jobs outside of the county. For the tens of thousands who travel east to their jobs in Lake County or Cook County, many travel along Route 14, Route 59, and/or Lake-Cook Road in Barrington, Illinois. All these roads have "at grade" crossings with the EJ&E line. Adding more freight trains to these "at-grade" crossings will further delay McHenry County motorists trying to get to and from work everyday. While I sympathize with the need to ease CN's congestion in the Chicago-land area, the STB should not approve a transaction that simply transfers the problems from downtown Chicago to suburban areas. While I commend CN's plans to invest approximately $100 million in the first three years for integration, improved connections, and infrastructure enhancements, there are no specifics as to how CN plans to deal with these three "at grade" crossings in Barrington.

In addition, the EJ&E line currently has an "at-grade" crossing with the existing commuter Metra train in Barrington. This is the primary Metra line that serves Fox River Grove, Cary, Crystal Lake, Woodstock, McHenry, and Harvard in McHenry County. Adding

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more trains to the EJ&E line could delay Metra operations that service McHenry County residents because the lines cross "at grade" in Barrington. Unless CN commits to a specific plan to spend part of the $100 million to build an overpass or halts all freight travel during the rush hour on the EJ&E line, this transaction simply transfers a commuter rail congestion problem from southern Lake and Cook Counties to McHenry County.

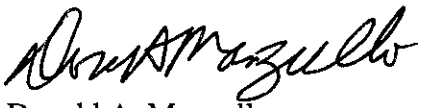
Finally, the EJ&E line that CN wishes to purchase is the line Metra wants to use for its STAR line service to create a commuter rail "Beltway" around suburban Chicago. The STAR line proposal would be of great benefit to McHenry County residents because it will allow them to travel to many more destinations without driving. However, if this proposal is approved, CN's freight operations will frustrate future STAR commuter rail service. While I appreciate that CN is committed to working with Metra to use this line, the constituents of McHenry County will not use the STAR line service if it is unreliable. The only way to make the STAR line service attractive is to ensure Metra is the top priority on the EJ&E line – not freight traffic.

For these reasons, I respectfully request that the STB take all the time necessary to ensure that a full and open review of this transaction takes place. I agree with the Board that there is no practical way to deal with all these problems by next April. There is no way a draft EIS and a final EIS – with an appropriate notice and comment period as required under the Administrative Procedure Act – can be completed by next April. While I opposed your decision to consider this proposed purchase as a "minor" transaction, I want to work with the Board hereafter to make sure that you have all the information necessary from the local communities that I am privileged to represent. The Board needs to have a complete and accurate picture of this proposed acquisition, particularly its practical day-to-day effects for northern Illinois commuters, communities, and businesses. I request that the STB hold a field hearing in eastern McHenry County to adequately gauge the impact on commuters that travel through Barrington. As per the Federal Register notice of November 29, 2007 (Vol. 72, No. 229, pages 67622-67630), I also hereby give notice to the Board that I wish to participate in this proceeding as a party of record (POR).

Again, I have great sympathy with the need to reduce rail congestion in downtown Chicago but any proposed plan should not export these problems to the outer Chicago suburbs without a concrete plan in place dealing with all the objections.

Thank you for your kind attention to my request.

Sincerely yours,



Donald A. Manzullo
Member of Congress

cc: The Honorable Mary E. Peters
The Honorable Michael B. Mukasey
Paul A. Cunningham
Kevin M. Sheys