

Surface Transportation Board

306396

Docket No. AB 575 (Sub-No. 2X)

ENTERED
Office of Proceedings
March 29, 2023
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Public Record

Dear Ms. Brown,

I would like to first note that the recent BNSF derailment on the Swinomish Reservation (an Indian Reservation which had previously sued BNSF for violating a contract, and won said lawsuit) was not "speculative."

In regards to meeting and listing the requirements for the Petition to Stay, my apologies. In my rush to submit the petition, I had not considered that I needed to list my meeting of the requirements.

Here are said requirements, and how they are met (if these are not the correct conditions, please let me know where to find the correct ones; this is my first time doing this and I am not super familiar with the whole process):

(a) a short, plain statement of the grounds upon which the Board's jurisdiction is based;

See my previous filing. The STB has jurisdiction based on them being the body making a ruling on the issue.

(b) a short plain statement of the claim showing that the petitioner is entitled to relief; and

(From my previous filing)

"Please note that while I myself do not live in Montana, I am writing this on behalf of a friend who lives in Montana, adjacent to the MRL mainline (Second Subdivision). She wishes to remain anonymous, out of fear of repercussion for any anti-BNSF statements made with her name attached to them."

Said friend has stated on numerous occasions that she is worried about her safety, and the safety of her animals, given BNSF's safety record. The previous filing was written by me, using data I gathered, but with our combined viewpoints and opinions on the matter.

(c) a demand for the relief the petitioner believes is appropriate.

I am requesting that the BNSF-MRL acquisition/discontinuance be postponed until BNSF can prove they can operate the line safely, and the NTSB (or other sources) show no connection between BNSF and the East Palestine derailment.

Again, apologies for not including those requirements in my previous filing.

Thank you for your consideration,

Chandler J Kitson, EIT

cc: Rose-Michele Nardi

Crystal M. Zorbaugh

Joe Racicot (Montana Rail Link)

All parties of record