

Surface Transportation Board

June 18, 2018

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Docket No. 36025-0

RE: Response to PETITIONERS' MOTION FOR LEAVE TO FILE RESPONSE TO REPLIES

Members of the Surface Transportation Board,

This letter is in response to Docket FD 36025-0 following TCR's Response to Relies dated June 12, 2018.

Texas Central's connections to Amtrak is not even close to be enough. The facts remain:

- Texas Central Rail's (TCR) proposed tracks and station are 1.2 to 8 miles way from Amtrak's stations and tracks.
- TCR's proposed High Speed Rail service will **never** leave the State of Texas.
- TCR's proposed High Speed Rail only connects two cities, which are approximately 77 miles as a crow flies from the nearest connecting state.

In the Amtrak and Texas Central Railroad Reservation and Ticketing Agreement page 9 under section 11. Term, Termination and Survival should be looked at carefully. TCR included a provision for the future eventuality of their demise. Essentially covering all aspects of future failure. When this occurs, it will effectively end the ***paper trail*** interstate connection being proposed. This will show the true nature of the project, which is only an *intrastate project*.

The Board may not be aware that over nineteen thousand (19,000) residences are opposed to this project. While a few have chosen to speak up and raise valid concerns during this process. These respondents have asked numerous times in written and verbal context that Texas Central Partners and TCR provide answers to their questions and concerns. To date this has not transpired. TCR now appears bothered that the respondents are bringing these valid concerns to the Board's attention during their petition request.

Texas Central Railroad is new to the railroad atmosphere. One major issue facing Texans is the DEIS which omitted federal agencies such as FERC and PHMSA, the Public Utility Commission, local jurisdictions for road relocations and closures, to name a few. TCR has managed to convince the FRA to treat the pipelines, electrical transmission lines and roads relocations/removal as separate projects. Whereas in other EIS documents these agencies were included. Why

is this important? TCR has no prior railroad experience. They have never built a railroad. It is extremely likely (highly probable) that critical operational data that would impact existing infrastructure would not make it to the relevant parties which could prevent a disaster in the future. This was done so that the public would not see the totality of environmental injustice that will be caused by this project.

The second issue, I am requesting the Board to consider modifying the notification process to require all respondents to provide an email address along with an "Opt In" option to be notified or included in all communications. This could ease the notification process when the service list exceeds 20 plus participants.

A third issue, the deadline of May 31, 2018 was not honored by folks supporting this proposed project. It appears they waited until after the deadline. To be fair, transparent and show equality, those submittals received after the deadline should not be included.

This case is unlike any other case. If the STB grants TCR their petitions, the Board would be setting a precedent that is out of line with the definition of an interstate project. And the Board would be overstepping its authority since TCR's proposed high speed rail trains will never leave the State of Texas. Keep in mind it is approximately 77 miles away from the nearest state (Oklahoma). That's not enough to even be close.

I pray the Board continue to be committed to review and take in consideration all respondents' comments and deliver a decision that is fair and just.

Respectfully,



Connie Shivvers

I hereby certify that I have this day served copies of the document upon the Parties of Record in this proceeding, by U.S. Mail or email.

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