

FD 35952

GLBT Application

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The Great Lakes Basin project application spend all of two paragraphs expressing the public necessity and convenience of their project. The first paragraph they tout how as a board the STB must approve all new rail project citing cases that have no relevance to their project. The next paragraph goes on to state the reasons the public will benefit from the project. As usual GLBT has failed to grasp what it is they are supposed to be talking about. Black's Law Dictionary defines the public as "Pertaining to a state, nation, or whole community; proceeding from, relating to, or affecting the whole body of people or an entire community. Open to all; notorious. Common to all or many; general ; open to common use. Morgan v. Cree, 46 Vt. 786, 14 Am. Rep. 640; Crane v. Waters (C. C.) 10 Fed. 621; Austin v. Soule, 36 Vt. 650; Appeal of Eliot, 74 Coun. 586, 51 Atl. 558; O'Hara v. Miller, 1 Kulp (Pa.) 295. A distinction has been made between the terms "public" and "general." They are sometimes used as synonymous. The former term is applied strictly to that which concerns all the citizens and every member of the state; while the latter includes a lesser, though still a large, portion of the community. 1 Greenl. Ev." The GLBT application addresses only two issues in regards to the public, dished air pollution from idling trains and improved safety, all the other items listed are benefits to CORPORATIONS and to the public. Corporate benefits must be excluded when determining PUBLIC necessity. A corporation seeks only to enhance shareholder value, not to enhance the quality of life for all people. Given GLBT's two point argument of why the PUBLIC would benefit from the project the project itself must be denied. First the air-pollution from idling trans will be off-set by the air-pollution from idling vehicles waiting for trains to pass. next public safety in rural areas will not be enhanced, public safety will be dramatically reduced as first responders will have to wait for trains to pass in order to respond to emergencies, and roads will be cut off making some areas extremely difficult for first responders to access. There have been numerous letter written on the severe impact this project would have on public safety. The GLBT application clearly did not take the public necessity portion of their application seriously, just as they have responded with vague and unsubstantiated information in other sections of their application and to questions asked of them. Given GLBT's lax attitude towards providing verifiable facts and figures, we can only assume they will be equally lax in the operations of their business, this is clearly a reason to deny their application.