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Part of
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April 23, 2018

Ms. Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
Office of Proceedings
395 E Street, S.W.
Washington, DC 20423-0001



Re: Docket No. FD 36178, Metropolitan Council – Petition for Declaratory Order

**Docket No. FD 36177, Hennepin County Regional Rail Authority – Acquisition Exemption –
In Hennepin County, Minnesota**

LETTER IN SUPPORT OF TWIN CITIES & WESTERN RAILROAD COMPANY'S INITIAL REPLY REQUESTING THE BOARD TO SET A PROCEDURAL SCHEDULE

Dear Ms. Brown:

Archer Daniels Midland “ADM” urges the Board to set a procedural schedule in the above referenced proceeding (FD 36178) to permit public comment and a full hearing on Metropolitan Council’s Petition seeking to acquire ownership of the Bass Lake and Kenilworth corridors in Hennepin County, Minnesota. The Board should also stay the Hennepin County Regional Rail Authority’s (“HCRRA”) request in FD 36177 to acquire the common carrier obligations for the line.

ADM operates in Renville & Swift, Counties, Minnesota and is in the business of shipping dry beans grown in Minnesota from our Appleton and Olivia, MN plants located on Twin Cities & Western Railroad Company (“TCW”) lines. For years, we have relied on TCW for efficient and effective rail access to the Twin Cities to connect with major Class I carriers such as BNSF, a route that includes the Bass Lake/Kenilworth corridor. A material amount of the product shipped from these plants is transported via the TCW. Our ability to serve customers may be interrupted with any disruption on the TCW.

Several years ago, TCW informed us that the Metropolitan Council was seeking to expand its light rail service from Minneapolis west to certain suburban communities. When it was determined that the Metropolitan Council had selected the Bass Lake/Kenilworth corridor for a joint light rail /freight rail corridor, TCW committed that it would work with the Council to reach agreements both to minimize disruption to freight rail service during construction and thereafter to assure that the presence of light rail in the freight rail corridor would not negatively impact TCW's operational and economic ability to provide service or force shippers, such as ADM, to subsidize the expense of adding light rail to the corridor.

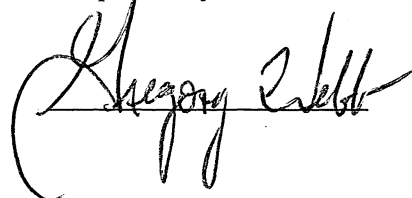
We understand the Metropolitan Council recently ended negotiations with TCW and has filed its present Petition asking the Board to approve an arrangement whereby the Council will acquire ownership of the rail line but will ask the Board to transfer the common carrier obligation to HCRRA.

This is a very complicated transaction that needs full public input and understanding. Neither the Council nor HCRRA has sought our input on the freight rail needs on the corridor. We now have learned that there are no agreements in place with TCW on how freight service will be handled on this proposed "shared corridor" route.

We urge the Board to set a procedural schedule and delay HCRRA's request to acquire the common carrier obligation in order to solicit the views of others affected by this transaction – in particular shippers like ADM who need this vital rail route to move goods through the Twin Cities. Entrusting the common carrier obligation to a public entity that does not operate freight rail service provides little assurance that important shipper interests in continued effective transportation service will be protected. In addition, deciding on this matter without reaching an agreement with the one entity that is currently – and effectively – providing the common carrier service, TCW, is a matter of significant concern and warrants close scrutiny by the Board.

We are not opposed to co-locating passenger rail service with freight service. The intent of this letter is to ensure a balance is struck in this corridor between the needs of shippers and the needs of the travelling public.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gregory Webb", is written over a horizontal line.

Cc: Parties of Record

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