

November 4, 2008

Ms. Anne K. Quinlan, Esq.
 Acting Secretary
 Surface Transportation Board
 395 E Street, SW
 Washington, DC 20423



RE: Finance Docket No. 35087 (Canadian National / E J & E Railroad)

Dear Acting Secretary Quinlan:

After voting in the national election today, I felt that I would be derelict in my duty as a citizen if I failed to write this letter.

I am a retiree of Canadian National Railway, having been a proud railroader for 32 years. My job functions included planning, directing and oversight of the daily operations of the entire Illinois Central Railroad and thereafter, the Canadian National Railway system. In short, I was responsible and accountable for the day-to-day train operations on the system. This included, but was not limited to, planning, scheduling, rules compliance, budgeting, interface with the FRA/NTSB and real-time, hands-on coordination/cooperation with other railroads and shippers. I am well aware of the difficulties railroads face as they struggle to continually find ways to do what they do better and more efficiently. As a four time resident of Illinois, having lived in-state for a total of 17 years, I am amazed by the amount of misinformation that is circulating in the press about CN's efforts to acquire the EJ&E, and the fact that this "minor transaction" is still being "stalled" in the STB.

It is well-known in railroad circles that congestion in the Chicago area is one of the most critical issues facing the U. S. railway network. It has also been repeatedly stated that the EJ&E itself has for years been able to provide a ready route for traffic that needs to move around the Chicago area that does not have to stop in Chicago.

In my humble opinion, there are several other railroads that would like to "own" the EJ&E and, in so doing, would immediately work to line-up public money to fund the purchase while using the arguments of efficiencies to rationalize it. In sharp contrast, the CN (with its own capital) feels it more appropriate to fund all of the purchase, including any railroad improvements that are required. They (CN) are also willing to add a very significant amount of additional, private money to fund mitigation projects for the various "affected" communities. In all of these communities, every single resident has benefited from cheaper prices resulting, in part, from the use of rail shipping -- the most cost-effective, fuel efficient and safe method to move goods over land.

Is this not what you are concerned with -- moving goods over land safely and efficiently? Doesn't this allow companies to stay competitive in their markets and help them to compete globally? The CN, with their own money, wants to fund the entire transaction without any taxpayer assistance but they appear to be getting "stone-walled" for no good reason.

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The continuing delays don't make sense to me. It certainly isn't healthy for those industries that rely on rails to move their goods and it isn't good for our economy.

The only remaining "objection" that has not been resolved by the CN appears to be -- NIMBY (Not In My Back Yard) -- I don't want to have additional trains operating through my town, but it's "OK" if they operate elsewhere. Aside from this "non-issue," it appears that the CN has provided appropriate and well-founded resolutions. This objection is NOT a bona fide reason for delaying approval of the transaction.

As the IC's primary "planning and scheduling and integration officer" involved with the 1999 CN / IC merger, I know that the proposed transaction is solid, necessary and well founded. It is a smart solution to an increasingly critical problem. It will benefit not just the CN, but the U. S. economy as well. This transaction makes so much sense, on so many levels, that I am overwhelmed by the STB's delay in approving it.

Based on the current state of the economy, it is imperative that political partisanship and "NIMBY-ism" be put aside and the transaction approved prior to the end of 2008.

Sincerely,



Tom F. Utroska
106 High Pointe Drive
Blythewood, SC 29016-7607

cy: The Honorable Lindsey Graham
The Honorable James DeMint
The Honorable Joe Wilson

Messrs. Graham, DeMint and Wilson - As a citizen of SC, I am concerned that the continuing delay to this transaction will adversely affect the economy of our state and every other state East of the Mississippi River. I sincerely believe that the STB needs to act and approve this transaction immediately. In addition, I respectfully request that you seek counsel from the STB in determining why this transaction continues to be delayed. -- TFU