

TO: SURFACE TRANSPORTATION BOARD

RE: ENVIRONMENTAL IMPACT STATEMENT

The proposed Tongue River Railroad is a very bad idea and I believe not legally justifiable. The standard to be met is 'public need and necessity.' This project does not meet the requirements under this standard. Almost 40 years ago I was general counsel to the Montana Public Service Commission. While serving in that capacity I was the Joint Board Member to Interstate Commerce Commission hearings for trucking companies seeking ICC authority, based upon 'public need and necessity.'

My experience in participating in those hearings tells me that the TRR does not qualify for nor does it meet the required criteria for the granting of authority to build this railroad, with the added ability to take private property. The Tongue River Railroad only proposes to haul the coal of one private company, for maybe 20 years, to the west coast for shipment to China and other oriental countries. Where is the 'public need and necessity' in that proposal? It is non-existent. To allow this coal company to disrupt the lives and destroy the present environment of the many property owners in the pristine Tongue River Valley would, in my opinion, be criminal in nature.

Take no action, and send these money grubbers packing.

Terry J Hanson
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