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GENTLE LADY:-

I'M LIKE A BATTER STEPPING TO THE PLATE
WITH ONE LEG IN A CAST, SINCE I DO NOT HAVE A
CURRENT EDITION OF THE OFFICIAL RAILWAY GUIDE,
FREIGHT SERVICE EDITION, PUBLISHED BY PRIMEDIA
DIRECTORIES. SEVERAL MONTHS AGO, I WROTE TO
SUSAN C. MURRAY, WHO AS OF JANUARY 2001 WAS
REPORTEDLY THE PUBLISHER OF THE ORG/FSE, BUT
LAST WEEK MY LETTER WAS RETURNED AS UNDELIV-
ERABLE. A LETTER ADDRESSED TO KEVIN V.
^{CEO OF THE DM&E,}
SCHIEFFER, WAS SIMILARLY RETURNED. (IN EAST
PAKISTAN YEARS AGO, I MET A ZOROASTERIAN WHO WOULD
HAVE ATTRIBUTED THESE SETBACKS TO THE MALEVOLENT
DIETY, AHRIMAN.)

BE THAT AS IT MAY, MY PROBLEM IS I DO NOT KNOW
THE CURRENT STATUS OF THE DM&E AND THE IC&E.
HAVE THEY MERGED, AND MOVED THEIR HEAD-
QUARTERS FROM BROOKINGS AND DAVENPORT?

I INTEND TO WRITE AN ADVISORY LETTER TO
THE LEGAL DEPARTMENT OF THE UNION PACIFIC.

* Specializing in:

Benefit-Cost Analysis . . . Mathematical Programming . . . Transportation . . . Industrial Policy

WHICH I PRESUME IS ONE OF THE PETITIONERS
THAT ^{WILL} CHALLENGE THE BOARD'S DECISION BEFORE THE
8TH CIRCUIT COURT OF APPEALS. I'M WAITING
FOR MY COUSIN (CLINTON ORR, A RESIDENT OF
OMAHA) TO SEND ME ^{THE} NAME OF THE CURRENT VICE
PRESIDENT, LAW. IN THE NOV/DEC 2000 ISSUE
OF THE ORG/FSE, JIM DOLAN HELD THAT POST.

05/13/06

SINCE WRITING THE ABOVE, I HAVE READ MORE OF
YOUR FSEIS, SO I NOW KNOW THAT THE DM&E,
IC&E AND CEDAR AMERICAN RAIL HOLDINGS, INC. HQ IS
(ARE) IN SIOUX FALLS. THE DM&E AND THE IC&E ARE
SEEMINGLY NOW WELL COORDINATED BUT NOT ACTUALLY
MERGED. I PROPOSE A MERGER IMMEDIATELY OF THE DM&E,
THE IC&E AND THE MONTANA RAIL LINK. THAT WILL
CREATE A TRUNK-LINE WITH A DIRECT ROUTE FROM CHICAGO TO
SPOKANE EVENTUALLY TO BE EXTENDED TO SEATTLE/TACOMA
VIA THE EX-MILWAUKEE ROAD. THEN DM&E ET AL. CAN
PARTICIPATE IN THE BOOMING TRADE WITH EAST ASIA —
ESPECIALLY CHINA — NOT JUST HAULING COAL WHICH THOUGH
ABUNDANT IS EXHAUSTIBLE.

IN MY LETTER TO MR. O'BRIEN, I REFERRED TO
STB STAFF AS "GEOGRAPHICALLY ILLITERATE."
THAT DESCRIPTION MAY BE A BIT HARSH BUT THE
FACT IS THAT MOST AMERICAN (UNLIKE THE BRITS) HAVE
NOT RECEIVED MUCH INSTRUCTION IN GEOGRAPHY.

I'M ENCLOSING A MAP I DREW SEVERAL YEARS AGO
WHICH SHOWS WHAT I MEAN BY BEING GEOGRAPHICALLY
SAVVY.

REGARDS

Charles W. Ford DM&E

Are you filing a
brief with the
9th Circuit?
re the DME

(5-21)

05/13/06

Sorry 'bout this ugly format but
I'm an octogenarian.

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KEITH G. O'BRIEN

COPY

REA, CROSS & AUCHINCLOSS

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VR

ATTORNEY FOR MAYO FOUNDATION

ESTEEMED COUNSEL: 1/

Why did
the STB fail to discern
a viable alternative?
Staff is geographically
illiterate - as are
most Americans -
even railroad
executives.

I HAVE READ THE COMMENTS YOU PREPARED FOR
THE MAYO FOUNDATION ON THE DRAFT SUPPLEMENTAL
ENVIRONMENTAL IMPACT STATEMENT RE THE SURFACE
TRANSPORTATION BOARD FINANCE DOCKET NO. 33407
REGARDING THE D-M & E. RAILROAD CORPORATION CON-
STRUCTION INTO THE POWDER RIVER BASIN. (PRB)

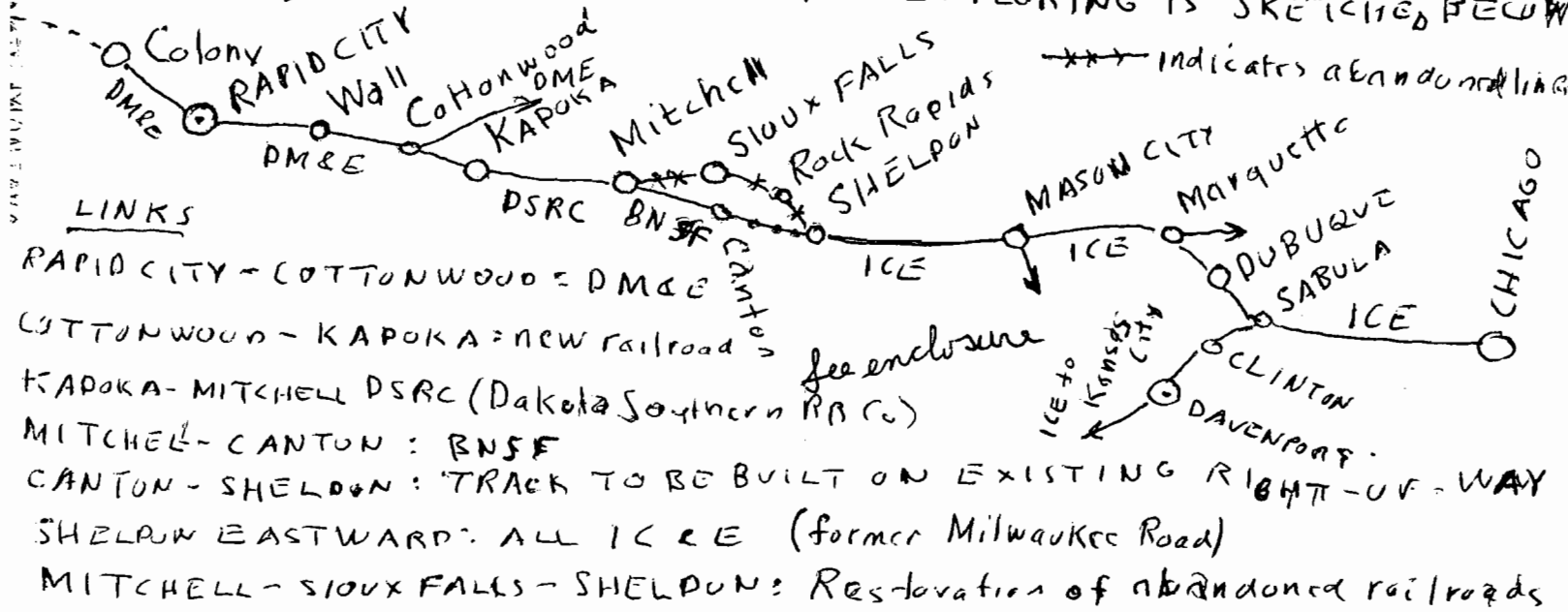
I WANT TO INFORM YOU IN THIS LETTER THAT
THERE IS A STRATEGY WHICH WILL ACHIEVE YOUR
OBJECTIVES. ON PAGE 12 YOU STATE: "ROUTING OF THE
PRB COAL TRAFFIC OVER THE IC&E LINES HAS NOW
BECOME A REASONABLE AND VIABLE ALTERNATIVE
THAT WARRANTS DETAILED EVALUATION IN DIRECT
COMPARISON TO DMCE'S ROUTING THROUGH THE CITY
OF ROCHESTER. ... SEA'S ANALYSIS MUST 'RIGOROUSLY
EXPLORE AND OBJECTIVELY EVALUATE ALL REASON-
ABLE ALTERNATIVES GIVING SUBSTANTIAL TREAT-
MENT TO EACH ALTERNATIVE THAT IS CONSIDERED
IN DETAIL. ... THE COURTS HAVE CLEARLY HELD THAT
FAILURE TO CONSIDER A VIABLE ALTERNATIVE RENDERS

* Specializing in: AN ALTERNATIVE ANALYSIS
Benefit-Cost Analysis ... Mathematical Programming ... Transportation ... Industrial Policy

1/ I DO MY DAMNEDEST TO AVOID "DEAR SIR" IN ADDRESSING ANYONE.

HERE'S THE NITTY-GRITTY. THE STB HAS FAILED TO CONSIDER AN ALTERNATIVE WHICH INCREASES THE EFFICIENCY OF COAL HAULAGE AND AVOIDS 37 TRAINS THROUGH ROCHESTER. IT DID CONSIDER THIS ALTERNATIVE:

RAPID CITY - OWATONNA - MASON CITY - MARQUETTE - A HIDEOUS ZIG-ZAG! AN ALTERNATIVE WORTH EXPLORING IS SKETCHED BELOW



THIS ROUTING IS SHORTER AND MORE STRATEGIC THAN THE DM&E LINE FROM WINONA TO COTTONWOOD THUS, BY AVOIDING ROCHESTER THE EXPANDED DM&E IMPROVES ITS SERVICES AT LOWER COST. ALSO, SIOUX FALLS IS A FAST-GROWING CITY AND SHOULD BE ON A TRUNKLINE.

I'M DOING MY DAMNEDEST TO STOP DM&E FROM INVADING THE PRB AND WILL WRITE TO THE VICE PRESIDENT - LAW OF THE UNION PACIFIC. INSTEAD OF THE PRB, THE DM&E SHOULD FOCUS ON THE BILLION OF TONS OF COAL IN EASTERN MONTANA - AND MERGE WITH THE MONTANA RAIL LINK TO REACH SPOKANE BUT THAT'S ANOTHER ISSUE - WHETHER ^{the DM&E} IT HAULS COAL FROM EASTERN WYOMING OR EASTERN MONTANA, IT SHOULD ^{RUN} A FEW OR NO COAL TRAINS THROUGH ROCHESTER - IN ITS OWN INTERESTS.

I'VE BEEN A MICROECONOMIST - CUM - GEOGRAPHER FOR OVER 50 YEARS, 18 OF THEM ABROAD, BUT OVER HALF-WAY TO 83, MY LETTER HAS WAXED INELEGANT

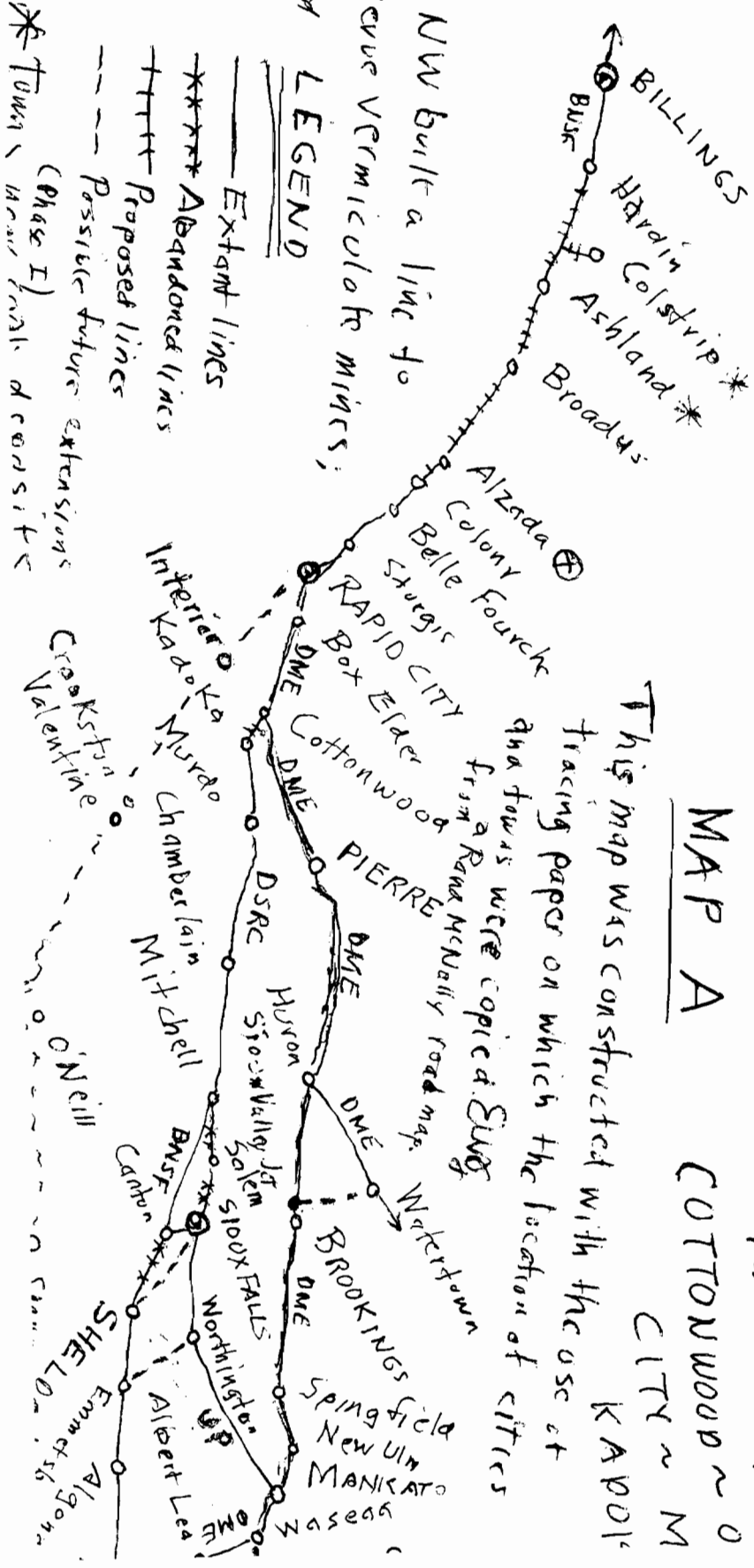
DSRC Dakota Southern RR Cor.

This map was constructed with the use of tracing paper on which the location of cities and towns were copied. Lines from Rana McNally road map.

MAP A

COTTONWOOD CITY ~ M KAPOK

Note the pro



The C&NW built a line to Alzada to serve Vermiculate mines, then abandoned it.

LEGEND

- Extant lines
- Abandoned lines
- Proposed lines
- Possible future extensions (Phase I)
- Towns and towns densitate

I DREW THIS MAP WITH TWO GOALS IN MIND. (1) TO VISIT MY PROGENY OR OTHER RELATIVES IN NEBRASKA, IOWA, ILLINOIS NEW JERSEY AND NORTH DAKOTA (2) I'VE BEEN IN 43 OF THE FIFTY STATES (AND IN ABOUT 30 FOREIGN COUNTRIES). THE GIT WAS CONCEIVED SO AS TO "KNOCK OFF" ME, VT, NH, ND, ID MT & AL.