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John W. Gohmann,
President

August 27, 2008

Ms. Phillis Johnson-Ball,
US Surface Transportation Board,
Washington, DC

Via fax

RE: EL&E - CN Transaction - Mundelein Hearing

Dear Ms. Johnson-Ball:

The three minute time, per commenter, of course was a necessary time limit, but allowed insufficient time to really tell the story and I was cut off at precisely three minutes opponents in the crowd yelling "times up" repeatedly, when they did not do that for their own people and let Congresswoman Melissa Bean speak over five minutes. I left our prepared briefing-press kit with your court recorder in hopes it will be reviewed.

After my presentation, Congresswoman Bean came up to me somewhat condescending and asked if the CN paid my airfare to speak last night. I want to make it emphatically clear the CN DID NOT pay my airfare, my expenses, nor even solicit my appearance and had nothing to do with the contents of my oral or written presentations. I did it because of my 43 years in transportation, knowing how close the nation is to rail gridlock, and having already seen what gridlock has done to the national rail network just in Chicago, and, how much worse it will be in the future.

I listened with much interest to some of the local officials claiming interruption to essential services. Their concerns are terribly exaggerated, as was the allegation by Congresswoman Bean of "two mile long trains". Those don't exist in our industry yet and I am sure that if the technology comes about, the Federal Railroad Administration, who has been determined to have jurisdiction over grade crossing safety and the Federal Highway Administration, will, along with common sense, ensure that if they do run, adequate safety procedures exist to protect all impacted.. Right now, it's a moot point - they do not exist. CN has noted that trains will be a short 15 to 20 cars to up to just over 6000 feet. The Board cannot decide this case on speculation, nor the "possibility" that the

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Star Line, a yet to be authorized or funded new commuter line, will ever start up. The CN and your preliminary report have both indicated they can exist together, should that happen. Information contained in our written filing with the Board addresses this further.

The speculation that another 8 to 10 trains a day in the area from Mundelein to West Chicago is going to severely impact emergency response is also unfounded. The average train will occupy a crossing 2.5 to 3 minutes. Twenty to twenty four minutes of time, spread out over 24 hours, is not going to impact this. If the Board were to do a study of how many occurrences that emergency responders are actually called and have to use these crossings, you would see a remote, remote probability of any blockage. One presenter also noted that an average commuter train blocks crossings 3 to 4 minutes, but, people don't complain about that. Another indicated that CN has not provided one local fire agency with a list of hazardous materials. CN offered to provide it under the guidelines of the federal regulations of FRA, which provides confidentiality – for national security, and, that agency would not agree (as have all others in the USA who are to receive these), of keeping it confidential. National and regional security is imperative with the furnishing of this information and confidentiality is also required for those reasons.

The Board should take note of the huge increases of traffic on the CP, UP West and BNSF Railway lines through dozens of Chicago suburbs – from 110 to over 135 trains a day and it might be well to ride those lines to see all the schools, fire stations, downtown districts, hospitals, baseball fields, etc., all adjacent to those lines. Those communities have all prospered as this rail traffic has grown – with no impact on housing values. The Board might consider having a study done – a train counting study, along those lines if they doubt the facts presented. We provided a color METRA map showing those lines, with the dozens of communities, from very affluent (Wheaton, Glen Ellyn, Hinsdale, La Grange, La Grange Park, Deerfield, North Brook and Lake Forest) to others where millions of high to middle income Chicago suburban residents live. You will note in some cases how a Metra train, stopped at rush hour time, can take 3 to 4 minutes of crossing occupancy.

The day that objections from a dozen communities along a rail line can administratively or legislatively block interstate commerce, affecting millions of jobs, will become a dangerous and sad day for America. There are dozens of communities in Illinois, Iowa, and Nebraska (Mendota, Princeton, Galesburg, Burlington, Ottumwa, Osceola, Omaha, Lincoln, Grand Island, Hastings, MC Cook, Dekalb, Rochelle, Sterling, Clinton, Cedar Rapids, Ames, Jefferson, Council Bluffs, Missouri Valley, Fremont, North Platte) just to name a few, who could have objected to mergers of the UP, BNSF, or CP because up to 160 trains a day would be running on some segments, including over 120 trains a day of low sulphur coal, plus grain unit trains for export, merchandise trains, and container trains – all of which impact millions of Americans and millions of jobs. Over 50% of electricity in most states is generated from coal from these trains, provided by low cost rail, and, the clothes most Americans wear, largely now from China, all move by container trains to terminals and then trucked to local warehouses and stores. Such a day

would literally be the day that electricity can no longer be available for some Americans, and a day when many of these goods can no longer reach the 48 states...

It is a sad commentary that Americans of today do not realize the "invisible" mover of America...and what makes it tick. It was not that way when I was growing up in Iowa.

Personally, our home was built in 1988, about half a mile from the then Soo Line mainline running through Lake Forest thence North towards the Wisconsin border. At that time, near our new home, there were about 10 freight trains and eight Amtrak trains. Today, there are 25 to 30 freight trains and 18 Amtrak trains daily. South of Rondout, its 100 trains daily and, south of Deerfield, 110 trains daily now with Metra service. Sure, we hear these trains, but, they have become so common they have been tuned out. And, yes, crossing usage has increased, but, I know of not one incident since this growth in rail service where a life was lost due to crossing blockage, or a home burned down because of a crossing blockage and our home values have more than doubled, only affected this year a bit due to the sub prime mortgage crisis.

One witness, claiming to be on a Committee with "Senator Oberstar", indicated that Lake County Illinois infrastructure was among the highest and closest to gridlock in the USA.. That may be true, but, it's all caused by road congestion. Last night, it took me 45 minutes to drive seven miles from my office to the hearing location in Mundelein, when off peak; it would take only fifteen, at the most. Lake County has experienced a large population growth over the past 15 years, no doubt. I was not blocked on my trip by the CN or any other railroad, but, waiting in lines almost a mile long for key highway intersection lights, including Route 60 and 21, and Route 60 and several access roads west of Highway 21..and finally, Route 60 and 45. After seven pm, this traffic abates substantially. It occurs over a 3 hour period in the AM and a three hour period in the evening when people are driving to and from work. IT'S NOT CAUSED BY THE RAILROADS OR THE CN! IT'S CAUSED DUE TO A ROAD INFRASTRUCTURE NOT CAPABLE OF HANDLING PEAK HOUR TRAVEL. If anything, it would be a Metra commuter train that would operate on the CN during this period and cause delay, but, I was in site of the CN tracks on Highway 60 for a good 10 minutes and nothing ran - all the back up was just plain old road traffic.

Its also important to note that some of the communities who are opposing this transaction have also opposed the extension of I355 North through Long Grove and Barrington, which would alleviate some of this congestion, and, another major east - west trunk route that would do the same. This congestion also exists on east west routes North of Highway 60 and North of the EJ&E line, all the way to Route 120 from Waukegan, west. Urban sprawl came to this area over the past 15 years without that much planning for a balanced roadway system. It only suffers at rush hour time- the balance of the time, its fine and fluid. But, this is absolutely unrelated to and offers no reason to deny this important transaction that will reduce nationwide rail gridlock for a long time.

Its impossible for any to predict more than three years forward - the world does not operate that way. Who would have thought in 2005 that gasoline would reach \$4.00

a gallon? No one even thought that a year ago. As articles from national periodicals which were included in my presentation indicate, another gridlock is predicted this fall to handle record grain shipments, which will place more traffic on an already close to capacity rail system. This will take its toll on Chicago, again, just as it has in previous years and photos we provided showing trains being held outside of the Chicago terminal awaiting a slot to get in- some sitting over 24 hours..

Thanks for reviewing this. Your EIS draft, based on my 43 years in the transportation industry, was the most thorough I have ever seen and made good recommendations. There is definitely a narrow, not in my back yard attitude displayed by the opponents for no valid reason – when other experiences all over metro Chicago rail lines which have seen trains exceed 135 a day, have indicated success and coexistence.

Sincerely,

John W. Gohmann



Small Railroad Business Owners of America

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