

08-08-27-c.txt
AND EASTER RAILWAY COMPANY

STATEMENT OF:

ED SCOTT

August 27, 2008

BARRINGTON HIGH SCHOOL
616 WEST MAIN STREET
BARRINGTON, ILLINOIS

CHIMNIAK REPORTING & VIDEO
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1 My name is Ed Scott, and I'm a
2 resident of the village of Barrington and
3 I've lived here since 1979. I'm a father
4 of two children, daughters who are 16 and
5 12 and go to Barrington schools. I live in

6 the village and they walk to school and
7 they cross the railroad tracks.

8 I'm also a lawyer. My job as I
9 see it is to solve problems. The way to do
10 that is try and reach a fair result. I
11 don't think that there's anything fair
12 about the attempt of Canadian National to
13 come into the town of Barrington and make
14 the changes that are going to occur if they
15 do it.

16 I think an easy way to determine that is
17 take a random survey of anybody over the level of
18 vice president of Canadian National and tell them
19 to take the scenario they were presenting here and
20 put it in their neighborhood and see what they
21 think about whether it's fair or not. I guarantee
22 you there will not be one single person who would
23 say this is fair, I want to sign up for this. You
24 do the same thing to the STB and you take anybody

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1 or all of them and you give them the information
2 we have to date and you have them read it, read it
3 fairly and be honest, and none of them will say
4 think of this.

5 Canadian National is a foreign
6 government corporation. Canadian National
7 was at one time owned by the country of
8 Canada.

9 Let's look at this a little bit

10 differently. Let's say this was Iraq National.

11 would any of us be talking about doing this?

12 would any of us be saying this is what we ought to

13 do? would the federal government agencies in

14 charge of reviewing these facts even begin to do

15 that? They would not.

16 But let's say it wasn't Iraq.

17 Let's say it was Mexico or let's say it was

18 Russia or Georgia or Israel or anywhere.

19 Canadian National is at or border. They

20 already do business here. They are getting

21 some deference we would not give to most

22 other countries. It's not a fair deal,

23 plain and simple, but everybody else is

24 giving some indication as to why it's not

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1 fair.

2 I want to emphasize one thing. There is

3 no dispute on either side of this, Canadian

4 National or the Village, that response times to

5 accidents or injury will be delayed. Most of the

6 comments stop there. What will be delayed is fire

7 trucks and ambulances and police cars. Here's

8 what will happen. People will die. They will

9 die. And this foreign corporation wants to come

10 in here, place their railroad here, and allow --

11 not even consider or comment on the fact that

12 people will die.

13 I don't think there's a whole lot
14 more I need to say. They shouldn't do it.
15 They shouldn't be allowed to do it. The
16 unfortunate thing is the government agency
17 that's involved in determining whether they
18 can do it has only rejected one other
19 application in its entire history. The
20 mitigation is ridiculous. So if they
21 approve it with mitigation and they want
22 Barrington to pay for it, that should not
23 happen.

24 The last thing I'll say is this.

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1 The contract to buy the EJ&E terminates
2 December 31st of this year. U.S. Steel,
3 who owns EJ&E, has no interest and has said
4 we are not extending the contract. The
5 agency that's here today says we will give
6 our ultimate report to the STB between
7 December 1 and January 31 coming up, which
8 means the STB is not likely to get to the
9 point where they can decide this question
10 before December 31st, I would think.

11 So Canadian National does this. We're
12 going to court. We're going to file a lawsuit.
13 We're going to make you decide faster. Who lives
14 here? We live here. How are they going to get a

15 federal court to that this agency must decide
16 faster? As a matter of law you can't do that.
17 You can only make a governmental agency move
18 faster from ministerial acts, not discretionary
19 acts. That's what this is. So I don't know where
20 they're coming from or what they're trying to
21 pull, but they're ignoring anything that's fair.
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