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**16061**

September 21, 2008

Phillis Johnson-Ball  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423  
Ref: STB Finance Docket No. 35087

Subject: STB Finance Docket No. 35087

Dear Ms. Johnson-Ball:

**The purpose of this letter is to request that the STB deny Canadian National Railway Company's (CN) proposed acquisition of the Elgin, Joliet and Eastern Railway Company (EJ&E).**

I have been following this proposal closely for many months now. Having read the draft EIS and attended the public meeting in Joliet, I am more convinced now than ever that this proposal is bad for all of the Greater Chicago area; most especially for the communities along the EJ&E. My primary concerns are as follows:

- It is quite clear that the Draft EIS was prepared to support the CN proposal by misleading the affected public into thinking that the proposal, while harmful to the communities along the EJ&E, would be good for the communities located in the Chicago Hub. The implication being the net result is positive for Greater Chicago.

**The simple fact is that congestion improvements inside the arc of the EJ&E will be temporary and the STB knows it! The Draft EIS rebuts every major concern expressed by communities along the EJ&E with an offsetting improvement in and around the Chicago Hub. Because rail capacity will continue to exist after Canadian National moves to the EJ&E, CN or other rail companies will fill that void with new rail traffic. A CN executive admitted this to be possible during a radio interview on WGN earlier this year. As a result, by approving this proposal, traffic congestion throughout the Greater Chicago area will be worse than it is today!**

- As pointed out at the public hearing held in Joliet on Thursday, Sept. 11, 2008, the Draft EIS is full of inaccuracies. For example, the Draft EIS under-reported the population of Plainfield by roughly 20,000 residents! The Draft EIS also misrepresented the impact of the proposed increase and length of trains on traffic for every community represented at the 9/11/2008 meeting. Further, the Draft EIS did not take into account the future growth of Plainfield or any other community along the EJ&E. Based on current conditions and proposed increases, it is obvious that local vehicle traffic in Plainfield will be brought to its knees and emergency response times by fire and police will be adversely impacted.

**The Draft EIS should be completely re-worked before any further consideration is given to this proposal! It must be required that all data be corrected and/or validated and a real effort is given to understanding current and projected populations, traffic flow rates and traffic patterns!**

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- Additional rail traffic increases the potential of an accident that could involve hazardous materials. Based on my research and the comments I heard at the public meeting, CN has a poor reputation when it comes to safety performance. This does not bode well for communities along the EJ&E that were built up in recent years around a regional rail line without anticipating the CN proposal.
- If the EJ&E Line is sold to CN, then the prospect of adding a commuter light rail line (the STAR Line) will be scuttled. Many residents, myself included, moved into the southwest suburbs with the understanding that the STAR Line was a very real probability. In order to reduce surface street congestion and to improve the quality of life for the Southwestern Suburbs, we do need the STAR Line. We do not need a super-capacity freight line.
- Existing air and noise pollution problems will be exacerbated all along the EJ&E Line.
- Canadian National Railroad Company is a very profitable Canadian business. This proposal will enable them to increase their profits – but this is done on the backs of American Citizens who will see huge tax increases to install needed vehicle traffic, noise and safety infrastructure. This is not fair!

**CN should be responsible for 100% of the mitigation requirements identified by the communities located along the EJ&E Line.**

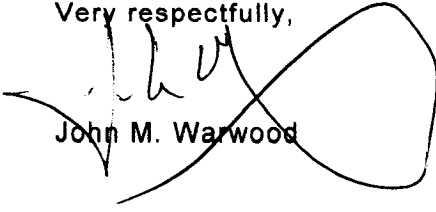
The impact of all of these issues will be devastating to property values for many homeowners in Plainfield, as well as other communities all along the EJ&E Line. This will occur at a time when the area is being hit hard by other economic factors. The end result will be a financial catastrophe for many businesses and residents affected by this proposal!

Finally, a very interesting comment was made at the 9/11/2008 public meeting in Joliet. Specifically, it was suggested that there is the potential to move CN's traffic further west by roughly twenty five miles to another north/south regional rail line. Clearly this alternative would impact a much smaller number of communities and residents. CN and the STB should explore this alternative. The Greater Chicago area does not need more congestion. It also likely needs even more potential for growth in the future. I encourage the STB to work closely with TRAC to find a better solution than the one currently being considered.

In closing, I would respectfully ask that you assert your influence to prevent the CN purchase of the EJ&E Line. Please call me at 630.725.4566 during normal business hours if you would like to discuss this with me in more detail.

Thank you in advance for your assistance!

Very respectfully,

  
John M. Warwood