

September 20, 2008

Ms. Phillis Johnson-Ball
Surface Transportation Board
395 E. Street, SW
Washington D.C., 20423

Ref: STB Finance Docket No. 35087

Dear Ms. Johnson-Ball,

Thank you for the opportunity to provide comment on the proposed purchase of the E& J Railroad resources by the Canadian National Railroad (CN). Included in this letter is our recommendation for your consideration of an alternative solution in which will be of far greater benefit to all impacted parties than a purchase of the E & J. railroad. This alternative approach is one that has been developed in the State of Illinois in strategic planning for new interstates. Note that we are totally opposed to this purchase by CN.

Concerns

Although there are many concerns surrounding the CN purchase proposal, the key areas of our concern are in the safety and quality of life issues below which are greatly endangered by the CN proposal.

1. Greatly increased danger and delay of life support for the children in the affected area and towns including our home town of New Lenox. There are many schools right next to the railroad lines as well as school bus transportation depots. In addition, many children live south of the tracks who would have to be transported to schools on the north of the tracks, and transported to quality medical facilities including our own grandchildren.

At one of your public meetings in New Lenox, the Chief of Police in Chicago Ridge, who is also the Mayor of New Lenox, outlined a fatal situation where a child on the other side of the tracks died because the paramedics could not get to the child in time because they were delayed by a freight train crossing the tracks.

2. Although CN is on record as stating that hazardous material accidents are projected by CN to be less, this statement does not ring true given that the incidents of accidents are rising overall. With train traffic proposed in New Lenox, for example, to rise 4 or 5 times and more than exists now, it is not logical that this great increase in traffic of hazardous material is going to cause a decrease in accidents. Rather, this CN purchase will result in potential loss of life with the knowledge that children are the segment of the population that are most prone to affects from hazard material accidents.

The United States Surface Transportation Board should determine if, at the very least, it has a moral obligation to ensure the safety of American children and citizens and especially if the concern is as a result of a foreign company attempting to increase its efficiency and profits in the United States.

Instead, the Board should require that an alternative route be taken which mitigates the high risk to our children and others whose safety is at extreme risk if the original CN purchase is allowed to go through.

3. The proposed CN purchase will greatly affect the quality of life in a very negative way in financially troubled times and a poor housing market in the United States which is not going to change any time soon. More noise, travel times lengthened for those still lucky to have jobs, the area's children will spend more time than necessary and many times in darkness getting to and from school, and medical, police, and fire department response times will be dramatically increased if the Board does not recommend an alternative approach to this CN purchase.

Recommendation of An Alternative Approach

The Board is strongly urged to require CN to take the alternative approach described below in determining the best route for efficient rail lines through the Chicago area.

Modeled after the way that the Illinois Tollway Authority approaches the creation of paths for its new toll road, have CN provide proposals for alternate rail line paths farther away from the Chicago area current and projected out 10-20 years population growth in its towns and cities. These proposals can then be opened by the Surface Transportation Board for comment by the public to determine the path of least impact to the Chicago area communities.

Additional funding for the alternative approach above, since this is a foreign company doing business in the United States, should come from the Canadian government since that government gains from a successful Canadian rail company making considerable profit in the United States.

Funding for a foreign company's initiatives clearly should not come from American's federal, state or local governments, especially during the current national financial and housing crisis where additional funding to support foreign railroad investments is highly unlikely.

Respectfully Yours,

Hugh and Diane Smith

Cc: Senator Richard Durbin, Illinois: Senator Barack Obama, Illinois