



An EDISON INTERNATIONAL Company

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440 South LaSalle Street - Suite 3500
Chicago, Illinois 60605

January 31, 2008

Surface Transportation Board
395 E Street, SW
Washington, DC 20423

Attention: Phillis Johnson-Ball
Environmental Filing
STB Finance Docket No. 35087

RE: Scoping Comment for the Proposed Canadian National Railway Company
Acquisition of the Elgin, Joliet and Eastern Railway Company

Dear Mrs. Johnson-Ball:

Midwest Generation is one of the largest independent power producers in the United States and generates enough electricity to meet the needs of more than 8 million households. The company employs 1300 professionals and is a subsidiary of Edison Mission Energy and part of Edison International located in Rosemead, California. Midwest Generation owns and operates six electric power generating stations in northern Illinois and one in western Pennsylvania which are capable of producing 7,500 megawatts of electricity.

Joliet and Will County Stations receive over 10 million tons of coal in 135 railcar trains each year from the Powder River Basin in Wyoming. This equates to approximately 650 loaded and 650 empty trains traveling between West Chicago (UP) and Joliet. Coal for Fisk and Crawford stations is received via river barges loaded at Will County Station in Romeoville. These four stations comprise nearly 50% of the company's generating capability and supply a critical portion of the daily electricity requirements for the Chicagoland region. As such, these four stations are dependent on the EJ&E rail system to reliably deliver its fuel supply. Any disruption or restriction in the supply chain would have dire consequences on the region.

The proposed EJ&E acquisition by the Canadian National Railway should be carefully evaluated as to whether the proposed track infrastructure modifications are sufficient to adequately support the anticipated average of 42.3 trains per day in rail traffic north and west of Joliet under not only the best of operating conditions, but under situations which are less than ideal. Factors to be considered are the effects on operations and recovery capability caused by congestion of commuter rail curfews, construction, maintenance, weather, derailments, available crewing resources, etc. on this corridor. As recent as this past year, Midwest Generation and the EJ&E Railroad, working closely together on the existing lower volume rail line, struggled to maintain sufficient coal delivery to meet the generation demand of our Will County, Fisk and Crawford

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Stations. While the acquisition and operational changes may somewhat reduce traffic problems in Chicago, without close attention from the STB and its staff it could be that those problems are not eliminated but in fact are just shifted to the Joliet area.

A historical look at the subsequent operations in the early months and in some cases years after recently approved railroad mergers shows, at best, uneven results. Often, extensive effort, resources and time by all involved players--the railroads being merged (as well as connecting and even competing rail carriers), their shippers and the communities they serve--has been required immediately post-merger in order to solve problems that, with a little more pre-approval scrutiny perhaps, could have been minimized if not avoided altogether. We simply ask that whatever additional time is necessary to ensure operational integrity day-one be invested at the front-end of the merger review process so that congestion and the resulting delays, as well as other disruptions and harmful community effects are not as likely to occur. This is particularly important now given the fact that operational difficulties in this important region of the country would only serve as a further drag on the economy at a time when we can afford it the least. Even though this merger is smaller in scope than other recent mergers, any shortcoming or failure could have short- and medium-term detrimental consequences that extend far beyond the geography of this particular merger. Careful consideration is demanded.

We respectfully request this letter be made a part of the record in this proceeding.

Sincerely,

Larry W. Siler
Director, Fuel Transportation