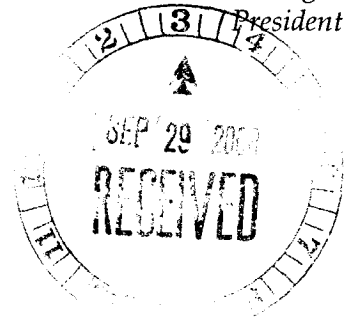


September 19, 2008

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

Subject: *Canadian National Railway Co., et al. – Control – EJ&E
West Company*, STB Finance Docket No. 35087

Kevin M. Brinegar
President



Dear Ms. Johnson-Ball:

My name is Kevin Brinegar and I am president of the Indiana Chamber of Commerce. I am submitting a written statement because a scheduling conflict prevented me from personally attending the September 10th hearing in Gary, Indiana.

The Indiana Chamber would like to restate its support for CN's proposed acquisition of the major portion of the Elgin, Joliet & Eastern Railway Company (EJ&E). While our support remains strong for all the economic, environmental, safety and congestion relief benefits the transaction will bring, we further support the STB thoroughly examining the issues raised in relevant communities. However, we are deeply concerned that no time limit has been placed on this process.

We represent thousands of companies and organizations that make proposals, solicit bids, advertise positions, embark on projects and engage in complex mergers and acquisitions. I would be hard-pressed to come up with an instance in which any of these business actions are conducted without a deadline. Imagine how difficult it would be to plan or arrange for financing in such a climate of uncertainty; indeed, such is the case with this transaction now.

As you know, the EJ&E's seller has declined to extend the closing date of the stock purchase agreement it has with CN beyond December 31, 2008. This means that if STB's final decision is not rendered by the end of this year, the transaction and all its benefits will be jeopardized. To leave the process completely open-ended or, equally unfair, to allow opponents of the transaction to stall the process and attempt to "run out the clock" on what the STB itself determined to be a "minor transaction" would create a situation in which the process drives the outcome, rather than the merits of the transaction itself. This precedent would be especially troublesome to the numerous smaller regional and shortline railroads in Indiana. The result would be lost opportunities, lost efficiencies and ultimately, lost rail service to our state.

Again, the Indiana Chamber believes that a thorough examination of environmental and other issues associated with the CN-EJ&E can be accomplished under an expedited timeframe.

Thank you for your consideration of our views.

Sincerely,

Kevin Brinegar
President, Indiana Chamber of Commerce

Copy to: Ms. Anne Quinlan, Esq.
Acting Secretary
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423