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STATE OF LOUISIANA
DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
P. O. Box 94245
Baton Rouge, Louisiana 70804-9245

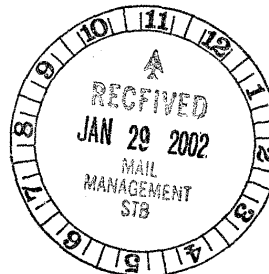


M. J. "MIKE" FOSTER, JR.
GOVERNOR

January 9, 2002

KAM K. MOVASSAGHI
SECRETARY

Mr. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K St. NW, Room 700
Washington, D.C. 20006



Re: STB Finance Docket No. 33877
Illinois Central Railroad Company
Construction and Operation Exemption
East Baton Rouge Parish, LA

Dear Secretary Williams:

We understand that the captioned matter will come before the Board shortly for final action. After review of the Section of Environmental Analysis Environmental Assessment document and the October 25, 2001 conditional exemption granted by the decision served that date, the Department of Transportation and Development (DOTD) is prepared to issue a permit for the proposed "at-grade" crossing of Route US 61. This permit, will as a condition, limit the number of trains to one per day and the hours of operation to between 12:00 midnight and 5:00 AM. Unless, however, prior approval for deviation is requested, in writing, prompted by an emergency situation not caused by the railroad. Throughout the EA document and subsequent sections of the conditional exemption reference is made to this condition of operation as the basis for the findings regarding public safety at the rail/highway crossing.

The DOTD would revoke the US 61 permit for the crossing if the railroad failed to adhere to the hours of operations provision of the permit. Such an action by the DOTD would be in keeping with the authority of the department and not considered as an interference with interstate commerce.

We trust that our understanding of the findings of the Board is consistent with the permitting authority of the DOTD. Should you differ, we wish to advise that DOTD is not prepared to issue an unrestricted rail crossing permit for this arterial highway.

Sincerely,


Kam K. Movassaghi, Ph.D., P.E.
Secretary

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