



Bayway Refinery
P.O. Box 222
1400 Park Avenue
Linden, New Jersey 07036

211381

ENTERED
Office of Proceedings

JUN 21 2004

Part of
Public Record

June 18, 2004

Modified Certificate – Petition of
Five New Jersey Municipalities
Morristown & Erie Railway, Inc.
Finance Docket No. FD-34054

Hon. Vernon A. Williams
Office of the Secretary
U.S. Surface Transportation Board
1925 K Street N.W.
Washington, DC 20423-0001



Dear Sir:

I am the manager of the ConocoPhillips Bayway Refinery in Linden, NJ, the largest oil refinery on the East Coast. I'm writing to support the re-opening of the former Staten Island Railroad (SIRR), which runs between Linden and Cranford, NJ and serves our facility.

We have been working for several years with representatives of the County of Union, NJ to re-commission this short line railroad. In fact, we have been using a one-mile stretch of the former SIRR for the past two years to move rail cars between the Polypropylene unit and a new rail storage facility on our site.

Our current interest in this line is to provide an alternative way for us to ship product from our world-scale polypropylene plant, which reached commercial operation last October. We have a fleet of approximately 1,000-hopper cars that were built specifically to ship these products to our customers. The re-opening of this short line railroad will open an additional shipping option for us and holds the potential to provide new customers, as well.

Having the SIRR as another rail outlet will help us in many ways, beyond the polypropylene business, as we also move a number of other products and components via rail to various locations throughout the country. Overall, rail is our preferred method of shipping polypropylene and other bulk products because we find rail to be a safe, reliable, cost-effective method of shipping bulk materials.

We understand that a related aspect of this petition has to do with the County of Union entering into a contract with the Morristown & Erie Railway (M&E) to operate this short line railroad. The M&E has been providing 'drilling' services – shuttling rail cars within the refinery – to our refinery and another company at this site for almost seven years now and M&E's overall performance has been excellent.

From our perspective, the County of Union's efforts to return short line rail service is most welcome. We appreciate having an opportunity to present our perspective on this issue to the members of the Surface Transportation Board for their consideration, and respectfully request that they deny the petition filed by the Five Municipalities to reopen the Modified Certificate Proceeding of the M&E.

Sincerely,



John C. Ponticello
Bayway Refinery Manager

JCP/mz

<H:JCP>SIRR-STB Petition-BW

c: Mayor John T. Gregorio, City of Linden
State Senator Nick Scutari
State Assemblywoman Linda Stender
Rep. Robert Menendez
Gordon Fuller, Morristown & Erie Railway
George Devanney, County of Union
Ronald Weening, County of Union
Michael J. Wirkowski, ConocoPhillips