



DON M. HAHS
National President

Brotherhood of Locomotive Engineers and Trainmen

A Division of the Rail Conference-International Brotherhood of Teamsters

NATIONAL DIVISION

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ENTIRELY
Office of Proceedings

December 22, 2006

DEC 26 2006

Mr. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

Part of
Public Record

OVERNIGHT MAIL

Re: STB Finance Docket No. 34972
Fortress Investment Group LLC, et al.- Control
Exemption - Rail America, Inc., et al.

Dear Mr. Williams:

Please consider this letter as the comments in the above-captioned matter of the Brotherhood of Locomotive Engineers and Trainmen ("BLET"), which is a railway labor organization, national in scope and representing the craft of locomotive engineers on the nation's Class I railroads and many other railroads throughout the country, including a number of the freight rail carriers that are subsidiaries of and controlled by Rail America, Inc.

As the Board is aware, BLET strongly disapproves of the class exemption procedures promulgated and followed by the agency in that they virtually permit automatic approval of certain rail transactions, like that involved here. Thus, the process fails to allow adequate time to obtain sufficient information about a proposed exempt transaction and to analyze and evaluate any information that a labor organization may be able to obtain. In particular, BLET has been unable to this point to ascertain the effect the transaction in this docket may have upon the engineers employed by the Class I carriers running parallel to the subsidiaries of Rail America or granting them trackage rights, or any adversities that may be suffered by the engineers it represents on such rail subsidiaries.

Accordingly, BLET reserves the right to file a petition to revoke if its investigation reveals a basis upon which it may file a petition under 49 U.S.C. 10502(d). BLET further notifies the Board and the applicant that it desires to participate in this proceeding and requests receipt of copies of all materials that have been filed and subsequently may be filled with the Board relative to this proceeding.

Copies of this letter have been served upon the counsel for the applicants as identified below.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Don M. Hahs".

Don M. Hahs
National President

cc: Terence M. Hynes, Esq.
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