

June 25, 2007

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Dick Keyes
1370 Mountain Circle Drive
Lenoir, N. C. 28645

Mr. Vernon a. Williams, Secretary
Surface Transportation Board
305 e. Street. S.W.
Washington, DC 20423-0001

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Re: STB docket no. Ab-999x
Caldwell County Railroad Company
Discontinuance Of Service In Caldwell County, NC

Dear Secretary Williams:

This letter is to provide your board with additional information that we believe you need in order to make a fair and just decision in the above case. Also we want to respond to a few accusations made by the CCEDC in their motion to strike our protest..

Our protest to the discontinuance of rail service in the above case is a grass roots attempt to protect unnecessary damage to the citizens with property along the rail line owned by the CEDCC from mile post 107.5 to mile post 112.7. The Chairman of CCEDC tells me that the law firm Steptoe and Johnson is charging the taxpayers of Caldwell county \$600 per hour for their services. The citizens who's property is being devalued by the action of the CCEDC and CCRC do not have the funds to pay for expensive counsel and neither do we have the treasury of Caldwell county to pay for our effort. This is the reason we are trying to handle the effort ourselves.

Because we are trying to defend our property ourselves, we may not have been knowledgeable about legal terms and deadlines. We ask the indulgence, forgiveness, and patience of the STB as we continue our fight to fight the devaluation of our property and the loss of rail service.

Steptoe and Johnson refer to only Dick Keyes in their motion to strike. Please note that the protest was filed on behalf of many property holders with rail frontage and existing sidings. I listed nine property owners with existing rail sidings and this action will take away rail service for them.

We would like to amplify our earlier comments and facts.

Fact: Caldwell county has committed to Google to forgive property taxes as outlined by our earlier protest for a period of 30 years. Caldwell county and the CCRC and the

CCEDC have agreed to stop rail service at mile post 105.2 and to cease rail service for as long as Google exists in Lenoir, NC. It does not take a rocket scientist to conclude that rail service will be stopped for the period of the tax abatement (30 years).. Google would not be a smart company to invest \$600,000,000 and not plan on being in Lenoir for 30 years. Therefore, rail service has ceased until the year 2037.

Fact: Our protest was filed on behalf of many property owners, some with rail frontage and some with rail sidings. Many property owners are affected by this action, not just Richard Keyes as Steptoe and Johnson imply. In fact, most of the property owners listed have existing rail sidings. Steptoe and Johnson state that I do not currently use rail service even though we have 1000' of rail frontage. This is true, but, I can tell you that we have had negotiations with two different companies in the past for the sale of our land both of which would have required rail frontage. These negotiations did not materialize, but discontinuance robs us of the chance to sell to a customer needing rail service. Please note that discontinuance robs Caldwell county from having a commercial customer from locating along the rail line of the property owners listed in our protest and note that most have existing rail sidings.

Fact: the corporate limits of Lenoir, NC are located at approximately mile post 102. The agreement with Google stops rail service at milepost 105.7. Five miles of rail line to mile post 112.7 have been severed from the needs and use of the people of Caldwell county. These five miles of rail line contain 95% of the manufacturing plants within the corporate limits of the city of Lenoir. There is only one plant between milepost 102 and milepost 105.7 where service stops. It does not make sense to cease service to the overwhelming amount of manufacturing capacity in Lenoir, NC. It is short sighted on behalf of our city and county leaders and the CCEDC to make a decision that takes away rail service from 95% of plant capacity simply to accommodate the request of one very wealthy company, Google.

Fact: approximately 2,000,000 square feet of existing manufacturing space lie from milepost 105 to milepost 112. I do not understand why the chairman of the CCEDC and our county leaders do not see the danger of closing rail service to these existing plants and the new factories that could be built along the proposed portion. I am referring to closed furniture plants that have existing rail sidings. These plants could be used to recruit new industry because the infrastructure is there. Water, sewer, and rail have already been built so new expenditures by the county would not have to be made. One existing plant that is currently operating manufacturers fibreboard and uses wood chips as a raw material. They currently have a rail siding, but, do not use it at this time. However, companies in this industry in other parts of the country do use rail to bring in raw materials and to ship finished goods. This company should not lose the opportunity to use rail in the future if they need it. It does not make sense to close rail service.

Fact: CCEDC and Caldwell county made an agreement with Sealed Air to build unloading facilities and to pay for the cost of hauling sealed air freight from the Caldwell county transloading site to their warrior plant. Steptoe and Johnson and the CCEDC

don't seem to understand the difference between Sealed Air having their freight hauled for free and everyone else have to pay for the transport of goods from the county transloading site. We think the county paying for the transport of goods for one company and not paying for others is discriminatory and illegal. Any future business along the closed section will have to pay for the unloading of its' freight and the hauling of its' freight from the transloading site the company site. Having the freight delivered to the company's existing siding is much less expensive than having it off loaded at the county transloading site. Our leaders do not seem to understand that this expense increases the cost of operation and makes local companies less competitive.

The greater good of the citizens of Caldwell county: Google (one of the richest companies in the world) says in press releases that they intend to employ 200 people. They also say this number will include security personnel, cafeteria workers, air conditioning, and building maintenance technicians. Lenoir, N C does not have skilled computer data technicians, therefore, Google will have to bring these people in from other areas. Some people could be trained locally, but, that will be months from now. Google has not guaranteed to hire anyone locally. Google has stated only that local people will be given a chance to apply and to be considered for employment. Most of county citizens feel that we will get the cleaning, security, and cafeteria jobs. It should be apparent that the greater good of the people of Caldwell will not be served by the location of the Google plant. Google is a fine addition to our local economy, but, other types of manufacturing and businesses needing rail service would enhance the well being of the majority of our people.

We ask the STB and the officials of Caldwell County to look for an alternative to discontinuing rail service for the sole purpose of accommodating one corporate customer. We suggest two proposals. Caldwell county could build a connector around Google and service could continue uninterrupted. Secondly, Caldwell County could offer any new business the same deal that they gave Sealed Air which is to pay for the hauling of freight from the county transloading site to the plant site. One of these ideas would be more fair to citizens of Caldwell County and protect the economic well being of the majority of people. The good of the whole would best be served by continuing rail service.

Sincerely,


Dick Keyes