

ORIGINAL

222960



Before the
SURFACE TRANSPORTATION BOARD

Ex Parte No. 673

INFORMATION REQUIRED IN CERTAIN NOTICES OF EXEMPTION

ENTERED
Office of Proceedings
JUL 17 2008
Part of
Public Record

REPLY TO VARIOUS STATEMENTS

Jay L. Schollmeyer,^{1/} for and on behalf of United Transportation Union-General Committee of Adjustment (UTU/GO-386), makes this initial reply to various statements and replies, filed by various interests, subsequent to October 4, 2007.^{2/}

UTU/GO-386 on June 25, 2007,^{3/} submitted a reply to the petition for rulemaking, filed June 7, 2007, by Norfolk Southern Railway Company, et al.

The Board on October 3, 2007 (served October 4), granted the petition for rulemaking, and instituted a rulemaking proceeding, noting that the petitioning rail carriers seek to increase the information required in a Notice of Exemption, and to have the

^{1/} General Chairman for United Transportation Union on lines of BNSF Railway Company, with offices at 400 E. Evergreen Boulevard, Vancouver WA 98660.

^{2/} These pleadings have been submitted by Chicago Port Railroad Company (Oct. 10, 2007, and June 27, 2008); Assn. of American Railroads, and American Short Line & Regional Railroad Assn. (June 9, 2008); and New Jersey Dept. of Environmental Protection, and New Jersey Meadowlands Commission (June 30, 2008).

^{3/} UTU/GO-386 at the time was represented by John D. Fitzgerald who, on January 1, 2008, became UTU Vice-President, and has been succeeded by the current incumbent, Jay L. Schollmeyer.

Board reexamine certain precedent related to proposals to initiate new rail service. The Board in its decision stated it would prepare a Notice of Proposed Rulemaking (NPRM).

The Board has yet to issue its NPRM. UTU/GO-386 has not commented on the various recent submissions, supra n.2, but first awaits the Board's NPRM, and more orderly procedure.

This is an important proceeding. In view of the variety of interests already expressed, and others likely to follow, it is suggested the Board may wish to invite initial and reply comments in response to its NPRM.

Respectfully submitted,



GORDON P. MacDOUGALL
1025 Connecticut Ave., N.W.
Washington DC 20036

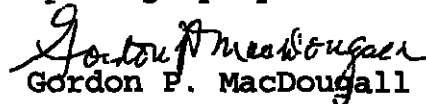
July 16, 2008

Attorney for Jay L. Schollmeyer

Certificate of Service

I hereby certify I have served a copy of the foregoing upon all parties of record by first class mail postage-prepaid.

Washington DC


Gordon P. MacDougall