

PETER J. VISCLOSKY
1ST DISTRICT, INDIANA

COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEES
DEFENSE
ENERGY AND WATER DEVELOPMENT
FINANCIAL SERVICES
CONGRESSIONAL STEEL CAUCUS
CHAIRMAN
U.S. HOUSE LAW ENFORCEMENT
CAUCUS

Congress of the United States
House of Representatives
Washington, DC 20515-1401

2256 HAYBURN BUILDING
WASHINGTON, DC 20515-1401
(202) 225-2481
701 EAST 83RD AVENUE SUITE B
MERRILLVILLE, IN 46410
(317) 796-1844
Call Toll Free
1 888 433 PETER
(1 888 433-7282)
INTERNET:
<http://www.house.gov/visclosky/>

August 22, 2008

223357

BY E-FILEING

Ms. Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, Southwest
Washington, D.C. 20423

**RE: Finance Docket No. 35087, Canadian National Railway Company and Grand
Trunk Corporation – Control – EJ&E West Company**

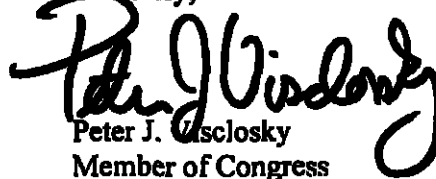
Dear Ms. Quinlan:

Enclosed for filing is a joint letter from:

Representative Peter J. Visclosky
Representative Melissa L. Bean
Representative Donald A. Manzullo
Representative Judy Biggert
Representative Peter J. Roskam
Representative Bill Foster

The letter is in strong opposition to the Canadian National Railway Company and Grand Trunk Corporation's (CN) *Petition to Modify the Procedural Schedule* filed in the above referenced docket (Filing 223281).

Sincerely,


Peter J. Visclosky
Member of Congress

Congress of the United States
House of Representatives
Washington, DC 20515

August 22, 2008

Ms. Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, Southwest
Washington, D.C. 20423

**RE: STB Finance Docket No. 35087, Canadian National Railway Company and
Grand Trunk Corporation – Control – EJ&E West Company**

Dear Ms. Quinlan:

We write to express our opposition to the Canadian National Railway Company and Grand Trunk Corporation's (CN) *Petition to Modify the Procedural Schedule* filed in the above referenced docket (Filing 223281).

In their filing, CN requests that the Surface Transportation Board expedite the procedural schedule established by the Board (Decision No. 13) and issue a Final Decision in the transaction by October 15, 2008, regardless of the status of the ongoing Environmental Impact Study. Further, CN threatens legal action against the Board if it does not make a determination on the merits of CN's filing by September 15, 2008. This filing is a blatant and shameless attempt by CN to avoid the environmental review process established by the National Environmental Policy Act (NEPA), which requires federal agencies to integrate environmental values into their decision making processes by considering the environmental impacts of their proposed actions and reasonable alternatives to those actions.

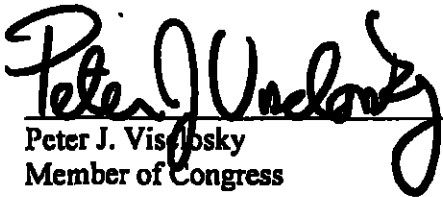
Unfortunately, this filing is not CN's first effort to circumvent the NEPA process in this transaction. On May 13, 2008, CN requested that the Board establish time limits for the environmental review process and issue a schedule that would result in a Final Decision in the transaction on December 1, 2008 (Filing 222352). Subsequently, on July 25, 2008, the Board issued Decision No. 13 that did not adopt CN's proposed schedule, stating, "*Nothing in NEPA, the case law, or the CEQ regulations require the Board to set a specific date with regard to service of the Final EIS...*"

Ms. Anne K. Quinlan
August 22, 2008
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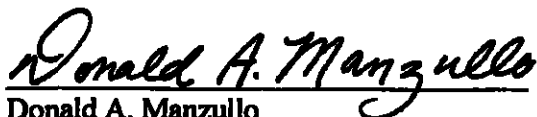
CN's repeated attempts over the last few months to limit the public's input are unfathomable given the unprecedented public interest in this transaction. Between December 21, 2007, when the Section of Environmental Analysis (SEA) published its notice of intent announcing the start of the scoping process, and February 15, 2008, the SEA received over 3,600 registered comments submitted by individuals, business owners, transportation organizations, and elected officials. Many of these comments expressed concerns over the effect the dramatic increase in train traffic proposed by CN will have on the quality of life in their communities. Should the STB accept CN's recent filing, and approve the transaction prior to the completion of the EIS, the steps remaining in the NEPA process would essentially be rendered meaningless. The SEA would merely be going through the motions completing a process with a predetermined outcome and CN would have no incentive to enter into substantive negotiations with the affected communities.

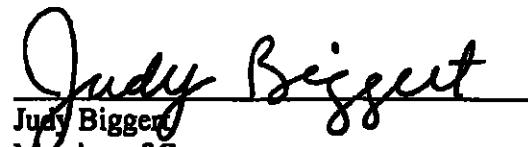
We urge the Board to reject CN's strong arm tactics and proceed with the NEPA review in a deliberate and prudent manner and ensure that public input is heard and fully considered. We appreciate your serious consideration of this matter

Sincerely,


Peter J. Visclosky
Member of Congress


Melissa L. Bean
Member of Congress


Donald A. Manzullo
Member of Congress


Judy Biggen
Member of Congress


Peter J. Roskam
Member of Congress


Bill Foster
Member of Congress

Cc: Chairman Charles "Chip" Nottingham
Cc: Vice Chairman Francis P. Mulvey
Cc: Board Member W Douglas Buttrey
Cc: Ms. Victoria J. Rutson