

August 27, 2008

Ms. Phillis Johnson-Ball
Surface Transportation Board
395 E. Street, SW
Washington, D.C. 20423

Re: STB Finance Docket No. 35087

Dear Ms. Johnson-Ball:

We are writing this letter to express our concerns regarding the proposed purchase of the EJ & E Railroad by the Canadian National Railroad. As long-time residents of the Barrington, Illinois community, we urge the Surface Transportation Board (the "STB") to deny approval of this acquisition, as it is currently proposed.

Perhaps the most important reason that STB should deny Canadian National's proposal is that this transaction, if completed, will negatively impact the health, safety, and welfare of many communities and their residents. Specifically, in the Barrington, Illinois community, if this transaction is approved, the freight train traffic on the EJ & E lines will exponentially increase, perhaps by as much as 400%. This, in turn, would severely restrict access by area residents and health professionals to local hospitals, schools, and police and fire service. Reliable, uncontroverted statistics indicate that currently, on an average school day in the Barrington, Illinois area, school buses cross existing EJ & E lines approximately 840 times per day. Under the proposed sale, Canadian National has admitted that the Barrington area will see a five-fold increase in the number of freight trains passing through its community each day. Were this to occur, school bus traffic would be irreversibly delayed, thereby adversely impacting the educational process in our schools. In addition, the increase in freight train traffic would also prevent area residents and emergency vehicles from accessing local hospitals or reaching areas in need of emergency police or fire assistance. Finally, the increased freight train traffic will also likely lead to more rail accidents. In fact, according to the Draft Environmental Impact Study, the risk of rail accidents will increase on the EJ & E tracks in the Barrington area if Canadian National purchases these lines.

In addition to creating the aforementioned health and safety concerns, increasing the freight train traffic by permitting the sale of EJ & E to Canadian National will also adversely impact the cohesiveness of several communities. For example, Barrington, Illinois, our home community, existed as a distinct town before the EJ & E rail lines were built. In time, as the EJ & E lines arrived, Barrington, Illinois built its entire community, including its schools, its hospitals, and its access to emergency services, with the current freight line traffic as the basis point. By approving this proposed acquisition, and thereby exponentially increasing the freight line traffic in Barrington by 400%, the STB would undeniably be economically, developmentally, and culturally devastating to our town. Other towns located on the existing EJ & E lines, such as Aurora, Illinois, would likewise be irreversibly harmed by this proposed sale, and certainly share the same concerns.

Recently, residents of certain other communities, such as Buffalo Grove, Illinois, that would allegedly see their own freight line traffic decrease if the STB approves this sale, have voiced their support for this proposed acquisition by Canadian National. And although the residents of such communities certainly have the right to express their collective opinions, we would respectfully suggest that these comments are out of context and not particularly persuasive. Specifically, as mentioned above, communities such as Barrington, Illinois and Aurora, Illinois developed into their current form and design with an expectation and understanding of the volume of freight line traffic they could expect from the EJ & E lines. As they developed their towns and adjusted to the needs of their residents, these communities have long relied, quite reasonably, upon the current freight train traffic levels. Now, with such towns being fully developed, and having relatively little notice or opportunity to adjust accordingly, Canadian National, through its admitted intention to exponentially increase freight line traffic on the EJ & E lines, has thoroughly undermined many, many years of careful community planning and development.

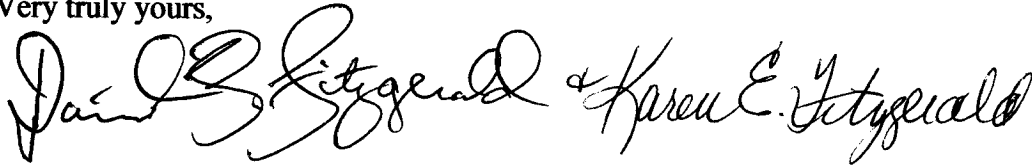
On the other hand, those communities that have now expressed support for this proposed acquisition by Canadian National are likely motivated in part, because of an anticipated decrease in freight train traffic. This is especially ironic, since these towns, in anticipating the needs of their residents, always needed to allow for heavier freight line traffic, and have long had the advantage of being able to take the existence of heavier freight traffic into consideration when developing their communities. Admittedly, most any community would choose less freight line traffic over more freight line traffic. However, it seems reasonable that the voices of residents in those communities that would suffer immediate and unexpected upheaval to their current way of life due to increased rail traffic (such as Barrington, Aurora, and other such towns) should be more closely considered than the voices of residents in those communities that would merely enjoy an unexpected windfall due to decreased rail traffic (such as Buffalo Grove).

Finally, we feel compelled to address the issue of mitigation. As indicated in the first paragraph of this letter, we oppose Canadian National's acquisition of EJ & E, as currently proposed. In point of fact, we urge the STB to deny Canadian National's request, in total. However, if the STB does consider permitting Canadian National to proceed with its acquisition of EJ & J, the STB should, at a minimum, condition such approval upon Canadian National financing certain rail improvements and grade separations in and around the Barrington, Illinois community. It only seems equitable, and professionally honorable, for Canadian National to help pay for such improvements, especially since its proposed acquisition will be economically advantage the company, while at the same time causing enormous disarray and safety concerns for Barrington and its residents. In particular, although the Draft Environmental Impact Study only recommended that the Route 59 / Hough Street crossing should have a grade separation, we would strongly suggest that if the STB allows this acquisition, it should specifically find that the Route 14 and Lake Cook Road crossings should also have grade separations. Therefore, for the reasons mentioned in this paragraph, if the STB approves this proposed acquisition, it should condition its approval on Canadian National bearing all reasonable costs necessary to mitigate the negative impact the increased freight rail traffic will have upon the Barrington, Illinois community. Specifically, this condition should include

Canadian National paying all expenses associated with grade separations, bypasses, overpasses, or tunnels throughout the Barrington area, none of which would be necessary if not for Canadian National's intent to purchase the EJ & E lines and exponentially increase freight line traffic in our community.

For all of these reasons, Ms. Johnson-Ball, we respectfully urge the Surface Transportation Board to deny Canadian National Railroad's request to purchase the EJ & J Railroad. Thank you for your time, interest, and consideration.

Very truly yours,

Handwritten signatures of Daniel and Karen Fitzgerald in cursive script, joined together with an ampersand.

DANIEL & KAREN FITZGERALD
740 Dundee Avenue
Barrington, Illinois 60010