

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FINANCE DOCKET NO. 35087

**CANADIAN NATIONAL RAILWAY COMPANY AND
GRAND TRUNK CORPORATION**

-CONTROL-

EJ&E WEST COMPANY

**WILL COUNTY, ILLINOIS' MOTION TO COMPEL DISCOVERY
FROM ELGIN, JOLIET AND EASTERN RAILWAY COMPANY
AND FROM EJ&E WEST COMPANY**

MARY M. TATROE
Will County State's Attorney's Office
121 North Chicago
Joliet, IL 60432
(815) 727-8872
(815) 727-6085 fax
mtatroe@willcountyillinois.com

EDWARD R. GOWER
Special Assistant Will County State's Attorney
Hinshaw & Culbertson LLP
400 South Ninth, Suite 200
Springfield, IL 62701
(217) 528-7375
(217) 528-0075 Fax
egower@hinshawlaw.com

Counsel for Will County, Illinois

January 28, 2008

Surface Transportation Board
CN-EJ&E EIS - FD-35087
Log and Distribution
Date Rec'd: _____
HDR File No. _____
Searched (initials) _____
SERIALIZED _____
Co. Organizer - Job File _____

FER

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FINANCE DOCKET NO. 35087

**CANADIAN NATIONAL RAILWAY COMPANY AND
GRAND TRUNK CORPORATION**

-CONTROL-

EJ&E WEST COMPANY

**WILL COUNTY, ILLINOIS' MOTION TO COMPEL DISCOVERY
FROM ELGIN, JOLIET AND EASTERN RAILWAY COMPANY
AND FROM EJ&E WEST COMPANY**

Pursuant to 49 C.F.R. §1114.31, Will County, Illinois ("Will County") moves to compel full, substantive responses by Elgin, Joliet & Eastern Railway Company and EJ&E West Company (collectively "EJ&E") to two discovery requests served upon them by Will County.

STATEMENT OF FACTS

The Canadian National Railway Corporation and the Grand Trunk Corporation (collectively "CN") are the applicants in this proceeding. They are seeking to acquire the vast majority of the EJ&E's yards and tracks, including all of the yards and tracks in Will County.

As detailed more extensively in Will County's Opening Memorandum and supporting Verified Statements, Will County is a metropolitan county directly south of Chicago that is one of the fastest growing counties in the country in terms of population. Its estimated population as of July 1, 2006 was 668,217 residents, and it no doubt is higher today.

The proposed control application will undoubtedly have a significant impact on Will County. The EJ&E bisects Will County, and there are 52 public at-grade crossings involving the EJ&E in Will County. According to Attachment A.2 to the CN's Operating Plan that was on page 247 of CN's Application, from the East Joliet Yard northward through Will County, rail traffic is projected to grow from 18 trains per day to 45 trains per day, with a concomitant 240 to 273 percent freight tonnage increase and a more than 750 percent increase in hazardous materials tonnage. The rail traffic south of the East Joliet Yards to the Will County border is expected to grow from 6 daily trains to 28 daily trains, with corresponding increases of 542 percent in freight tonnage and almost 700 percent in hazardous materials tonnage.

In order to obtain a better understanding of the likely impact if CN were permitted to acquire the EJ&E, Will County served discovery requests and interrogatories on the EJ&E and the CN. Copies of Will County's discovery requests and interrogatories are attached as Exhibits 1 and 2.

The majority of the discovery was directed at obtaining information concerning the likely impact of the proposed acquisition on Will County after the proposed control application is fully implemented. Therefore, more likely than not only the CN could answer that discovery or would have responsive documents.

However, Will County also was concerned that the existing EJ&E tracks might not withstand the pounding associated with the tremendous increase in trains and freight tonnage. As there is nothing in the Application that addresses the condition of the existing track in any detail, Will County requested that the EJ&E produce some very specific documents so that it could assess the current and future track conditions and maintenance requirements. The document requests included the following requests:

1. The current EJ&E employee timetables for all EJ&E track.
2. The current EJ&E track charts for all EJ&E track.
3. A listing of the planned track work, bridge and signal work for calendar year 2007 for the EJ&E rail system.
4. A listing of the planned track, bridge and signal work for calendar year 2008 for the EJ&E rail system.
5. A listing of all track, bridge and signal work completed in calendar year 2007 on the EJ&E system.
6. Rail detector car histories for rail detector cars run on the EJ&E system in calendar years 2006 and 2007.
7. Federal Railroad Administration ("FRA") geometry car/dynamic loading car (T-100) runs or data collected for trips on the EJ&E system by such cars in calendar years 2006 and 2007.

Will County also wanted to know who owns the land under the 52 public at-grade crossings. It therefore included the following requests:

8. Completed DV-107 forms for the right of way for the EJ&E current and projected expanded main track system in Will County, Illinois.
9. ICC valuation maps for the right of way for the EJ&E current and projected expanded main track system in Will County, Illinois.

If EJ&E had documents responsive to any of Will County's other document requests, it would probably be in the form of communications with the CN, but Will County would expect the EJ&E to produce whatever it has.

With respect to Will County's interrogatories, the questions that the EJ&E would most likely have been able to answer included the request in Interrogatory No. 2 for a description of the safety equipment and measures in place at each at-grade crossing in Will County and the request in Interrogatory No. 3 for information about any plans in the next five years for safety improvements at those crossings. Interrogatory No. 4 asked the respondents to identify any public at-grade crossing in Will County for which they thought the existing safety devices would be inadequate after the CN fully implemented its acquisition. If the EJ&E had information or

analyses concerning that issue, Will County certainly expected a response to that interrogatory as well.

Instead of providing a substantive response to Will County's discovery requests, the EJ&E faxed a letter to Will County on January 18, 2008 advising Will County that it would not provide the requested discovery because the EJ&E is not a party to this proceeding. The EJ&E's January 18, 2008 letter also stated that to the extent the EJ&E was found to be a party, the EJ&E adopted the objections and legal arguments made by CN in its responses to Will County's discovery. A copy of the EJ&E's January 18, 2008 letter setting forth the EJ&E's position is attached as Exhibit 3.

ARGUMENT

I. OVERVIEW

The EJ&E has taken the same position with respect to discovery served upon it by other parties to this proceeding. The Village of Frankfort ("Frankfort") filed a motion to compel against the EJ&E on January 22, 2008. As discussed below, Frankfort has made many of the same arguments as Will County and Will County has adopted some of those arguments.

The CN also has taken the same position with a number of parties concerning discovery as it has taken with Will County. The CN's basic position is that governmental entities are not entitled to obtain discovery in this proceeding concerning the impact of its proposed acquisition on the surface transportation system, on grade crossing safety, or on environmental issues such as air quality, noise and vibration impacts.

CN's response to Will County's discovery was served on Will County on January 22, 2008. Will County will be filing a motion to compel against the CN. Frankfort filed a motion to compel against the CN on January 25, 2008.

While the EJ&E discovery response raises the additional question of whether it is a party to this proceeding, it also incorporates the CN's arguments and responses. It therefore would appear to be in the interests of judicial economy to jointly address the motions to compel targeted at the EJ&E and the CN.

II. THE EJ&E IS A PARTY TO THIS PROCEEDING

The question of whether the EJ&E is a party to this proceeding was succinctly and persuasively addressed by Frankfort in Section 1 of its argument that appears at pages 5 and 6 of the Village of Frankfort's Motion to Compel Discovery From Elgin, Joliet and Eastern Railway Company and EJ&E West Company ("Frankfort's Motion to Compel"). Rather than repeating or restating those arguments here, Will County adopts and incorporates those arguments by reference. For the reasons set forth in Frankfort's Motion to Compel and adopted by Will County, the EJ&E is a party to this proceeding and subject to discovery in accordance with the Board's rules.

If the Board finds that the EJ&E is a party, then at a minimum it should direct the EJ&E to produce the documents that Will County requested the EJ&E to produce in requests 1 through 7 of Will County's document requests. These requests cannot possibly be characterized as requests for information solely involving environmental issues. Thus, the EJ&E should be directed to produce the responsive documents to those requests if the Board finds that the EJ&E is a party, regardless of how the Board rules on the other issues concerning the extent of permissible discovery in this proceeding.

III. WILL COUNTY IS ENTITLED TO DISCOVERY ON THE IMPACT OF THE CN'S PROPOSED ACQUISITION ON WILL COUNTY'S SURFACE TRANSPORTATION SYSTEM AND ON ENVIRONMENTAL ISSUES

The issue of whether the Board's rules authorize discovery of the environmental aspects of this proceeding was succinctly and persuasively addressed in Section II of the Discussion part

of Frankfort's Motion to Compel at pages 6 through 8. Will County adopts and incorporated those arguments by reference in support of its motion to compel.

As reflected in Will County's Opening Memorandum to be filed in this proceeding on January 28, 2008, it is Will County's position that the reference in 49 U.S.C. §11324(d)(2) requiring the Board to weigh "the public interest in meeting significant transportation needs" includes all forms of transportation, and not just rail transportation. If the Board agrees, then Will County and others are entitled to the requested discovery concerning, for example, traffic delays due to the blocked crossings, regardless of how the Board rules on the right to take discovery on environmental issues. Because that really is an issue that involves Will County's discovery targeted at the CN, Will County will address that issue at greater length in its motion to compel directed to the CN.

IV. CONCLUSION

For all the reasons set forth above, Will County respectfully requests that the Board grant its motion to compel.

Respectfully submitted,
WILL COUNTY, ILLINOIS

By: Edward R. Gower

MARY M. TATROE
Will County State's Attorney's Office
121 North Chicago
Joliet, IL 60432
(815) 727-8872
(815) 727-6085 fax
mtatroe@willcountyillinois.com

Counsel for Will County, Illinois

Dated: **January 28, 2008**

EDWARD R. GOWER
Special Assistant Will County State's Attorney
Hinshaw & Culbertson LLP
400 South Ninth, Suite 200
Springfield, IL 62701
(217) 528-7375
(217) 528-0075 Fax
egower@hinshawlaw.com

Counsel for Will County, Illinois

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that he has caused a true and correct copy of the foregoing document(s) to be served upon:

Mr. John A. Vuono
Vuono & Gray, LLC
310 Grant Street
Suite 2310
Pittsburgh, PA 15219-2383

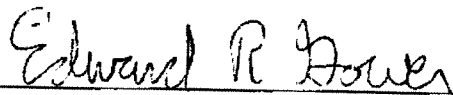
VIA FACSIMILE AND UPS OVERNIGHT DELIVERY

and

ALL PARTIES OF RECORD

SEE ATTACHED SERVICE LIST

by mailing a true and correct copy thereof from the law office of Hinshaw & Culbertson LLP, 400 South Ninth Street, Suite 200, Springfield, Illinois, 62701, to the persons named as parties of record on the Surface Transportation Board's service list as of this date, January 28, 2008.



EDWARD R. GOWER

Special Assistant Will County State's Attorney
Attorney for Will County, Illinois

MARY M. TATROE
Will County State's Attorney's Office
121 North Chicago
Joliet, IL 60432
(815) 727-8872
(815) 727-6085 fax
mtatroe@willcountyvillinois.com

Edward R. Gower
Hinshaw & Culbertson LLP
400 South Ninth, Suite 200
Springfield, IL 62701
(217) 528-7375
(217) 528-0075 Fax
egower@hinshawlaw.com

SERVICE LIST

PARTY OF RECORD Terence M. Hynes Sidley Austin LLP 1501 K Street, N.W. Washington, DC 20005	PARTY OF RECORD Honorable Jesse L. Jackson, Jr. United States House of Representatives 2419 Rayburn House Office Building Washington, DC 20515
PARTY OF RECORD Randal W. Jessen Superintendent of Public Improvements Village of Plainfield - Public Works 24401 W. Lockport Street Plainfield, IL 60544	PARTY OF RECORD L. Charles Lukmann, III Harris Welsh & Lukmann 107 Broadway Chesterton, IN 46304
PARTY OF RECORD Honorable Carolyn H. Krause Illinois House of Representatives 200 E. Evergreen, Suite 122 Mt. Prospect, IL 60056	PARTY OF RECORD Honorable Richard G. Lugar United States Senate 306 Hart Senate Office Building Washington, DC 20510
PARTY OF RECORD John D. Heffner John D. Heffner, PLLC 1750 K Street, N.W. Suite 350 Washington, DC 20006	PARTY OF RECORD Thomas F. McFarland Thomas F. McFarland, P.C. 208 South LaSalle Street Suite 1890 Chicago, IL 60604
PARTY OF RECORD John G. Tolomei Village Administrator Village of Lake Zurich 70 E. Main Street Lake Zurich, IL 60047	PARTY OF RECORD Mark H. Sidman Weiner Brodsky Sidman Kider P.C. 1300 19 th Street, N.W. Fifth Floor Washington, DC 20036
PARTY OF RECORD Peter J. Shudtz Federal Regulation & Washington General Counsel CSX Transportation, Inc. 500 Water Street Jacksonville, FL 32202	PARTY OF RECORD David C. Olson Minnesota Chamber of Commerce 400 Robert Street North Suite 1500 St. Paul, MN 55101
PARTY OF RECORD Steven Quigley Will County Governmental League 50 E Jefferson Street Suite 101 Joliet, IL 60432	PARTY OF RECORD Karl B. Browning Indiana Department of Transportation 100 North Senate Avenue Room N758 Indianapolis, IN 46204
PARTY OF RECORD Paul Samuel Smith U.S. Department of Transportation 1200 New Jersey Avenue, S.E. Room W94-316 C-30 Washington, DC 20590	PARTY OF RECORD Paul Guthrie Canadian Pacific Railway Company 401 9 th Avenue, S.W. Gulf Canada Square, Suite 500 Calgary, Alberta T2P 4ZA CD
PARTY OF RECORD John Casper Oshkosh Chamber of Commerce 120 Jackson Street Oshkosh, WI 54901	PARTY OF RECORD Andrew Lisak The Development Association 1401 Tower Avenue, Suite 302 Superior, WI 54880

PARTY OF RECORD Michael S. Wolly Zwerdling, Paul, Kahn & Wolly P.C. 1025 Connecticut Avenue, N.W. Suite 712 Washington, DC 20036	PARTY OF RECORD Harold A. Ross Brotherhood of Locomotive Engineers and Trainmen 1370 Ontario Street, Mezzanine Cleveland, OH 44113
PARTY OF RECORD Neil Volmer Iowa Department of Transportation 800 Lincoln Way Ames, IA 50010	PARTY OF RECORD William A. Mullins Baker & Miller PLLC 2401 Pennsylvania Avenue, N.W. Suite 300 Washington, DC 20037
PARTY OF RECORD Donald C. McCrory Memphis and Shelby County Port Commission 1115 Riverside Blvd. Memphis, TN 38106	PARTY OF RECORD Joseph Reitemeier Fond du Lac Area Chamber of Commerce 207 North Main Street Fond du Lac, WI 54935
PARTY OF RECORD Paul A. Cunningham Harkins Cunningham LLP 1700 K Street, NW, Suite 400 Washington, DC 20006	PARTY OF RECORD Honorable Melissa L. Bean United States House of Representatives 512 Cannon House Office Building Washington, DC 20115
PARTY OF RECORD Timothy A. Brown Town of Merrillville 7820 Broadway Merrillville, IN 46410	PARTY OF RECORD Thomas R. Anderson Save the Dunes Council Inc. 444 Barker Rd. Michigan City, IN 46360
PARTY OF RECORD Kevin M. Sheys Kirkpatrick & Lockhart Preston Gates Ellis LLP 1601 K Street, N.W. Washington, DC 20006	PARTY OF RECORD Katherine Dodds Aux Sable Liquid Products, Inc. 6155 East US Route 6 Morris, IL 60450
PARTY OF RECORD Timothy R. Sheehy Metropolitan Milwaukee Association of Commerce 756 North Milwaukee Street, Suite 400 Milwaukee, WI 53202	PARTY OF RECORD Stanley Dobosz Town of Griffith 111 N. Broad Street Griffith, IN 46319
PARTY OF RECORD W. James Wochner The Kansas City Southern Railway Company 427 West 12 th Street Kansas City, MO 64121	PARTY OF RECORD Dennis H. Miller Iowa Interstate Railroad Ltd. 5900 6 th Street, S.W. Cedar Rapids, IA 52404
PARTY OF RECORD Honorable Peter J. Visclosky United States House of Representatives 701 East 83 rd Avenue, Suite 9 Merrillville, IN 46410	PARTY OF RECORD Timothy A. Baldermann Mayor Village of New Lenox 1 Veterans Parkway New Lenox, IL 60451

PARTY OF RECORD Alan Anderson Southern Wayne County Regional Chamber 20600 Eureka Road, Suite 315 Taylor, MI 48181	PARTY OF RECORD Gordon P. MacDougall 1025 Connecticut Avenue, N.W. Washington, DC 20036
PARTY OF RECORD Chris Curry Gary/Chicago International Airport Authority 6001 W. Industrial Highway Gary, IN 46406	PARTY OF RECORD Joseph P. Clary Illinois Department of Transportation Division of Public and Intermodal Transportation 300 W. Adams, 2 nd Floor Chicago, IL 60606
PARTY OF RECORD John Sobotik Wisconsin Department of Transportation 4802 Sheboygan Avenue, Room 11 5B P.O. Box 7910 Madison, WI 53707	PARTY OF RECORD Richard Harnish Midwest High Speed Rail Association P.O. Box 805877 Chicago, IL 60680
PARTY OF RECORD Eileen Phipps Village of Wayne 5N430 Railroad Street P.O. Box 532 Wayne, IL 60184	PARTY OF RECORD Kelvin J. Dowd Slover & Loftus 1224 Seventeenth Street, NW Washington, DC 20036
PARTY OF RECORD John A. Lobaito Village of Mundelein 440 East Hawley Street Mundelein, IL 60060	PARTY OF RECORD Joseph W. Werner Village Mokena 11004 Carpenter Street Mokena, IL 60448
PARTY OF RECORD Honorable Thomas McDermott, Jr. Mayor c/o City of Hammond 5925 Calumet Avenue Hammond, IN 46320	PARTY OF RECORD Honorable Pamela J. Althoff Illinois State Senate One North Virginia Street Crystal Lake, IL 60014
PARTY OF RECORD John Mezera City of Joliet 150 West Jefferson Street Joliet, IL 60432	PARTY OF RECORD Bruce A. Knight City of Champaign Planning Department 102 North Neil Street Champaign, IL 61820
PARTY OF RECORD Cameron Moore Champaign County Regional Planning Commission 1776 East Washington Street P.O. Box 17760 Urbana, IL 61803	PARTY OF RECORD Richard Greene Naperville Area Chamber of Commerce 55 South Main Street Naperville, IL 60540
PARTY OF RECORD Rod Nilsestuen Department of Agriculture, Trade and Consumer Protection 2811 Agriculture Drive P.O. Box 8911 Madison, WI 53708	PARTY OF RECORD Morgan B. Johnston University of Illinois at Urbana-Champaign Physical Plant Services Building 1501 South Oak Street Champaign, IL 61820

PARTY OF RECORD Luann Hamilton Chicago Department of Transportation 30N. LaSalle Street, Suite 500 Chicago, IL 60602	PARTY OF RECORD Marcie Schatz Director of TED Business Group City of Naperville 400 S. Eagle Street Naperville, IL 60540
PARTY OF RECORD Robert W. Baker Village of Trout P.O. Box 621 Cary, IL 60013	PARTY OF RECORD Gary D. Adams Village Administrator Village of Oswego 113 Main Street Oswego, IL 60543
PARTY OF RECORD David Cline Mayor, City of Mattoon 208 North 19 th Mattoon, IL 61938	PARTY OF RECORD John Eichelberger, Fire Chief Plainfield Fire Protection District 15025 S. Desplaines Street Plainfield, IL 60014
PARTY OF RECORD Meleah Geertsma Environmental Law & Policy Center 35 East Wacker Drive, Suite 1300 Chicago, IL 60601	PARTY OF RECORD Laura E. Weis Champaign County Chamber of Commerce 1817 S. Neil Street, Suite 201 Champaign, IL 61820
PARTY OF RECORD Brad Cole Mayor, City of Carbondale, Illinois 200 South Illinois Avenue P.O. Box 2047 Carbondale, IL 62902	PARTY OF RECORD Honorable Evan Bayh United States Senate 131 Russell Senate Office Building Washington, DC 20510
PARTY OF RECORD Michael J. Van Poucke The Macom Corporation 3380 Lacrosse Lane, Suite 100 Naperville, IL 60564	PARTY OF RECORD Craig Thompson Transportation Development Association of Wisconsin 131 W. Wilson Street, Suite 302 Madison, WI 53703
PARTY OF RECORD Honorable Karen A. Yarbrough Illinois House of Representatives 272 - Stratton Building Springfield, IL 62706	PARTY OF RECORD Brian McCarthy ArcelorMittal USA Inc. One Dearborn Street Chicago, IL 60603
PARTY OF RECORD Mark L. Fowler Northwest Municipal Conference 1616 East Golf Road Des Plaines, IL 60016	PARTY OF RECORD Jamie Bowden Village Administrator Village of Channahon 24555 S. Navajo Drive Channahon, IL 60410
PARTY OF RECORD Honorable Janice D. Schakowsky United States House of Representatives 1027 Longworth House Office Building Washington, DC 20515	PARTY OF RECORD Steven Bosco Village of Bartlett 228 S. Main Street Bartlett, IL 60103

PARTY OF RECORD Randall S. Blankenhorn Chicago Metropolitan Agency for Planning 233 South Wacker Drive, Suite 800, Sears Tower Chicago, IL 60606	PARTY OF RECORD Stan Wojtasiak Naperville Township 31 W 331 North Aurora Road Naperville, IL 60563
PARTY OF RECORD Honorable Angelo Saviano Illinois House of Representatives 314 State House Springfield, IL 62706	PARTY OF RECORD Anna Montana, Mayor Village of Schiller Park 9526 west Irving Park Road Schiller Park, IL 60176
PARTY OF RECORD Anthony Arredia, Mayor City of Des Plaines 1420 Miner Street Des Plaines, IL 60016	PARTY OF RECORD David Ross, President Duluth Area Chamber of Commerce 5 West First Street, Suite 101 Duluth, MN 55802
PARTY OF RECORD Honorable Elaine Nekritz Illinois House of Representatives 24 South Des Plaines River Road, Suite 400 Des Plaines, IL 60016	PARTY OF RECORD Honorable Mike Fortner Illinois House of Representatives 135 Fremont Street West Chicago, IL 60185
PARTY OF RECORD A. George Pradel, Mayor City of Naperville 400 S. Eagle Street Naperville, IL 60540	PARTY OF RECORD Daniel R. Elliott, III United Transportation Union 14600 Detroit Avenue Cleveland, OH 44107
PARTY OF RECORD Robert J. Schillerstrom, Chairman DuPage County Board 421 N. County Farm Road Wheaton, IL 60187	PARTY OF RECORD Joseph J. Plaistow L.E. Peabody & Associates, Inc. 1501 Duke Street, Suite 200 Alexandria, VA 22314
PARTY OF RECORD Honorable Debbie Stabenow United States Senate 133 Hart Senate Office Building Washington, DC 20510	PARTY OF RECORD Honorable Carl Levin United States Senate 269 Russell Senate Office Building Washington, DC 20510
PARTY OF RECORD Honorable Joe Knollenberg United States House of Representatives 2349 Rayburn House Office Building Washington, DC 20515	PARTY OF RECORD Honorable Thaddeus McCotter United States House of Representatives 1632 Longworth House Office Building Washington, DC 20515
PARTY OF RECORD Honorable William E. Peterson Illinois State Senate 3050 North Main Street Buffalo Grove, IL 60089	PARTY OF RECORD William H. Brimm Village of Buffalo Grove 50 Raupp Boulevard Buffalo Grove, IL 60089

PARTY OF RECORD Steve Greenberg 4730 Westbury Drive Long Grove, IL 60047	PARTY OF RECORD Honorable Tim Walberg U.S. House of Representatives 325 Cannon House Office Building Washington, DC 20515
PARTY OF RECORD Honorable Candice S. Miller U.S. House of Representatives 228 Cannon House Office Building Washington, DC 20515	PARTY OF RECORD Honorable Mark Beaubien Illinois House of Representatives 314 State House Springfield, IL 62706
PARTY OF RECORD Rodney W. Kreunen Wisconsin Railroad Commissioner 610 N. Whitney Way P.O. Box 8968 Madison, WI 53708	PARTY OF RECORD Gerald J. Roper Chicagoland Chamber of Commerce 200 E. Randolph Street, Suite 2200 Chicago, IL 60601
PARTY OF RECORD Honorable Terry Link Illinois State Senate 321 State Capitol Building Springfield, IL 62706	PARTY OF RECORD Thomas and Patricia Wichlinski 1033 N. Broad Street Griffith, IN 46319
PARTY OF RECORD George W. Mayo, Jr. Hogan & Hartson LLP 555 Thirteenth Street, NW Washington, DC 20004	PARTY OF RECORD John M. Scheib Norfolk Southern Corporation Three Commercial Place Norfolk, VA 23510
PARTY OF RECORD Nicholas J. DiMichael Thompson Hine LLP 1920 N Street, N.W., Suite 800 Washington, DC 20036	PARTY OF RECORD Timothy J. Sanders Northwest Indiana Regional Development Authority 9800 Connecticut Drive Crown Point, IN 46307
PARTY OF RECORD Thomas F. DeGiulio Town of Munster 1005 Ridge Road Munster, IN 46321	PARTY OF RECORD Honorable Michael W. Tryon State Representative 1 N. Virginia Street Crystal Lake, IL 60014
PARTY OF RECORD Maurice Gratton PGAC Shippers' Group 800, 717-7 th Avenue SW Calgary, Alberta T2P 0Z3	PARTY OF RECORD Honorable Robert A. Rita Illinois House of Representatives 4818 W. 137 th Street, Suite 2 Crestwood, IL 60445
PARTY OF RECORD Becky Barnhart 5327 Cedar Drive Naperville, IL 60564	PARTY OF RECORD Honorable John M. Shimkus U.S. House of Representatives 2452 Rayburn House Office Building Washington, DC 20515

PARTY OF RECORD Paul Hayes One Town Square Dyer, IN 46311	PARTY OF RECORD Don A. De Graff, Mayor Village of South Holland 16226 Wausau Avenue South Holland, IL 60473
PARTY OF RECORD Edward W. Paesel South Suburban Mayors & Managers Association 1904 W. 174 th Street East Hazel Crest, IL 60429	PARTY OF RECORD Terri Blackmore Washtenaw Area Transportation Study 705 North Zeeb Road, 2 nd Floor Ann Arbor, MI 48103
PARTY OF RECORD Alayne M. Weingartz Corporation Counsel City of Aurora 44 East Downer Place Aurora, IL 60507	PARTY OF RECORD Steven L. Matrisch Office of Transportation Counsel Illinois Commerce Commission 527 East Capitol Avenue Springfield, IL 62701
PARTY OF RECORD John D. Tomasoski, City Administrator City of Crest Hill 1610 Plainfield Road Crest Hill, IL 60403	PARTY OF RECORD Erik Kotewa, Deputy Director Champaign County EDC 1817 S. Neil Street Champaign, IL 61820
PARTY OF RECORD Hildy L. Kingma Village Hall 350 Victory Drive Park Forest, IL 60466	PARTY OF RECORD David M. Austgen Town of Schererville Lake County, Indiana 130 North Main Street Crown Point, IN 46307
PARTY OF RECORD Edward R. Gower Hinshaw & Culbertson LLP 400 South Ninth, Suite 200 Springfield, IL 62701	PARTY OF RECORD John W. Gohmann Small Railroad Business Owners of America 508 Cleveland Avenue North St Paul, MN 55144
PARTY OF RECORD Jery G. Arthur Supply Chain Management Consultant 833 Shoreline Road Lake Barrington, IL 60010	PARTY OF RECORD Honorable John D. Dingell U.S. House of Representatives 2328 Rayburn House Office Building Washington, DC 20515
PARTY OF RECORD George W. Mayo, Jr. National Railroad Passenger Corporation 555 Thirteenth Street, NW, Columbia Square Washington, DC 20004	PARTY OF RECORD Eric L. Hirschhorn Winston & Strawn LLP 1700 K Street, N.W. Washington, DC 20006
PARTY OF RECORD Adrian L. Steel, Jr. Mayer Brown LLP 1909 K Street, N.W. Washington, DC 20006	PARTY OF RECORD Michael L. Rosenthal Covington & Burling LLP 1201 Pennsylvania Avenue, N.W. Washington, DC 20115
PARTY OF RECORD Honorable Susan Garrett Illinois State Senate 129 Capitol Building Springfield, IL 62706	PARTY OF RECORD Ross B. Capon National Association of Railroad Passengers 900 Second Street, NE, Suite 308 Washington, DC 20002

BEFORE THE
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 35087

CANADIAN NATIONAL RAILWAY COMPANY AND
GRAND TRUNK CORPORATION

-CONTROL-

EJ&E WEST COMPANY

WILL COUNTY'S REQUEST FOR PRODUCTION OF DOCUMENTS

MARY M. TATROE
Will County State's Attorney's Office
121 North Chicago
Joliet, IL 60432
(815) 727-8872
(815) 727-6085 fax
mtatroe@willcountyvillinois.com

EDWARD R. GOWER
Special Assistant Will County State's Attorney
Hinshaw & Culbertson LLP
400 South Ninth, Suite 200
Springfield, IL 62701
(217) 528-7375
(217) 528-0075 Fax
egower@hinshawlaw.com

Counsel for Will County, Illinois

January 3, 2008



**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FINANCE DOCKET NO. 35087

**CANADIAN NATIONAL RAILWAY COMPANY AND
GRAND TRUNK CORPORATION**

-CONTROL-

EJ&E WEST COMPANY

WILL COUNTY'S REQUEST FOR PRODUCTION OF DOCUMENTS

Pursuant to 49 C.F.R. §1114.30, Will County, Illinois ("Will County") directs the following requests for production upon Canadian National Railway Company, Grand Trunk Corporation, Elgin, Joliet and Eastern Railway Company, and EJ&E West Company. Will County requests that responses should be served as soon as possible, and in no event later than 15 days from the date of service hereof. Counsel for respondents should contact the undersigned promptly to discuss any objections or questions regarding these requests with a view to resolving any disputes or issues of interpretation informally and expeditiously. Will County will pay all reasonable costs for duplication and delivery of documents to counsel for the responding party.

DEFINITIONS

A. "Document" is defined to be synonymous in meaning and equal in scope to the usage of this term in Federal Rule of Civil Procedure 34(a). A draft or non-identical copy is a separate document within the meaning of the term.

- B. "You" and "your" mean and refer to Canadian National Railway Company, Grand Trunk Company, Elgin, Joliet and Eastern Railway Company, and EJ&E West Company, as collective or individual respondents to the request for production of documents.
- C. "EJ&E" means the Elgin, Joliet and Eastern Railway Company.

INSTRUCTIONS

If you withhold documents or information otherwise responsive to this request, please provide a privilege log that identifies for each document or part of a document withheld:

- a. The date of the document;
- b. The nature of the document;
- c. The author;
- d. All recipients;
- e. The subject matter; and
- f. The privilege or other basis for withholding production.

REQUESTS FOR PRODUCTION OF DOCUMENTS

The documents that you are requested to produce are described below:

1. The current EJ&E employee timetables for all EJ&E track.
2. The current EJ&E track charts for all EJ&E track.
3. A listing of the planned track work, bridge and signal work for calendar year 2007 for the EJ&E rail system.
4. A listing of the planned track, bridge and signal work for calendar year 2008 for the EJ&E rail system.
5. A listing of all track, bridge and signal work completed in calendar year 2007 on the EJ&E system.
6. Rail detector car histories for rail detector cars run on the EJ&E system in calendar years 2006 and 2007.
7. Federal Railroad Administration ("FRA") geometry car/dynamic loading car (T-100) runs or data collected for trips on the EJ&E system by such cars in calendar years 2006 and 2007.

8. Completed DV-107 forms for the right of way for the EJ&E current and projected expanded main track system in Will County, Illinois.
9. ICC valuation maps for the right of way for the EJ&E current and projected expanded main track system in Will County, Illinois.
10. All documents reflecting, referring or relating to the capital improvements that CN plans to make to the EJ&E system in the approximate amount of \$100 million, as referenced at page 212 of the Railroad Control Application you filed in this proceeding. This request includes, but is not limited to:
 - a. A list of the capital improvements that you plan to undertake that are included in the approximately \$100 million of capital improvements;
 - b. The schedule or timetable for the projects that you plan to undertake that are included in the approximately \$100 million of capital improvements; and
 - c. Documents reflecting the details of any capital improvement included in the planned capital improvements.
11. Any analysis you prepared of the increased maintenance or maintenance costs required for EJ&E track in Will County due to increased traffic in the event the Railroad Control Application is approved, both in the initial years and after the acquisition is fully implemented.
12. All documents reflecting, referring or relating to any analysis of the operating plan or possible operational difficulties associated with the switching of local traffic onto the EJ&E main tract in Will County in the event the Railroad Control Application is approved, both in the initial years and after the acquisition is fully implemented.
13. All documents reflecting, referring or relating to any analysis of the frequency or duration of the possible or likely blockage of automobile and truck traffic at the at grade crossings in Will County in the event that the Railroad Control Application is approved, both in the initial years and after the acquisition is fully implemented.

14. All documents reflecting, referring or relating to any analysis of the proposed transaction on the regional or local transportation system.
15. All documents reflecting, referring or relating to any analysis of:
 - a. Any increase in the noise levels in any area of Will County due to the projected increase in train traffic due to the proposed transaction; or
 - b. The identity of any sensitive noise receptors in Will County that could be impacted by increased noise due to the proposed transaction.
16. All documents reflecting, referring or relating to any analysis of:
 - a. Any increase in the vibration levels in any area of Will County due to the projected increase in train traffic due to the proposed transaction; or
 - b. The identity of any sensitive vibration receptors in Will County that could be impacted by increased noise due to the proposed transaction.
17. All documents reflecting, referring or relating to any analysis of increased vehicle delay times at railroad grade crossings in Will County due to the proposed transaction.
18. All documents reflecting, referring or relating to any analysis of the impact of the proposed transaction on the provision of emergency services in Will County.
19. All documents reflecting, referring or relating to any analysis of the improved safety measures that could be required at any at grade rail crossing in Will County due to the increased traffic associated with proposed transaction. This request includes, but is not limited to:
 - a. Any analysis of the safety of the existing safety measures in place at a given crossing;
 - b. Any analysis of the type of safety measures or equipment that could or should be implemented or installed at a Will County crossing to address the safety issues posed by the increased train traffic associated with the proposed transaction;
 - c. Any analysis of the cost of safety measures or equipment that could or should be implemented or installed at a Will County

crossing to address the safety issues posed by the increased train traffic associated with the proposed transaction; and

- d. Any analysis of the likely responsibility for or participation in the cost of safety measures at a crossing in Will County that could or likely would be required to address the safety issues posed by the increased train traffic associated with the proposed transaction.
20. All documents reflecting, referring or relating to your plans to protect public safety from the risks associated with the project increase in hazardous materials transported on EJ&E track through Will County if the proposed transaction is approved.
21. All documents reflecting, referring or relating to the budget or budgets for environmental mitigation that may be required if the proposed transaction is approved.
22. All documents reflecting, referring or relating to your analysis of the likely growth in traffic on the EJ&E tracks in Will County assuming the proposed transaction is approved, both in the initial years and after it is fully implemented.
23. All documents reflecting, referring or relating to any analysis of the impact on air quality in Will County if the proposed transaction is approved.

Respectfully submitted,
WILL COUNTY, ILLINOIS

By: Edward R. Gower

MARY M. TATROE
Will County State's Attorney's Office
121 North Chicago
Joliet, IL 60432
(815) 727-8872
(815) 727-6085 fax
mtatroe@willcountyillinois.com

Counsel for Will County, Illinois

Dated: January 3, 2008

EDWARD R. GOWER
Special Assistant Will County State's Attorney
Hinshaw & Culbertson LLP
400 South Ninth, Suite 200
Springfield, IL 62701
(217) 528-7375
(217) 528-0075 Fax
egower@hinshawlaw.com

Counsel for Will County, Illinois

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that he has caused a true and correct copy of the foregoing document(s) to be served upon:

COUNSEL FOR CANADIAN NATIONAL RAILWAY COMPANY, GRAND TRUNK CORPORATION AND EJ&E RAILWAY COMPANY

by UPS Overnight Delivery at the below listed addresses as recorded with the Surface Transportation Board and listed below:

Paul A. Cunningham, Esq.
David A. Hirsch, Esq.
James M. Guinivan, Esq.
Harkins Cunningham LLP
1700 K Street, NW, Suite 400
Washington, DC 20006-3804
(202) 973-7600

Richard J. Munsch, Esq.
EJ&E Railway Company
600 Grant Street
Pittsburgh, PA 15219

(412) 433-2920

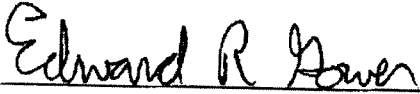
John A. Vuono, Esq.
Vuono & Gray, LLC
310 Grant Street
Suite 2310
Pittsburg, PA 15219

(412) 471-1800

ALL REMAINING PARTIES OF RECORD AS OF THIS DATE

SEE ATTACHED SERVICE LIST

by mailing a true and correct copy thereof from the law office of Hinshaw & Culbertson LLP, 400 South Ninth Street, Suite 200, Springfield, Illinois, 62701, to the persons named on the Surface Transportation Board's service list as of this date, January 3, 2008.


EDWARD R. GOWER
Special Assistant Will County State's Attorney
Attorney for Will County, Illinois

MARY M. TATROE
Will County State's Attorney's Office
121 North Chicago
Joliet, IL 60432
(815) 727-8872
(815) 727-6085 fax
mtatroe@willcountyvillinois.com

Edward R. Gower
Hinshaw & Culbertson LLP
400 South Ninth, Suite 200
Springfield, IL 62701
(217) 528-7375
(217) 528-0075 Fax
egower@hinshawlaw.com

Rosenthal, Michael L. Covington & Burling 1201 Pennsylvania Avenue, N.W. Washington, DC 20004-2401	Adams, Gary D. Village of Oswego 113 Main Street Oswego, IL 60543
McFarland, Thomas F. Thomas F. McFarland, P.C. 208 South LaSalle St., Suite 1890 Chicago, IL 60604	Johnston, Morgan B. University of Illinois 1501 South Oak Street Champaign, IL 61820
Noland, Michael Metra 547 W. Jackson Boulevard Chicago, IL 60661	Sees, Milton R. Illinois Department of Transportation 2300 South Dirksen Parkway Springfield, IL 62764
Mullins, William A. Baker & Miller PLLC 2401 Pennsylvania Ave, NW, Suite 300 Washington, DC 20037	Byrne, Thomas G. City of Chicago 30 North LaSalle Street, Suite 500 Chicago, IL 60602-2570
Dennis H. Miller Iowa Interstate Railroad 5900 6 th Street SW Cedar Rapids, IA 52404	Jeffrey Ingrum Champaign County Chamber of Commerce Board of Directors 1817 S. Neil St., Ste 201 Champaign, IL 61820-1791
Dobosz, Stanley Town of Griffith 111 N. Broad St. Griffith, IN 46319-2294	Kevin Brubaker Environmental Law & Policy Center 35 E Wacker Drive Ste 1300 Chicago, IL 60601-2110
Sheehy, Timothy R. Metropolitan Milwaukee Association of Commerce 756 North Milwaukee Street Milwaukee, WI 53202	Geertsma, Meleah Environmental Law & Policy Center 35 East Wacker Drive, Suite 1300 Chicago, IL 60601
Anderson, Thomas R. Save the Dunes Council 444 Barker Road Michigan City, IN 46360	Weis, Laura E. Champaign County Chamber of Commerce 1817 S. Neil S., Ste. 201 Champaign, IL 61820-7269

Dodds, Katherine Aux Sable Liquid Products, Inc. 6155 East US Route 6 Morris, IL 60450	Moates, G Paul Sidley Austin LLP 1501 K Street, N.W. Washington, DC 20005
Sidman, Mark H. Weiner Brodsky Sidman & Kider PC 1300 19 th Street NW, 5 th Floor Washington, DC 20036-1609	Kingma, Hildy L. Village of Park Forest 350 Victory Drive Park Forest, IL 60466
Brown, Timothy A. Town of Merrillville 7820 Broadway Merrillville, IN 46410	Dimichael, Nicholas J. Thompson Hine LLP 1920 N Street, N.W. Suite 800 Washington, DC 20036
Steel Jr., Adrian L. Mayer Bown LLP 1909 K Street NW Washington,, DC 20006	Wichlinski, Thomas and Patricia 1033 N. Broad Street Griffith, IN 46319
Bean, The Honorable Melissa U.S. House of Representatives 512 Cannon House office Building Washington, DC 20115	Cole, Brad City of Carbondale P. O. Box 2047 Carbondale, IL 62902-2047
Reitemeir, Joseph R. 207 North Main Street Fond Du Lac, WI 54935	Austgen, David M. Austgen Kuiper & Associates, PC 130 North Main Street Crown Point, IN 46307
McCrory, Donald C. International Port of Memphis 1115 Riverside Blvd. Memphis, TN 38106-2504	Bayh, Evan United States Senator 1650 Market Tower 10 West Market Street Indianapolis, IN 46204
Ross, Harold A. Brotherhood of Locomotive Engineers and Trainmen 1370 Ontario Street, Mezzanine Cleveland, OH 44113	Bayh, Honorable Evan United States Senate 463 Russell Senate Office Building Washington, DC 20510-1404
Wolly, Michael S. Zwerdling Paul Leibig Kahn & Wolly 1025 Connecticut Ave NW, Suite 712 Washington, DC 20036	Lugar, Honorable Richard United States Senate 306 Hart Senate Office Building Washington, DC 20510

Lukmann, III, L. Charles Harris Welsh & Lukmann 107 Broadway Chesterton, IN 46304	Bowden, Jamie Village of Channahon 24555 S Navajo Dr. Channahon, IL 60410
Lisak, Andrew The Development Association 1401 Tower Ave., Suite 302 Superior, WI 54880	Fowler, Mark L. Northwest Municipal Conference 1616 East Golf Road Des Plaines, IL 60016
Sanders, Timothy J. Northwest Indiana Regional Development Authority 9800 Connecticut Drive Crown Point, IN 46307	McCarthy, Brian Arcelormittal One Dearborn Street Chicago, IL 60603
Degiulio, Thomas F. Town of Munster 1005 Ridge Road Munster, IN 46321	Yarbrough, Karen A. State Representative 7 th District 2305 W. Roosevelt Road Broadview, IL 60155
Ahearn, Mark G. Indiana Department of Transportation 100 North Senate Avenue, Room N758 Indianapolis, IN 46204-2216	Thompson, Craig Transportation Development Association of Wisconsin 131 W. Wilson Street, Suite 302 Madison, WI 53703
Honorable John D. Dingell U.S. House of Representatives Washington, DC 20515-2216	Hynes, Terence M. Sidley Austin LLP 1501 K Street NW Washington, DC 20005
Volmer, Neil Iowa Department of Transportation 800 Lincoln Way Ames, IA 50010	Schakowsky, The Honorable Janice D. U.S. House of Representatives 1027 Longworth House Office Building Washington, DC 20515
Casper, John A. 120 Jackson Drive Oshkosh, WI 54901	Pamela J. Althoff One North Virginia Street Crystal Lake, IL 60014
Mayo Jr., George W. Hogan & Hartson LLP 555 Thirteenth Street NW, Columbia Square Washington, DC 20004-1109	Lee Ann Goodson 14621 Thomas Jefferson Drive Plainfield, IL 60544

Paesel, Edward W.
South Suburban Mayors and
Managers Association
1904 W. 174th Street
East Hazel Crest, IL 60429

Lynn A. Ostendorf
106 W. Main
Wesley, IA 50483

Mr. Gerald Roper
Chicagoland Chamber of
Commerce
Aon Center
200 E. Randolph St., Suite
2200
Chicago, IL 60601-6436

Thomas Reiser
P.O. Box 5203
Chicago, IL 60680-5203

Hayes, Paul
Town of Dyer
One Town Square
Dyer, IN 46311

Patrick Bond
Bond, Dickson & Associates,
PC
301 S. County Farm Road.,
Suite E.
Wheaton, IL 60187
Kotewa, Erik
Champaign County Economic
Development Corporation
1817 S. Neil Street
Champaign, IL 61820
McDermott, Honorable Thomas
5925 Calumet Avenue
Hammond, IN 46320

Guthrie, Paul
Canadian Pacific Railway
Suite 500 Gulf Canada Square
401 - 9th Avenue SW
Calgary, AB T2P 4Z4
James Tarpo
PO BOX 190
Griffith, IN 46319-0190
Olson, David C.
Minnesota Chamber of
Commerce
400 Robert Street North, Suite
1500
St. Paul, MN 55101
Smith, Paul Samuel
U.S. Department of
Transportation
1200 New Jersey Avenue, S.E.
Washington, DC 20590

Bosco, Steven
Village of Bartlett
228 S. Main Street
Bartlett, IL 60103

Matrisch, Steven L.
State of Illinois Commerce
Commission
527 East Capitol Avenue
Springfield, IL 62701

Valerie L. Salmons
Village of Bartlett
228 S. Main Street
Bartlett, IL 60103
Blankenhorn, Randall S.
Chicago Metropolitan Agency
for Planning
233 South Wacker Drive, Suite
800, Sears Tower
Chicago, IL 60606

Quigley, Steven
 Will County Governmental
 League
 50 East Jefferson Street, Suite
 101
 Joliet, IL 6032-4298
 Browning, Karl B
 Indiana Department of
 Transportation
 100 North Senate Avenue,
 Room N758
 Indianapolis, IN 46204-2216
 Shudtz, Peter J.
 CSX Corporation
 500 Water Street
 Jacksonville, FL 32202
 Heffner, PLLC, John D.
 Law Offices
 1750 K Street, N.W., Suite 350
 Washington, DC 20006
 Lugar, Richard G.
 United States Senate
 306 Hart Senate office Building
 Washington, DC 20510-1401
 Tolomei, John G.
 Village of Lake Zurich
 70 E. Main Street
 Lake Zurich, IL 60047
 Jessen, Randall W.
 Village of Plainfield
 24401 W. Lockport Street
 Plainfield, IL 60544
 Hirschhorn, Eric L.
 Winston & Strawn LLP
 1700 K Street NW
 Washington, DC 20006-3817
 Krause, Honorable Carolyn H.
 State Representative – 66th
 District
 200 E. Evergreen, Suite 122
 Mt. Prospect, IL 60056
 Link, Honorable Terry
 Illinois State Senate
 122 State Capitol Building
 Springfield, IL 62706

Weingartz, Alayne M.
 City of Aurora
 44 East Downer Place
 Aurora, IL 60507-2067

Montana, Anna
 Village of Schiller Park
 9526 West Irving Park Road
 Schiller Park, IL 0176-1984

Wojtasiak, Stan
 Naperville Township
 31 W. 331 North Aurora Road
 Naperville, IL 60653

Roger A. Serpe
 Indiana Harbor Belt Railroad
 Company
 55 West Monroe, Suite 1600
 Chicago, IL 60603-5001
 Van Poucke, Michael J.
 The Macom Corporation
 3380 LaCrosse Lane, Suite 100
 Naperville, IL 60564

Fortner, Honorable Mike
 Illinois State Representative
 135 Fremont Street
 West Chicago, IL 60185
 Saviano, Honorable Angelo
 House of Representatives
 314 State House
 Springfield, IL 62706
 Pradel, Mayor A. George
 City of Naperville
 P. O. Box 3020
 Naperville, IL 60540

Arredia, Mayor Anthony W.
 City of Des Plaines
 1420 Miner Street
 Des Plaines, IL 60016

Boonstra, Peter
 Illiana Christian High School
 2261 Indiana Avenue
 Lansing, MI 60438-2106

Jackson, Jr., Honorable Jesse L. U.S. House of Representatives 2419 Rayburn House Office Building Washington, DC 20515-1302	Ross, David Duluth Area Chamber of Commerce 5 West First Street, Suite 101 Duluth, MN 55802
Baldermann, Timothy A. Village of New Lenox 1 Veterans Parkway New Lenox, IL 60451	Nekritz, Honorable Elaine State Representative 24 South Des Plaines River Rd., Suite 200 Des Plaines, IL 60016
Anderson, Alan Southern Wayne County Regional Chamber 20600 Eureka Road, Suite 315 Taylor, MI 48180	Natalie Aglipay 711 N. Broad St Griffith, IN 46319
MacDougall, Gordon P. 1025 Connecticut Avenue, NW, Suite 919 Washington, DC 20036-5444	Moll, Leslie K. Arcelormittal USA 3300 Dickey Road East Chicago, IN 46312
Gower, Edward R. Hinshaw & Culbertson LLP 400 South Ninth Suite 200 Springfield, IL 62701	Schillerstrom, Robert J. County Government of DuPage 421 N. County Farm Road Wheaton, IL 60187
Tim Dilbeck, Plant Manager Eoilplus Illinois, Inc. P.O. Box 280 Plainfield, IL 60544	Harnish, Richard Midwest High Speed Rail Association P.O. Box 805877 Chicago, IL 60680
Roper, Gerald J. Chicagoland Chamber of Commerce 200 E Randolph Street Suite 2200 Chicago, IL 60601	David Silverman Mahoney, Silverman and Cross Ltd. 822 Infantry Drive Oliet, IL 60435
Eleanor D. Acheson National Railroad Passenger Corporation 60 Massachusetts Avenue, NE Washington, DC 20002	Peterson, Honorable William E. Illinois State Senate 3050 North Main Street Buffalo Grove, IL 60089-2727
Jared I. Roberts National Railroad Passenger Corporation 60 Massachusetts Avenue, NE Washington, DC 20002	Knollenberg, Honorable Joe United States House of Representatives Washington, DC 20515

Paul G. Kuehn Technical Propellants, Inc. 6440 East Collins Road Morris, IL 60450 Scott Phillips Reichhold, Inc. 2400 Ellis Road Durham, NC 27703 Clary, Joseph P. Illinois Department of Transportation 300 West Adams Street, 2 nd Floor Chicago, IL 60606	McCotter, Honorable Thaddeus Congress of the United States House of Representatives Washington, DC 20515-2211 Stabenow, Honorable Debbie United States Senate Washington, DC 20510 Levin, Honorable Carl United States Senate Washington, DC 20510 Plaistow, Joseph J. L.E. Peabody & Associates, Inc. 1500 Duke Street, Suite 200 Alexandria, VA 22314 Brimm, William H. Village of Buffalo Grove 50 Raupp Blvd. Buffalo Grove, IL 60089-2100 Allison, Michael S. Village of Vernon Hills 290 Evergrass Drive Vernon Hills, IL 60061-2999 Walberg, Tim U.S. House of Representatives Congress of the United States Washington, DC 20515 Brinegar, Kevin Indiana Chamber of Commerce P. O. Box 44926 Indianapolis, IN 46244-0926 Beaubien, Honorable Mark State Representative-52 nd District 124-A E. Liberty Street Wauconda, IL 60084 Henry, Larry W. 143 Walnut Street Frankfort, IL 60423
Sobotik, John J. Office of General Counsel P. O. BOX 7910 Madison, WI 53707-7910 Lyp, Patrick Blachly, Tabor, Bozik & Hartmann, LLC 56 South Washington, Suite 401 Valparaiso, IN 46383 Tomasoski, John D. City of Crest Hill 1610 Plainfield Rd. Crest Hill, IL 60403 Harnish, Richard P.O. Box 80577 Chicago, IL 60680 Lobaito, John A. Village of Mundelein 440 East Hawley Street Mundelein, IL 60060 Dowd, Kelvin J. Slover & Loftus 1224 Seventeenth Street NW Washington, DC 20036-3003 Phipps, Eileen Village of Wayne P. O. Box 532 Wayne, IL 60184	

Werner, Joseph W. Village of Mokena 11004 Carpenter St. Mokena, IL 60448	Knight, Bruce A. City of Champaign 102 North Neil Street Champaign, IL 61820
Zoellner, Kirk Village of Mokena 11004 Carpenter St. Mokena, IL 60448	Mezera, John M City of Joliet 150 West Jefferson Street Joliet, IL 60432
Kantar, Kristina City of Hammond 5925 Calumet Avenue Hammond, IN 46320	Cline, David City of Mattoon 208 North 19 th Mattoon, IL 61938
Van Poucke, Michael J. The Macom Corporation 3380 Lacrosse Lane, Suite 100 Naperville, IL 60564	Eichelberger, John Plainfield Fire Protection District 15025 S. Desplaines Street Plainfield, IL 60544
Althoff, Honorable Pamela J. One North Virginia Street Crystal Lake, IL 60014	Moore, Cameron Champaign County Regional Planning Commission P. O. Box 17760 Urbana, IL 61803-7760
Greene, Richard Naperville Area Chamber of Commerce 55 South Main Street Naperville, IL 60540-5381	Romanski, Randy Department of Agriculture, Trade and Consumer Protection P. O. Box 8911 Madison, WI 53708-8911
Baker, Robert W. The Village of Trout Valley P. O. Box 621 Cary, IL 60013	Schatz, Marcie City of Naperville 400 S. Eagle Street Naperville, IL 60540

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FINANCE DOCKET NO. 35087

**CANADIAN NATIONAL RAILWAY COMPANY AND
GRAND TRUNK CORPORATION**

-CONTROL-

EJ&E WEST COMPANY

WILL COUNTY'S FIRST SET OF INTERROGATORIES

MARY M. TATROE
Will County State's Attorney's Office
121 North Chicago
Joliet, IL 60432
(815) 727-8872
(815) 727-6085 fax
mtatroe@willcountyillinois.com

EDWARD R. GOWER
Special Assistant Will County State's Attorney
Hinshaw & Culbertson LLP
400 South Ninth, Suite 200
Springfield, IL 62701
(217) 528-7375
(217) 528-0075 Fax
egower@hinshawlaw.com

Counsel for Will County, Illinois

January 3, 2008



**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**FINANCE DOCKET NO. 35087
CANADIAN NATIONAL RAILWAY COMPANY AND
GRAND TRUNK CORPORATION
-CONTROL-
EJ&E WEST COMPANY**

WILL COUNTY'S FIRST SET OF INTERROGATORIES

Pursuant to 49 C.F.R. §1114.26, Will County, Illinois ("Will County") directs the following interrogatories upon Canadian National Railway Company, Grand Trunk Corporation, Elgin, Joliet and Eastern Railway Company, and EJ&E West Company. Will County requests that responses should be served as soon as possible, and in no event later than 15 days from the date of service hereof. Counsel for respondents should contact the undersigned promptly to discuss any objections or questions regarding these requests with a view to resolving any disputes or issues of interpretation informally and expeditiously. Will County will pay all reasonable costs for duplication and delivery of any responsive documents to counsel for the responding party.

DEFINITIONS

- a. "You" and "your" mean and refer to Canadian National Railway Company, Grand Trunk Company, Elgin, Joliet and Eastern Railway Company, and EJ&E West Company, as collective or individual respondents to the request for production of documents.
- b. "EJ&E" means the Elgin, Joliet and Eastern Railway Company.

- c. "At grade crossing" means a crossing in Will County, Illinois involving EJ&E track and pedestrian, bicycle or vehicular traffic.

INTERROGATORIES

INTERROGATORY NO. 1: Assuming that the proposed transaction is approved and fully implemented, for every at grade crossing in Will County please provide the following information:

- a. The average number of trains that you project will cross that crossing on a daily basis;
- b. The length of each train that you project will cross that crossing on a daily basis. If you have an average, please provide that average;
- c. The average speed of each such train; and
- d. The length of time that you project that the crossing will be blocked to automobile traffic due to the passage through the crossing of each such train. If you only have an average, please provide that average.

ANSWER:

INTERROGATORY NO. 2: Please describe the safety equipment and measures that are in place at each at grade crossing in Will County. Your answer should include, but need not be limited to, a description of the safety equipment in place and the existing track circuitry that triggers any safety warning devices, such as bells, gates or flashing lights.

ANSWER:

INTERROGATORY NO. 3: In the next five years, do you have any plans to improve the safety equipment or measures that are in place at any at grade crossing in Will County? If so, please identify the crossing and describe the proposed improvement and any cost sharing agreement or plan for paying for that improvement.

ANSWER:

INTERROGATORY NO. 4: Do you believe that the existing safety measures and equipment at each at grade crossing in Will County is adequate to protect the public safety if the proposed transaction is approved and is fully implemented? If your answer is no, please:

- a. Identify the at grade crossing where you believe the existing safety equipment and measures will be inadequate to protect the public safety after the transaction is approved and fully implemented.
- b. For each at grade crossing identified in response to 4.a., above, please describe the safety measures or equipment that you believe will be required in order to adequately protect the public safety at that crossing; and
- c. State how you believe the costs of any necessary safety improvements should be allocated.

ANSWER:

INTERROGATORY NO. 5: In the next five years, do you have any plans to seek the closure of any at grade crossing in Will county? If so, please identify the crossing; state the grounds that you believe support closure; and the time frame within which you intend to seek closure.

ANSWER:

INTERROGATORY NO. 6: Identify the individual employee or agent of each respondent most knowledgeable about any of the following subjects with respect to the EJ&E tracks in Will County if the proposed transaction is approved and consummated:

- a. Train Operations;

- b. Public Safety at at grade crossings;
- c. Frequency and duration of blockage by train traffic of automobile traffic at at grade crossings;
- d. Noise and vibration impacts of increased train traffic;
- e. Evaluation of the existing EJ&E track with respect to its ability to handle the increased train traffic;
- f. Projected capital improvements; and
- g. The cost of environmental mitigation.

ANSWER:

MARY M. TATROE
Will County State's Attorney's Office
121 North Chicago
Joliet, IL 60432
(815) 727-8872
(815) 727-6085 fax
mtatroe@willcountyillinois.com

Counsel for Will County, Illinois

Dated: January 3, 2008

Respectfully submitted,
WILL COUNTY, ILLINOIS

By: Edward R. Gower

EDWARD R. GOWER
Special Assistant Will County State's Attorney
Hinshaw & Culbertson LLP
400 South Ninth, Suite 200
Springfield, IL 62701
(217) 528-7375
(217) 528-0075 Fax
egower@hinshawlaw.com

Counsel for Will County, Illinois

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that he has caused a true and correct copy of the foregoing document(s) to be served upon:

COUNSEL FOR CANADIAN NATIONAL RAILWAY COMPANY, GRAND TRUNK CORPORATION AND EJ&E RAILWAY COMPANY

by UPS Overnight Delivery at the below listed addresses as recorded with the Surface Transportation Board and listed below:

Paul A. Cunningham, Esq.
David A. Hirsch, Esq.
James M. Guinivan, Esq.
Harkins Cunningham LLP
1700 K Street, NW, Suite 400
Washington, DC 20006-3804
(202) 973-7600

Richard J. Munsch, Esq.
EJ&E Railway Company
600 Grant Street
Pittsburgh, PA 15219

(412) 433-2920

John A. Vuono, Esq.
Vuono & Gray, LLC
310 Grant Street
Suite 2310
Pittsburg, PA 15219

(412) 471-1800

ALL REMAINING PARTIES OF RECORD AS OF THIS DATE

SEE ATTACHED SERVICE LIST

by mailing a true and correct copy thereof from the law office of Hinshaw & Culbertson LLP, 400 South Ninth Street, Suite 200, Springfield, Illinois, 62701, to the persons named on the Surface Transportation Board's service list as of this date, January 3, 2008.


EDWARD R. GOWER
Special Assistant Will County State's Attorney
Attorney for Will County, Illinois

MARY M. TATROE
Will County State's Attorney's Office
121 North Chicago
Joliet, IL 60432
(815) 727-8872
(815) 727-6085 fax
mtatroe@willcountyillinois.com

Edward R. Gower
Hinshaw & Culbertson LLP
400 South Ninth, Suite 200
Springfield, IL 62701
(217) 528-7375
(217) 528-0075 Fax
egower@hinshawlaw.com

Docket #: **FD_35087_0**

**CANADIAN NATIONAL RAILWAY COMPANY AND GRAND TRUNK CORPORATION--
-CONTROL--EJ&E WEST COMPANY**

Service List January 3, 2008

Hirsh, David A. Harkins Cunningham 1700 K Street, NW, Suite 400 Washington, DC 20006-3817	Knight, Bruce A. City of Champaign 102 North Neil Street Champaign, IL 61820
James W. Brennan Empire Wholesale Lumber Company P O BOX 1248 Bath, OH 44210	Mezera, John M City of Joliet 150 West Jefferson Street Joliet, IL 60432
Karen Darch Village of Barrington Village Hall 200 S. Hough St. Barrington, IL 60010	Cline, David City of Mattoon 208 North 19 th Mattoon, IL 61938
Cunningham, Paul A. Harkins Cunningham LLP 1700 K Street, N.W., Suite 400 Washington, DC 20006-3817	Eichelberger, John Plainfield Fire Protection District 15025 S. Desplaines Street Plainfield, IL 60544
Elliott III, Daniel R. United Transportation Union 14600 Detroit Avenue Cleveland, OH 44107-4250	Moore, Cameron Champaign County Regional Planning Commission P. O. Box 17760 Urbana, IL 61803-7760
Sheys, Kevin M. Kirkpatrick & Lockhart Preston Gates Ellis LLP 1601 K Street, N.W. Washington, DC 20006	Romanski, Randy Department of Agriculture, Trade and Consumer Protection P. O. Box 8911 Madison, WI 53708-8911
Wisner, Paul 445 E. Washington Lombard, IL 60148	Schatz, Marcie City of Naperville 400 S. Eagle Street Naperville, IL 60540
Visclosky, Honorable Peter J. U.S. House of Representatives 701 East 83 rd Avenue, Suite 9 Merrillville, IN 46410-6239	Baker, Robert W. The Village of Trout Valley P. O. Box 621 Cary, IL 60013

Rosenthal, Michael L.
Covington & Burling
1201 Pennsylvania Avenue,
N.W.
Washington, DC 20004-2401
McFarland, Thomas F.
Thomas F. McFarland, P.C.
208 South LaSalle St., Suite
1890
Chicago, IL 60604

Noland, Michael
Metra
547 W. Jackson Boulevard
Chicago, IL 60661

Mullins, William A.
Baker & Miller PLLC
2401 Pennsylvania Ave, NW,
Suite 300
Washington, DC 20037

Dennis H. Miller
Iowa Interstate Railroad
5900 6th Street SW
Cedar Rapids, IA 52404

Dobosz, Stanley
Town of Griffith
111 N. Broad St.
Griffith, IN 46319-2294

Sheehy, Timothy R.
Metropolitan Milwaukee
Association of Commerce
756 North Milwaukee Street
Milwaukee, WI 53202

Anderson, Thomas R.
Save the Dunes Council
444 Barker Road
Michigan City, IN 46360

Adams, Gary D.
Village of Oswego
113 Main Street
Oswego, IL 60543

Johnston, Morgan B.
University of Illinois
1501 South Oak Street
Champaign, IL 61820

Sees, Milton R.
Illinois Department of
Transportation
2300 South Dirksen Parkway
Springfield, IL 62764
Byrne, Thomas G.
City of Chicago
30 North LaSalle Street, Suite
500

Chicago, IL 60602-2570
Jeffrey Ingram
Champaign County Chamber of
Commerce
Board of Directors
1817 S. Neil St., Ste 201
Champaign, IL 61820-1791

Kevin Brubaker
Environmental Law & Policy
Center
35 E Wacker Drive Ste 1300
Chicago, IL 60601-2110

Geertsma, Meleah
Environmental Law & Policy
Center
35 East Wacker Drive, Suite
1300
Chicago, IL 60601

Weis, Laura E.
Champaign County Chamber of
Commerce
1817 S. Neil S., Ste. 201
Champaign, IL 61820-7269

Dodds, Katherine
 Aux Sable Liquid Products,
 Inc.
 6155 East US Route 6
 Morris, IL 60450
 Sidman, Mark H.
 Weiner Brodsky Sidman &
 Kider PC
 1300 19th Street NW, 5th Floor
 Washington, DC 20036-1609
 Brown, Timothy A.
 Town of Merrillville
 7820 Broadway
 Merrillville, IN 46410
 Steel Jr., Adrian L.
 Mayer Bown LLP
 1909 K Street NW
 Washington,, DC 20006
 Bean, The Honorable Melissa
 U.S. House of Representatives
 512 Cannon House office
 Building
 Washington, DC 20115

Reitemeir, Joseph R.
 207 North Main Street
 Fond Du Lac, WI 54935

McCrory, Donald C.
 International Port of Memphis
 1115 Riverside Blvd.
 Memphis, TN 38106-2504

Ross, Harold A.
 Brotherhood of Locomotive
 Engineers and Trainmen
 1370 Ontario Street, Mezzanine
 Cleveland, OH 44113
 Wolly, Michael S.
 Zwerdling Paul Leibig Kahn &
 Wolly
 1025 Connecticut Ave NW,
 Suite 712
 Washington, DC 20036

Moates, G Paul
 Sidley Austin LLP
 1501 K Street, N.W.
 Washington, DC 20005

Kingma, Hildy L.
 Village of Park Forest
 350 Victory Drive
 Park Forest, IL 60466

Dimichael, Nicholas J.
 Thompson Hine LLP
 1920 N Street, N.W. Suite 800
 Washington, DC 20036
 Wichlinski, Thomas and
 Patricia
 1033 N. Broad Street
 Griffith, IN 46319

Cole, Brad
 City of Carbondale
 P. O. Box 2047
 Carbondale, IL 62902-2047

Austgen, David M.
 Austgen Kuiper & Associates,
 PC
 130 North Main Street
 Crown Point, IN 46307

Bayh, Evan
 United States Senator
 1650 Market Tower
 10 West Market Street
 Indianapolis, IN 46204
 Bayh, Honorable Evan
 United States Senate
 463 Russell Senate Office
 Building
 Washington, DC 20510-1404

Lugar, Honorable Richard
 United States Senate
 306 Hart Senate Office
 Building
 Washington, DC 20510

Lukmann, III, L. Charles Harris Welsh & Lukmann 107 Broadway Chesterton, IN 46304	Bowden, Jamie Village of Channahon 24555 S Navajo Dr. Channahon, IL 60410
Lisak, Andrew The Development Association 1401 Tower Ave., Suite 302 Superior, WI 54880	Fowler, Mark L. Northwest Municipal Conference 1616 East Golf Road Des Plaines, IL 60016
Sanders, Timothy J. Northwest Indiana Regional Development Authority 9800 Connecticut Drive Crown Point, IN 46307	McCarthy, Brian Arcelormittal One Dearborn Street Chicago, IL 60603
Degiulio, Thomas F. Town of Munster 1005 Ridge Road Munster, IN 46321	Yarbrough, Karen A. State Representative 7 th District 2305 W. Roosevelt Road Broadview, IL 60155
Ahearn, Mark G. Indiana Department of Transportation 100 North Senate Avenue, Room N758 Indianapolis, IN 46204-2216	Thompson, Craig Transportation Development Association of Wisconsin 131 W. Wilson Street, Suite 302 Madison, WI 53703
Honorable John D. Dingell U.S. House of Representatives Washington, DC 20515-2216	Hynes, Terence M. Sidley Austin LLP 1501 K Street NW Washington, DC 20005
Volmer, Neil Iowa Department of Transportation 800 Lincoln Way Ames, IA 50010	Schakowsky, The Honorable Janice D. U.S. House of Representatives 1027 Longworth House Office Building Washington, DC 20515
Casper, John A. 120 Jackson Drive Oshkosh, WI 54901	Pamela J. Althoff One North Virginia Street Crystal Lake, IL 60014
Mayo Jr., George W. Hogan & Hartson LLP 555 Thirteenth Street NW, Columbia Square Washington, DC 20004-1109	Lee Ann Goodson 14621 Thomas Jefferson Drive Plainfield, IL 60544

Paesel, Edward W.
South Suburban Mayors and
Managers Association
1904 W. 174th Street
East Hazel Crest, IL 60429

Lynn A. Ostendorf
106 W. Main
Wesley, IA 50483

Mr. Gerald Roper
Chicagoland Chamber of
Commerce
Aon Center
200 E. Randolph St., Suite
2200
Chicago, IL 60601-6436

Thomas Reiser
P.O. Box 5203
Chicago, IL 60680-5203

Hayes, Paul
Town of Dyer
One Town Square
Dyer, IN 46311

Patrick Bond
Bond, Dickson & Associates,
PC
301 S. County Farm Road.,
Suite E.
Wheaton, IL 60187
Kotewa, Erik
Champaign County Economic
Development Corporation
1817 S. Neil Street
Champaign, IL 61820
McDermott, Honorable Thomas
5925 Calumet Avenue
Hammond, IN 46320

Guthrie, Paul
Canadian Pacific Railway
Suite 500 Gulf Canada Square
401 - 9th Avenue SW
Calgary, AB T2P 4Z4
James Tarpo
PO BOX 190
Griffith, IN 46319-0190
Olson, David C.
Minnesota Chamber of
Commerce
400 Robert Street North, Suite
1500
St. Paul, MN 55101
Smith, Paul Samuel
U.S. Department of
Transportation
1200 New Jersey Avenue, S.E.
Washington, DC 20590

Bosco, Steven
Village of Bartlett
228 S. Main Street
Bartlett, IL 60103

Valerie L. Salmons
Village of Bartlett
228 S. Main Street
Bartlett, IL 60103

Matrisch, Steven L.
State of Illinois Commerce
Commission
527 East Capitol Avenue
Springfield, IL 62701

Blankenhorn, Randall S.
Chicago Metropolitan Agency
for Planning
233 South Wacker Drive, Suite
800, Sears Tower
Chicago, IL 60606

Quigley, Steven
 Will County Governmental
 League
 50 East Jefferson Street, Suite
 101
 Joliet, IL 6032-4298
 Browning, Karl B
 Indiana Department of
 Transportation
 100 North Senate Avenue,
 Room N758
 Indianapolis, IN 46204-2216
 Shudtz, Peter J.
 CSX Corporation
 500 Water Street
 Jacksonville, FL 32202
 Heffner, PLLC, John D.
 Law Offices
 1750 K Street, N.W., Suite 350
 Washington, DC 20006
 Lugar, Richard G.
 United States Senate
 306 Hart Senate office Building
 Washington, DC 20510-1401
 Tolomei, John G.
 Village of Lake Zurich
 70 E. Main Street
 Lake Zurich, IL 60047
 Jessen, Randall W.
 Village of Plainfield
 24401 W. Lockport Street
 Plainfield, IL 60544
 Hirschhorn, Eric L.
 Winston & Strawn LLP
 1700 K Street NW
 Washington, DC 20006-3817
 Krause, Honorable Carolyn H.
 State Representative – 66th
 District
 200 E. Evergreen, Suite 122
 Mt. Prospect, IL 60056
 Link, Honorable Terry
 Illinois State Senate
 122 State Capitol Building
 Springfield, IL 62706

Weingartz, Alayne M.
 City of Aurora
 44 East Downer Place
 Aurora, IL 60507-2067

Montana, Anna
 Village of Schiller Park
 9526 West Irving Park Road
 Schiller Park, IL 0176-1984

Wojtasiak, Stan
 Naperville Township
 31 W. 331 North Aurora Road
 Naperville, IL 60653

Roger A. Serpe
 Indiana Harbor Belt Railroad
 Company
 55 West Monroe, Suite 1600
 Chicago, IL 60603-5001
 Van Poucke, Michael J.
 The Macom Corporation
 3380 LaCrosse Lane, Suite 100
 Naperville, IL 60564
 Fortner, Honorable Mike
 Illinois State Representative
 135 Fremont Street
 West Chicago, IL 60185
 Saviano, Honorable Angelo
 House of Representatives
 314 State House
 Springfield, IL 62706
 Pradel, Mayor A. George
 City of Naperville
 P. O. Box 3020
 Naperville, IL 60540

Arredia, Mayor Anthony W.
 City of Des Plaines
 1420 Miner Street
 Des Plaines, IL 60016

Boonstra, Peter
 Illiana Christian High School
 2261 Indiana Avenue
 Lansing, MI 60438-2106

Jackson, Jr., Honorable Jesse L. U.S. House of Representatives 2419 Rayburn House Office Building Washington, DC 20515-1302	Ross, David Duluth Area Chamber of Commerce 5 West First Street, Suite 101 Duluth, MN 55802
Baldermann, Timothy A. Village of New Lenox 1 Veterans Parkway New Lenox, IL 60451	Nekritz, Honorable Elaine State Representative 24 South Des Plaines River Rd., Suite 200 Des Plaines, IL 60016
Anderson, Alan Southern Wayne County Regional Chamber 20600 Eureka Road, Suite 315 Taylor, MI 48180	Natalie Aglipay 711 N. Broad St Griffith, IN 46319
MacDougall, Gordon P. 1025 Connecticut Avenue, NW, Suite 919 Washington, DC 20036-5444	Moll, Leslie K. Arcelormittal USA 3300 Dickey Road East Chicago, IN 46312
Gower, Edward R. Hinshaw & Culbertson LLP 400 South Ninth Suite 200 Springfield, IL 62701	Schillerstrom, Robert J. County Government of DuPage 421 N. County Farm Road Wheaton, IL 60187
Tim Dilbeck, Plant Manager Eoilplus Illinois, Inc. P.O. Box 280 Plainfield, IL 60544	Harnish, Richard Midwest High Speed Rail Association P.O. Box 805877 Chicago, IL 60680
Roper, Gerald J. Chicagoland Chamber of Commerce 200 E Randolph Street Suite 2200 Chicago, IL 60601	David Silverman Mahoney, Silverman and Cross Ltd. 822 Infantry Drive Oliet, IL 60435
Eleanor D. Acheson National Railroad Passenger Corporation 60 Massachusetts Avenue, NE Washington, DC 20002	Peterson, Honorable William E. Illinois State Senate 3050 North Main Street Buffalo Grove, IL 60089-2727
Jared I. Roberts National Railroad Passenger Corporation 60 Massachusetts Avenue, NE Washington, DC 20002	Knollenberg, Honorable Joe United States House of Representatives Washington, DC 20515

Paul G. Kuehn
 Technical Propellants, Inc.
 6440 East Collins Road
 Morris, IL 60450
 Scott Phillips
 Reichhold, Inc.
 2400 Ellis Road
 Durham, NC 27703
 Clary, Joseph P.
 Illinois Department of
 Transportation
 300 West Adams Street, 2nd
 Floor
 Chicago, IL 60606

Sobotik, John J.
 Office of General Counsel
 P. O. BOX 7910
 Madison, WI 53707-7910

Lyp, Patrick
 Blachly, Tabor, Bozik &
 Hartmann, LLC
 56 South Washington, Suite
 401
 Valparaiso, IN 46383

Tomasoski, John D.
 City of Crest Hill
 1610 Plainfield Rd.
 Crest Hill, IL 60403

Harnish, Richard
 P.O. Box 80577
 Chicago, IL 60680

Lobaito, John A.
 Village of Mundelein
 440 East Hawley Street
 Mundelein, IL 60060

Dowd, Kelvin J.
 Slover & Loftus
 1224 Seventeenth Street NW
 Washington, DC 20036-3003

Phipps, Eileen
 Village of Wayne
 P. O. Box 532
 Wayne, IL 60184

McCotter, Honorable Thaddeus
 Congress of the United States
 House of Representatives
 Washington, DC 20515-2211

Stabenow, Honorable Debbie
 United States Senate
 Washington, DC 20510

Levin, Honorable Carl
 United States Senate
 Washington, DC 20510

Plaistow, Joseph J.
 L.E. Peabody & Associates,
 Inc.
 1500 Duke Street, Suite 200
 Alexandria, VA 22314

Brimm, William H.
 Village of Buffalo Grove
 50 Raupp Blvd.
 Buffalo Grove, IL 60089-2100

Allison, Michael S.
 Village of Vernon Hills
 290 Evergrass Drive
 Vernon Hills, IL 60061-2999

Walberg, Tim
 U.S. House of Representatives
 Congress of the United States
 Washington, DC 20515

Brinegar, Kevin
 Indiana Chamber of Commerce
 P. O. Box 44926
 Indianapolis, IN 46244-0926

Beaubien, Honorable Mark
 State Representative-52nd
 District
 124-A E. Liberty Street
 Wauconda, IL 60084

Henry, Larry W.
 143 Walnut Street
 Frankfort, IL 60423

Werner, Joseph W.
 Village of Mokena
 11004 Carpenter St.
 Mokena, IL 60448
 Zoellner, Kirk
 Village of Mokena
 11004 Carpenter St.
 Mokena, IL 60448
 Kantar, Kristina
 City of Hammond
 5925 Calumet Avenue
 Hammond, IN 46320
 Van Poucke, Michael J.
 The Macom Corporation
 3380 Lacrosse Lane, Suite 100
 Naperville, IL 60564
 Althoff, Honorable Pamela J.
 One North Virginia Street
 Crystal Lake, IL 60014
 Greene, Richard
 Naperville Area Chamber of
 Commerce
 55 South Main Street
 Naperville, IL 60540-5381
 Baker, Robert W.
 The Village of Trout Valley
 P. O. Box 621
 Cary, IL 60013

Knight, Bruce A.
 City of Champaign
 102 North Neil Street
 Champaign, IL 61820
 Mezera, John M
 City of Joliet
 150 West Jefferson Street
 Joliet, IL 60432
 Cline, David
 City of Mattoon
 208 North 19th
 Mattoon, IL 61938
 Eichelberger, John
 Plainfield Fire Protection
 District
 15025 S. Desplaines Street
 Plainfield, IL 60544
 Moore, Cameron
 Champaign County Regional
 Planning Commission
 P. O. Box 17760
 Urbana, IL 61803-7760
 Romanski, Randy
 Department of Agriculture,
 Trade and Consumer Protection
 P. O. Box 8911
 Madison, WI 53708-8911
 Schatz, Marcie
 City of Naperville
 400 S. Eagle Street
 Naperville, IL 60540

Law Offices

VUONO & GRAY, LLC

310 Grant Street

Suite 2310

Pittsburgh, PA 15219-2383

*John A. Vuono
William A. Gray
Mark T. Vuono*
Dennis J. Kusturiss
Louise R. Schrage
Les A. Goldstrom, Jr.*

**Also Admitted in Florida*

*Richard R. Wilson
of Counsel*

*Telephone
412-471-1800*

*Facsimile
412-471-4477*

January 18, 2008

Re: Canadian National Railway Corporation and
Grand Trunk Corporation--Control
--EJ&E West Company
STB Finance Docket No. 35087

RECEIVED
JAN 22 2008

**Hinshaw & Culbertson
SPRINGFIELD**

BY FACSIMILE
ORIGINAL BY FEDERAL EXPRESS

Edward R. Gower, Esq.
Special Assistant Will County
State's Attorney
Hinshaw & Culbertson LLP
400 South Ninth, Suite 200
Springfield, IL 62701

Mary M. Tatroe
Will County State's Attorney's Office
121 North Chicago
Joliet, IL 60432



Dear Sir and Madam:

We represent Elgin, Joliet & Eastern Railway Company ("EJ&E") and EJ&E West Company ("EJ&EW").

We have been served with the First Set of Interrogatories and Request for Production of Documents of Will County, IL ("Will County") (jointly, "Discovery Requests"). The Discovery Requests reference the above control proceeding and docket number and are simultaneously directed to the applicants, Canadian National Railway Company ("CN") and Grand Trunk Corporation ("GTC").

It is the position of EJ&E and EJ&EW that they are not parties to the above proceeding and therefore are not required to respond to the Discovery Requests. We note that the applicants have filed responses/objections to Will County's Discovery Requests and have made the distinction that we are raising here, *i.e.*, that CN and GTW are the applicants in the above proceeding and that EJ&E and EJ&EW are not applicants.

The regulations promulgated by the Board succinctly define a "party" as follows:

Page Two
January 18, 2008

Party means a complainant, defendant, applicant, respondent, protestant, intervener, or petitioner in any proceeding, or other persons permitted or directed by the Board to participate in a proceeding....

49 C.F.R. §1101.2(d)

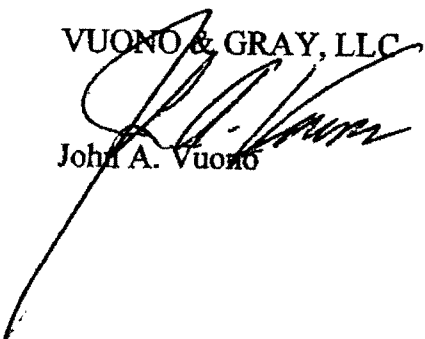
Neither EJ&E or EJ&EW are included within the aforesaid definition and therefore cannot be considered parties to the proceeding.

The relevant discovery regulations are clearly applicable only to parties, as defined above, and an entity which is not a party to a Board proceeding is not required to respond to discovery requests. *See* 49 C.F.R. §1114.26 (Written Interrogatories to Parties); §1114.27 (Request for Admission); and 1114.30 (Production of Documents, etc.).

As noted, the applicants have submitted responses/objections to Will County's Discovery Requests. In the unlikely event that EJ&E and EJ&EW are determined to be parties to the above proceeding and, as a result, are required to respond to Will County's Discovery Requests, they hereby incorporate by reference and adopt Applicants' legal arguments and/or to the extent relevant to EJ&E and EJ&EW Applicants' responses/objections to the Discovery Requests.

Sincerely yours,

VUONO & GRAY, LLC


John A. Vuono

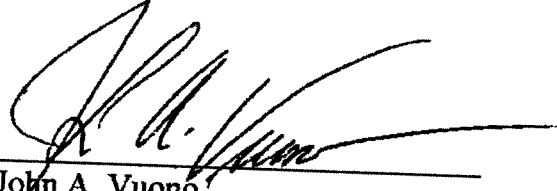
CW/59784

cc: Parties of Record

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing response of EJ&E and EJ&EW to the Will County's discovery requests by causing a copy to be sent by first class mail, postage prepaid, or by a more expeditious method of delivery, to all known parties of record.

Signed this 18th day of January, 2008.



John A. Vuono

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**FINANCE DOCKET NO. 35087
CANADIAN NATIONAL RAILWAY COMPANY AND
GRAND TRUNK CORPORATION
-CONTROL-
EJ&E WEST COMPANY**

CERTIFICATE OF SERVICE FOR WILL COUNTY, ILLINOIS

Pursuant to Decision No. 3 issued on January 18, 2008, in the above-captioned proceeding, the undersigned counsel certifies that copies of all filings previously submitted by Will County, Illinois to the Board, as well as copies of Will County's Request for Production of Documents, and Will County's First Set of Interrogatories were served via first class mail, postage prepaid to all known parties of record in this proceeding.

Respectfully submitted,
WILL COUNTY, ILLINOIS

By: Edward R. Gower

MARY M. TATROE
Will County State's Attorney's Office
121 North Chicago
Joliet, IL 60432
(815) 727-8872
(815) 727-6085 fax
mtatroe@willcountyillinois.com

Counsel for Will County, Illinois

Dated: January 28, 2008

EDWARD R. GOWER
Special Assistant Will County State's Attorney
Hinshaw & Culbertson LLP
400 South Ninth, Suite 200
Springfield, IL 62701
(217) 528-7375
(217) 528-0075 Fax
egower@hinshawlaw.com

Counsel for Will County, Illinois

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that he has caused a true and correct copy of the foregoing document(s) to be served upon:

ALL PARTIES OF RECORD AS OF THIS DATE

SEE ATTACHED SERVICE LIST

by mailing a true and correct copy thereof from the law office of Hinshaw & Culbertson LLP, 400 South Ninth Street, Suite 200, Springfield, Illinois, 62701, to the persons named on the Surface Transportation Board's service list as of this date, January 28, 2008.



EDWARD R. GOWER

Special Assistant Will County State's Attorney
Attorney for Will County, Illinois

MARY M. TATROE
Will County State's Attorney's Office
121 North Chicago
Joliet, IL 60432
(815) 727-8872
(815) 727-6085 fax
mtatroe@willcountyillinois.com

Edward R. Gower
Hinshaw & Culbertson LLP
400 South Ninth, Suite 200
Springfield, IL 62701
(217) 528-7375
(217) 528-0075 Fax
egower@hinshawlaw.com

SERVICE LIST

PARTY OF RECORD Terence M. Hynes Sidley Austin LLP 1501 K Street, N.W. Washington, DC 20005	PARTY OF RECORD Honorable Jesse L. Jackson, Jr. United States House of Representatives 2419 Rayburn House Office Building Washington, DC 20515
PARTY OF RECORD Randal W. Jessen Superintendent of Public Improvements Village of Plainfield - Public Works 24401 W. Lockport Street Plainfield, IL 60544	PARTY OF RECORD L. Charles Lukmann, III Harris Welsh & Lukmann 107 Broadway Chesterton, IN 46304
PARTY OF RECORD Honorable Carolyn H. Krause Illinois House of Representatives 200 E. Evergreen, Suite 122 Mt. Prospect, IL 60056	PARTY OF RECORD Honorable Richard G. Lugar United States Senate 306 Hart Senate Office Building Washington, DC 20510
PARTY OF RECORD John D. Heffner John D. Heffner, PLLC 1750 K Street, N.W. Suite 350 Washington, DC 20006	PARTY OF RECORD Thomas F. McFarland Thomas F. McFarland, P.C. 208 South LaSalle Street Suite 1890 Chicago, IL 60604
PARTY OF RECORD John G. Tolomei Village Administrator Village of Lake Zurich 70 E. Main Street Lake Zurich, IL 60047	PARTY OF RECORD Mark H. Sidman Weiner Brodsky Sidman Kider P.C. 1300 19 th Street, N.W. Fifth Floor Washington, DC 20036
PARTY OF RECORD Peter J. Shultz Federal Regulation & Washington General Counsel CSX Transportation, Inc. 500 Water Street Jacksonville, FL 32202	PARTY OF RECORD David C. Olson Minnesota Chamber of Commerce 400 Robert Street North Suite 1500 St. Paul, MN 55101
PARTY OF RECORD Steven Quigley Will County Governmental League 50 E Jefferson Street Suite 101 Joliet, IL 60432	PARTY OF RECORD Karl B. Browning Indiana Department of Transportation 100 North Senate Avenue Room N758 Indianapolis, IN 46204
PARTY OF RECORD Paul Samuel Smith U.S. Department of Transportation 1200 New Jersey Avenue, S.E. Room W94-316 C-30 Washington, DC 20590	PARTY OF RECORD Paul Guthrie Canadian Pacific Railway Company 401 9 th Avenue, S.W. Gulf Canada Square, Suite 500 Calgary, Alberta T2P 4ZA CD
PARTY OF RECORD John Casper Oshkosh Chamber of Commerce 120 Jackson Street Oshkosh, WI 54901	PARTY OF RECORD Andrew Lisak The Development Association 1401 Tower Avenue, Suite 302 Superior, WI 54880

PARTY OF RECORD Michael S. Wolly Zwerdling, Paul, Kahn & Wolly P.C. 1025 Connecticut Avenue, N.W. Suite 712 Washington, DC 20036	PARTY OF RECORD Harold A. Ross Brotherhood of Locomotive Engineers and Trainmen 1370 Ontario Street, Mezzanine Cleveland, OH 44113
PARTY OF RECORD Neil Volmer Iowa Department of Transportation 800 Lincoln Way Ames, IA 50010	PARTY OF RECORD William A. Mullins Baker & Miller PLLC 2401 Pennsylvania Avenue, N.W. Suite 300 Washington, DC 20037
PARTY OF RECORD Donald C. McCrory Memphis and Shelby County Port Commission 1115 Riverside Blvd. Memphis, TN 38106	PARTY OF RECORD Joseph Reitemeier Fond du Lac Area Chamber of Commerce 207 North Main Street Fond du Lac, WI 54935
PARTY OF RECORD Paul A. Cunningham Harkins Cunningham LLP 1700 K Street, NW, Suite 400 Washington, DC 20006	PARTY OF RECORD Honorable Melissa L. Bean United States House of Representatives 512 Cannon House Office Building Washington, DC 20115
PARTY OF RECORD Timothy A. Brown Town of Merrillville 7820 Broadway Merrillville, IN 46410	PARTY OF RECORD Thomas R. Anderson Save the Dunes Council Inc. 444 Barker Rd. Michigan City, IN 46360
PARTY OF RECORD Kevin M. Sheys Kirkpatrick & Lockhart Preston Gates Ellis LLP 1601 K Street, N.W. Washington, DC 20006	PARTY OF RECORD Katherine Dodds Aux Sable Liquid Products, Inc. 6155 East US Route 6 Morris, IL 60450
PARTY OF RECORD Timothy R. Sheehy Metropolitan Milwaukee Association of Commerce 756 North Milwaukee Street, Suite 400 Milwaukee, WI 53202	PARTY OF RECORD Stanley Dobosz Town of Griffith 111 N. Broad Street Griffith, IN 46319
PARTY OF RECORD W. James Wochner The Kansas City Southern Railway Company 427 West 12 th Street Kansas City, MO 64121	PARTY OF RECORD Dennis H. Miller Iowa Interstate Railroad Ltd. 5900 6 th Street, S.W. Cedar Rapids, IA 52404
PARTY OF RECORD Honorable Peter J. Visclosky United States House of Representatives 701 East 83 rd Avenue, Suite 9 Merrillville, IN 46410	PARTY OF RECORD Timothy A. Baldermann Mayor Village of New Lenox 1 Veterans Parkway New Lenox, IL 60451

PARTY OF RECORD Alan Anderson Southern Wayne County Regional Chamber 20600 Eureka Road, Suite 315 Taylor, MI 48181	PARTY OF RECORD Gordon P. MacDougall 1025 Connecticut Avenue, N.W. Washington, DC 20036
PARTY OF RECORD Chris Curry Gary/Chicago International Airport Authority 6001 W. Industrial Highway Gary, IN 46406	PARTY OF RECORD Joseph P. Clary Illinois Department of Transportation Division of Public and Intermodal Transportation 300 W. Adams, 2 nd Floor Chicago, IL 60606
PARTY OF RECORD John Sobotik Wisconsin Department of Transportation 4802 Sheboygan Avenue, Room 11 5B P.O. Box 7910 Madison, WI 53707	PARTY OF RECORD Richard Harnish Midwest High Speed Rail Association P.O. Box 805877 Chicago, IL 60680
PARTY OF RECORD Eileen Phipps Village of Wayne 5N430 Railroad Street P.O. Box 532 Wayne, IL 60184	PARTY OF RECORD Kelvin J. Dowd Slover & Loftus 1224 Seventeenth Street, NW Washington, DC 20036
PARTY OF RECORD John A. Lobaito Village of Mundelein 440 East Hawley Street Mundelein, IL 60060	PARTY OF RECORD Joseph W. Werner Village Mokena 11004 Carpenter Street Mokena, IL 60448
PARTY OF RECORD Honorable Thomas McDermott, Jr. Mayor c/o City of Hammond 5925 Calumet Avenue Hammond, IN 46320	PARTY OF RECORD Honorable Pamela J. Althoff Illinois State Senate One North Virginia Street Crystal Lake, IL 60014
PARTY OF RECORD John Mezera City of Joliet 150 West Jefferson Street Joliet, IL 60432	PARTY OF RECORD Bruce A. Knight City of Champaign Planning Department 102 North Neil Street Champaign, IL 61820
PARTY OF RECORD Cameron Moore Champaign County Regional Planning Commission 1776 East Washington Street P.O. Box 17760 Urbana, IL 61803	PARTY OF RECORD Richard Greene Naperville Area Chamber of Commerce 55 South Main Street Naperville, IL 60540
PARTY OF RECORD Rod Nilsestuen Department of Agriculture, Trade and Consumer Protection 2811 Agriculture Drive P.O. Box 8911 Madison, WI 53708	PARTY OF RECORD Morgan B. Johnston University of Illinois at Urbana-Champaign Physical Plant Services Building 1501 South Oak Street Champaign, IL 61820

PARTY OF RECORD Luann Hamilton Chicago Department of Transportation 30N. LaSalle Street, Suite 500 Chicago, IL 60602	PARTY OF RECORD Marcie Schatz Director of TED Business Group City of Naperville 400 S. Eagle Street Naperville, IL 60540
PARTY OF RECORD Robert W. Baker Village of Trout P.O. Box 621 Cary, IL 60013	PARTY OF RECORD Gary D. Adams Village Administrator Village of Oswego 113 Main Street Oswego, IL 60543
PARTY OF RECORD David Cline Mayor, City of Mattoon 208 North 19 th Mattoon, IL 61938	PARTY OF RECORD John Eichelberger, Fire Chief Plainfield Fire Protection District 15025 S. Desplaines Street Plainfield, IL 60014
PARTY OF RECORD Meleah Geertsma Environmental Law & Policy Center 35 East Wacker Drive, Suite 1300 Chicago, IL 60601	PARTY OF RECORD Laura E. Weis Champaign County Chamber of Commerce 1817 S. Neil Street, Suite 201 Champaign, IL 61820
PARTY OF RECORD Brad Cole Mayor, City of Carbondale, Illinois 200 South Illinois Avenue P.O. Box 2047 Carbondale, IL 62902	PARTY OF RECORD Honorable Evan Bayh United States Senate 131 Russell Senate Office Building Washington, DC 20510
PARTY OF RECORD Michael J. Van Poucke The Macom Corporation 3380 Lacrosse Lane, Suite 100 Naperville, IL 60564	PARTY OF RECORD Craig Thompson Transportation Development Association of Wisconsin 131 W. Wilson Street, Suite 302 Madison, WI 53703
PARTY OF RECORD Honorable Karen A. Yarbrough Illinois House of Representatives 272 - Stratton Building Springfield, IL 62706	PARTY OF RECORD Brian McCarthy ArcelorMittal USA Inc. One Dearborn Street Chicago, IL 60603
PARTY OF RECORD Mark L. Fowler Northwest Municipal Conference 1616 East Golf Road Des Plaines, IL 60016	PARTY OF RECORD Jamie Bowden Village Administrator Village of Channahon 24555 S. Navajo Drive Channahon, IL 60410
PARTY OF RECORD Honorable Janice D. Schakowsky United States House of Representatives 1027 Longworth House Office Building Washington, DC 20515	PARTY OF RECORD Steven Bosco Village of Bartlett 228 S. Main Street Bartlett, IL 60103

PARTY OF RECORD Randall S. Blankenhorn Chicago Metropolitan Agency for Planning 233 South Wacker Drive, Suite 800, Sears Tower Chicago, IL 60606	PARTY OF RECORD Stan Wojtasiak Naperville Township 31 W 331 North Aurora Road Naperville, IL 60563
PARTY OF RECORD Honorable Angelo Saviano Illinois House of Representatives 314 State House Springfield, IL 62706	PARTY OF RECORD Anna Montana, Mayor Village of Schiller Park 9526 west Irving Park Road Schiller Park, IL 60176
PARTY OF RECORD Anthony Arredia, Mayor City of Des Plaines 1420 Miner Street Des Plaines, IL 60016	PARTY OF RECORD David Ross, President Duluth Area Chamber of Commerce 5 West First Street, Suite 101 Duluth, MN 55802
PARTY OF RECORD Honorable Elaine Nekritz Illinois House of Representatives 24 South Des Plaines River Road, Suite 400 Des Plaines, IL 60016	PARTY OF RECORD Honorable Mike Fortner Illinois House of Representatives 135 Fremont Street West Chicago, IL 60185
PARTY OF RECORD A. George Pradel, Mayor City of Naperville 400 S. Eagle Street Naperville, IL 60540	PARTY OF RECORD Daniel R. Elliott, III United Transportation Union 14600 Detroit Avenue Cleveland, OH 44107
PARTY OF RECORD Robert J. Schillerstrom, Chairman DuPage County Board 421 N. County Farm Road Wheaton, IL 60187	PARTY OF RECORD Joseph J. Plaistow L.E. Peabody & Associates, Inc. 1501 Duke Street, Suite 200 Alexandria, VA 22314
PARTY OF RECORD Honorable Debbie Stabenow United States Senate 133 Hart Senate Office Building Washington, DC 20510	PARTY OF RECORD Honorable Carl Levin United States Senate 269 Russell Senate Office Building Washington, DC 20510
PARTY OF RECORD Honorable Joe Knollenberg United States House of Representatives 2349 Rayburn House Office Building Washington, DC 20515	PARTY OF RECORD Honorable Thaddeus McCotter United States House of Representatives 1632 Longworth House Office Building Washington, DC 20515
PARTY OF RECORD Honorable William E. Peterson Illinois State Senate 3050 North Main Street Buffalo Grove, IL 60089	PARTY OF RECORD William H. Brimm Village of Buffalo Grove 50 Raupp Boulevard Buffalo Grove, IL 60089

PARTY OF RECORD Steve Greenberg 4730 Westbury Drive Long Grove, IL 60047	PARTY OF RECORD Honorable Tim Walberg U.S. House of Representatives 325 Cannon House Office Building Washington, DC 20515
PARTY OF RECORD Honorable Candice S. Miller U.S. House of Representatives 228 Cannon House Office Building Washington, DC 20515	PARTY OF RECORD Honorable Mark Beaubien Illinois House of Representatives 314 State House Springfield, IL 62706
PARTY OF RECORD Rodney W. Kreunen Wisconsin Railroad Commissioner 610 N. Whitney Way P.O. Box 8968 Madison, WI 53708	PARTY OF RECORD Gerald J. Roper Chicagoland Chamber of Commerce 200 E. Randolph Street, Suite 2200 Chicago, IL 60601
PARTY OF RECORD Honorable Terry Link Illinois State Senate 321 State Capitol Building Springfield, IL 62706	PARTY OF RECORD Thomas and Patricia Wichlinski 1033 N. Broad Street Griffith, IN 46319
PARTY OF RECORD George W. Mayo, Jr. Hogan & Hartson LLP 555 Thirteenth Street, NW Washington, DC 20004	PARTY OF RECORD John M. Scheib Norfolk Southern Corporation Three Commercial Place Norfolk, VA 23510
PARTY OF RECORD Nicholas J. DiMichael Thompson Hine LLP 1920 N Street, N.W., Suite 800 Washington, DC 20036	PARTY OF RECORD Timothy J. Sanders Northwest Indiana Regional Development Authority 9800 Connecticut Drive Crown Point, IN 46307
PARTY OF RECORD Thomas F. DeGiulio Town of Munster 1005 Ridge Road Munster, IN 46321	PARTY OF RECORD Honorable Michael W. Tryon State Representative 1 N. Virginia Street Crystal Lake, IL 60014
PARTY OF RECORD Maurice Gratton PGAC Shippers' Group 800, 717-7 th Avenue SW Calgary, Alberta T2P 0Z3	PARTY OF RECORD Honorable Robert A. Rita Illinois House of Representatives 4818 W. 137 th Street, Suite 2 Crestwood, IL 60445
PARTY OF RECORD Becky Barnhart 5327 Cedar Drive Naperville, IL 60564	PARTY OF RECORD Honorable John M. Shimkus U.S. House of Representatives 2452 Rayburn House Office Building Washington, DC 20515

PARTY OF RECORD Paul Hayes One Town Square Dyer, IN 46311	PARTY OF RECORD Don A. De Graff, Mayor Village of South Holland 16226 Wausau Avenue South Holland, IL 60473
PARTY OF RECORD Edward W. Paesel South Suburban Mayors & Managers Association 1904 W. 174 th Street East Hazel Crest, IL 60429	PARTY OF RECORD Terri Blackmore Washtenaw Area Transportation Study 705 North Zeeb Road, 2 nd Floor Ann Arbor, MI 48103
PARTY OF RECORD Alayne M. Weingartz Corporation Counsel City of Aurora 44 East Downer Place Aurora, IL 60507	PARTY OF RECORD Steven L. Matrisch Office of Transportation Counsel Illinois Commerce Commission 527 East Capitol Avenue Springfield, IL 62701
PARTY OF RECORD John D. Tomaszski, City Administrator City of Crest Hill 1610 Plainfield Road Crest Hill, IL 60403	PARTY OF RECORD Erik Kotewa, Deputy Director Champaign County EDC 1817 S. Neil Street Champaign, IL 61820
PARTY OF RECORD Hildy L. Kingma Village Hall 350 Victory Drive Park Forest, IL 60466	PARTY OF RECORD David M. Austgen Town of Schererville Lake County, Indiana 130 North Main Street Crown Point, IN 46307
PARTY OF RECORD Edward R. Gower Hinshaw & Culbertson LLP 400 South Ninth, Suite 200 Springfield, IL 62701	PARTY OF RECORD John W. Gohmann Small Railroad Business Owners of America 508 Cleveland Avenue North St Paul, MN 55144
PARTY OF RECORD Jery G. Arthur Supply Chain Management Consultant 833 Shoreline Road Lake Barrington, IL 60010	PARTY OF RECORD Honorable John D. Dingell U.S. House of Representatives 2328 Rayburn House Office Building Washington, DC 20515
PARTY OF RECORD George W. Mayo, Jr. National Railroad Passenger Corporation 555 Thirteenth Street, NW, Columbia Square Washington, DC 20004	PARTY OF RECORD Eric L. Hirschhorn Winston & Strawn LLP 1700 K Street, N.W. Washington, DC 20006
PARTY OF RECORD Adrian L. Steel, Jr. Mayer Brown LLP 1909 K Street, N.W. Washington, DC 20006	PARTY OF RECORD Michael L. Rosenthal Covington & Burling LLP 1201 Pennsylvania Avenue, N.W. Washington, DC 20115
PARTY OF RECORD Honorable Susan Garrett Illinois State Senate 129 Capitol Building Springfield, IL 62706	PARTY OF RECORD Ross B. Capon National Association of Railroad Passengers 900 Second Street, NE, Suite 308 Washington, DC 20002