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SENATOR DURBIN

NO. 331 P. 1

RICHARD J. DURBIN
ILLINOIS

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Washington, DC 20510-1304

August 15, 2008

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The Honorable Charles D. Nottingham
Chairman
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Dear Chairman Nottingham:

I write today to express my strong concern over repeated attempts by Canadian National (CN) to short circuit the ongoing Surface Transportation Board (STB) review of their proposed acquisition of the EJ&E.

In May, CN made their first request for an expedited review. They requested the completion of the Environmental Impact Statement (EIS) by December 1, 2008. On July 25, the STB issued a draft EIS with a timeline for a full review that extended into early 2009 – firmly rejecting CN's request. This timeline for review and public comment was explained to Members of the Illinois Congressional Delegation by STB Vice Chairman Frank Mulvey and Board staff in a meeting on July 31. I support this complete and professional evaluation of the CN/EJ&E acquisition as outlined by the STB.

In the two weeks since that meeting, the railroad has twice announced plans to end run the established STB process. On August 6, they announced that they would seek "legal relief" if the STB didn't act before the end of the year. And today, they are again asking the STB to expedite its decision by tabling the environmental review and critical community input.

I find these strong arm tactics unacceptable and ask that the STB strictly enforce the established process for consideration of this transaction, including ensuring that community input is heard and fully considered. Canadian National can make promise after promise, but the fact is that by rushing this process they are asking the STB to make a decision without taking into account the full impact this deal will have on Illinois residents and passenger rail in Illinois – all issues I have continued to raise with your Board and Canadian National.

Mr. Chairman, I strongly encourage the STB to stick to the process that has been publicly announced and to reject CN's attempts to change the rules and timeline. I look forward to the public hearings scheduled for later this month in Illinois. I will continue to do my best to ensure critical public comments are heard by the Board.

Sincerely,



Richard J. Durbin
United States Senator