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December 16, 2006
Suite 1313 – 1212 South Michigan Ave.
Chicago, Illinois 60606



Chairman, Surface Transportation Board
1925 K Street
Washington, D.C. 20423

Subject: Public Comments for STB Docket No. 34972

Dear Sir:

In Docket No. 34972, Fortress Investment Group LLC Control Exemption Rail America, Inc., Applicant states that “ all 30 railroads do not connect with each other”, is not true. The Toledo Peoria, and Western Railroad connects via an operation agreement via the Winamac Southern Railroad between Logansport, Indiana and Kokomo, Indiana Rail America owned Central Railroad of Indiana/Central Railroad of Indianapolis and the Rail America Owned Toledo, Peoria, and Western Railroad Thus it is anticipated that it will restrict shippers from other rail access and it is not exempt from 49 USC 11323/CFR 1180.2(b)(2).

Walter Jackson

Cc: T.M. Hynes, Atty. & L.E. Gitomer, Atty.

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