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THE
NATIONAL
INDUSTRIAL
TRANSPORTATION
LEAGUE

January 28, 2008

NITL-2

Anne K. Quinlan, Secretary
Secretary
Surface Transportation Board
395 E Street S.W.
Washington, D.C. 20423

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

Dear Secretary Quinlan:

This letter is to express the support of the National Industrial Transportation League ("League") of the Railroad Control Application of the Canadian National Railway Company ("CN") and Grand Trunk Corporation ("GTC") (collectively, ("CNR/GTC") filed October 30, 2007 in the above proceeding. In that application, CNR/GTC ask the Board to authorize their proposed acquisition of control of EJ&E West Company ("EJ&EW").

The proposed transaction would appear to have significant transportation benefits by providing CN with a continuous route around Chicago, one of the worst rail chokepoints in the nation. This would result in reduced demand on the rail capacity in the Chicago area, and would help to reduce congestion in the Chicago area. CN customers, and rail customers in general, would benefit from increased fluidity in the Chicago area.

The League would note that its support of this transaction, in light of the transportation benefits, is dependent upon CNR/GTC's assurances in the application that there are no anticompetitive effects. In particular, the League notes the importance of the assurances given by CNR/GTC that the Applicants would keep all gateways affected by the transaction open on commercially reasonable terms; CN/GTC promise no foreclosure of other connecting railroads from participating in movements to or from the service area. The Applicants also state that they will waive any defenses they might otherwise have as a result of the transaction, under the Board's general policy that it does not separately regulate bottleneck rates, in circumstances where a shipper prior to the transaction would have been entitled to the regulation of a bottleneck rate under the Board's "contract exception" to the general rule. See Application, p. 24.

Sincerely,

Peter J. Gatti
Executive Vice President
The National Industrial Transportation League

CERTIFICATE OF SERVICE

I hereby certify that I have on this 28th day of January, 2008, served a copy of the foregoing Letter of Support on all parties of record, by first-class mail, postage prepaid.


Nicholas J. DiMichael