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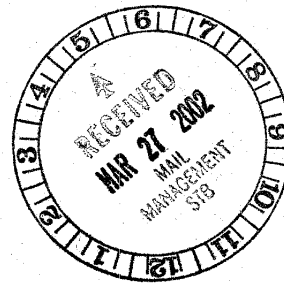
FAX COVER SHEET

Date: January 31, 2002

TO: Vicky Rutson

NUMBER: (202) 565-9000

FROM: Paul Batcheller
Economic Development Director
Senator Tom Daschle
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MESSAGE: Here's a copy of the letter I mentioned. Let me know if you have any questions. Thanks.

Number of Pages (Including Cover Sheet) 2

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United States Senate

WASHINGTON, DC 20510

January 11, 2002

The Honorable Linda Morgan
Chairman
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

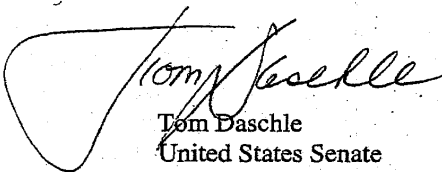
Dear Chairman Morgan:

We are writing regarding the proposed expansion by the DM&E railroad. First, we would like to thank you for the efforts by the Surface Transportation Board (STB) to bring the environmental review of this case to a conclusion. We would also like to proceed without further delay toward the issuance of STB's final decision on this important case.

Reopening, postponing or otherwise delaying the review process would only serve to undermine what, to date, has been an objective regulatory review process. It is essential as a matter of fundamental fairness to all concerned that the regulatory review process proceed according to the procedures and guidelines outlined by the STB at the outset of the review process. A postponement in the review process would only serve to undermine the four years of work that have gone into developing this case, and would introduce an added degree of uncertainty for future cases.

Therefore, we urge the STB to follow past precedent as it completes its handling of this case and proceed with the regulatory review of the DM&E Powder River Basin expansion without delay. We appreciate your consideration of this request and look forward to STB's final decision in this matter.

Sincerely,



Tom Daschle
United States Senate



Tim Johnson
United States Senate

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