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THOMAS F. MCFARLAND

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By e-filing

Vernon A. Williams, Secretary
Surface Transportation Board
395 E Street, S.W., Suite 1149
Washington, DC 20024

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

Dear Mr. Williams:

This refers to the Petition for Reconsideration filed by Indiana Harbor Belt Railroad Company (IHB) on December 17.

American Chemical Service, Inc. (ACS) hereby supports IHB's Petition. ACS is a substantial shipper located on EJ&E at Griffith, Indiana.

IHB has made a compelling case that the proposed CN acquisition of EJ&E is a significant transaction, not a minor transaction. Surely, a Class I rail carrier's acquisition of a strategic regional rail carrier that provides an important through route bypassing Chicago, as well as efficient local service to numerous customers, is of regional transportation significance. Congress intended that transactions of regional transportation significance be processed in accordance with the measured time frames of 49 U.S.C. § 11325(c), rather than abbreviated consideration under 49 U.S.C. § 11325(d).

As a practical matter, the intervening Holiday Season would deplete the already-inadequate preparation time that would apply if the transaction continues to be treated as "minor." At a minimum, therefore, ACS supports a meaningful extension of time for public filings if the Board adheres to the classification of the transaction as minor (i.e., at least a two-week extension to February 11 to correspond to lost time for the Holiday Season).

Very truly yours,

Tom McFarland

Thomas F. McFarland
Attorney for American Chemical Service, Inc

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cc: William Mullins, Esq.
Mr. David Tarpo
Mrs. Sandra Dearden
Service list