

RICHARD G LUGAR
INDIANA

305 HART SENATE OFFICE BUILDING
WASHINGTON DC 20510
202-224-4814

senator_lugar@lugar.senate.gov
http://lugar.senate.gov

22/10/9

COMMITTEE
FOREIGN RELATIONS RANKING MEMBER
AGRICULTURE NUTRITION AND FORESTRY

United States Senate

WASHINGTON, DC 20510-1401

December 6, 2007

ENTERED
Office of Proceedings

DEC 14 2007

Part of
Public Record



The Honorable Vernon A Williams
Secretary
Surface Transportation Board
395 E Street, S W
Washington, D C 20453

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

Dear Secretary Williams:

Please accept this letter as a notice that I intend to participate in the above referenced proceeding as a Party of Record. I request to be added to the service list, and receive copies of all motions, pleadings, correspondence and other filings made in connection with the above-referenced proceeding

I would also like to take this opportunity to comment on the Canadian National Railway Company and Grand Trunk Corporation's request that the Surface Transportation Board (STB) treat the transaction as "minor" under the Board's rules, 49 C F R 1180.2 I believe that the STB should treat this case as a "significant" transaction rather than a "minor" transaction. I commend the STB for determining that an Environmental Impact Study will now be included in the transaction.

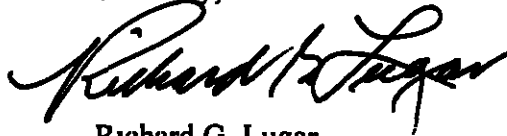
I am concerned about the impacts of this acquisition on Hoosier motorists, pedestrians, and neighboring residents. Canadian National has provided estimates that rail traffic will increase six-fold. In Lake County, Indiana, the Elgin, Joliet and Eastern Railway Company (EJ&E) has 78 at-grade highway-rail crossings. The estimated dramatic increase in rail traffic on the EJ&E line that would result from the acquisition could cause transportation congestion. I also continue to be concerned about the safety of Hoosier motorists, pedestrians, and neighboring residents who would be impacted by the increased rail traffic. As one of the most rail-intensive states in the U.S., Indiana ranks among the top ten states in the nation for the number of deaths and injuries caused by vehicle-train crashes at highway-rail grade crossings. I am equally concerned about the impact of increased rail traffic on air quality in the Northwest Indiana Region.

Thank you for your consideration and your efforts to ensure that this transaction considers all effects on Indiana and nearby communities.

The Honorable Vernon A Williams
STB Docket # FD-35087
Page 2

By my signature below, I certify that I have caused this Notice of Intent to Participate to be served on the parties of record in this proceeding, as reflected in the attached document.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard G. Lugar". The signature is fluid and cursive, with a large initial "R" and "L".

Richard G. Lugar
United States Senator

Enclosure
Cc All Parties of Record

CERTIFICATE OF SERVICE

I hereby certify that on December 6, 2007, the foregoing Notice of Intent to Participate is being served by first-class mail, postage prepaid, on the following:

Hirsh, David A
Harkins Cunningham
1700 K Street, NW, Suite 400
Washington, DC 20006-3817

Noland, Michael
Metra
547 W Jackson Boulevard
Chicago, IL 60661

Cunningham, Paul A
Harkins Cunningham LLP
1700 K Street, N.W., Suite 400
Washington, DC 20006-3817

Mullins, William A
Baker & Miller PLLC
2401 Pennsylvania Ave, NW-Suite 300
Washington, DC 20037

Elliott III, Daniel R
United Transportation Union
14600 Detroit Avenue
Cleveland, OH 44107-4250

Dobosz, Stanley
Town Of Griffith
111 N Broad St
Griffith, IN 46319-2294

Sheys, Kevin M
Kirkpatrick & Lockhart Preston Gates
Ellis LLP
1601 K Street, N W.
Washington, DC 20006

Sheehy, Timothy R
Metropolitan Milwaukee Association Of
Commerce
756 North Milwaukee Street
Milwaukee, WI 53202

Visclosky, Honorable Peter J
U S House of Representatives
701 East 83Rd Avenue, Suite 9
Merrillville, IN 46410-6239

Anderson, Thomas R
Save The Dunes Council
444 Barker Road
Michigan City, IN 46360

Rosenthal, Michael L
Covington & Burling
1201 Pennsylvania Avenue, N W
Washington, DC 20004-2401

Dodds, Katherine
Aux Sable Liquid Products, Inc
6155 East Us Route 6
Morris, IL 60450

McFarland, Thomas F
Thomas F McFarland, P C
208 South LaSalle St Suite 1890
Chicago, IL 60604

Sidman, Mark H
Weiner Brodsky Sidman & Kider P C
1300 19Th Street NW 5Th Floor
Washington, DC 20036-1609

The Honorable Vernon A Williams
STB Docket # FD-35087
Page 4

Brown, Timothy A
Town Of Merrillville
7820 Broadway
Merrillville, IN 46410

Steel Jr, Adrian I.
Mayer Bown L.L.P
1909 K Street NW
Washington, DC 20006

Bean, The Honorable Melissa
U S House Of Representatives
512 Cannon House Office Building
Washington, DC 20115

Reitemeier, Joseph R
207 North Main Street
Fond Du Lac, WI 54935

Mccrory, Donald C
International Port Of Memphis
1115 Riverside Blvd
Memphis, TN 38106-2504

Serpe, Roger A
Indiana Harbor Belt Railroad Company
150 North Wacker Drive, Suite 1500
Chicago, IL 60606-1606

Ross, Harold A
Brotherhood Of Locomotive Engineers
And Trainmen
1370 Ontario Street, Mezzanine
Cleveland, OH 44113

Wolfe, Michael S
Zwerdling Paul Leibig Kahn & Wolfe
1025 Connecticut Ave Nw
Suite 712
Washington, DC 20036

Lukmann, III, L Charles
Harris Welsh & Lukmann
107 Broadway
Chesterton, IN 46304

Lisak, Andrew
The Development Association
1401 Tower Ave., Suite 302
Superior, WI 54880

Sanders, Timothy J
Northwest Indiana Regional
Development Authority
9800 Connecticut Drive
Crown Point, IN 46307

DeGiulio, Thomas F
Town Of Munster
1005 Ridge Road
Munster, IN 46321

Ahearn, Mark G.
Indiana Department Of Transportation
100 North Senate Avenue, Room N758
Indianapolis, IN 46204-2216

Volmer, Neil
Iowa Department Of Transportation
800 Lincoln Way
Ames, IA 50010

Casper, John A
120 Jackson Drive
Oshkosh, WI 54901

Mayo Jr, George W
Hogan & Hartson LLP
555 Thirteenth Street NW,
Columbia Square
Washington, DC 20004-1109

The Honorable Vernon A Williams
STB Docket # FD-35087
Page 5

Pacsel, Edward W
South Suburban Mayors And Managers Association
1904 W 174Th Street
East Hazel Crest, IL 60429

Roper, Gerald
Chicagoland Chamber of Commerce
One IBM Plaza Suite 2800
Chicago, IL 60611

Hayes, Paul
Town of Dyer
One Town Square
Dyer, IN 46311

Guthrie, Paul
Canadian Pacific Railway
Suite 500 Gulf Canada Square
401 9th Avenue SW
Calgary, AB T2P 4Z4

Olson, David C
Minnesota Chamber Of Commerce
400 Robert Street North, Suite 1500
St Paul, MN 55101

Smith, Paul Samuel
U S Department Of Transportation
1200 New Jersey Avenue, S.E.
Washington, DC 20590

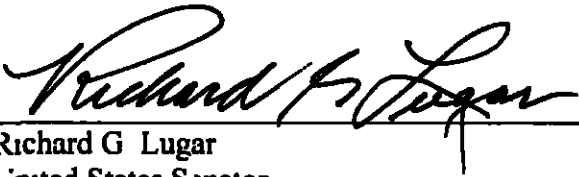
Matrisch, Steven I.
State of Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

Quigley, Steven
Will County Governmental League
50 East Jefferson Street, Suite 101
Joliet, IL 6032-4298

The Honorable Vernon A. Williams
STB Docket # FD-35087
Page 6

AFFIRMATION IN LIEU OF AN OATH

I, Richard G. Lugar, declare under penalty of perjury that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this Notice of Intent to Participate. Executed on December 6, 2007.



Richard G. Lugar
United States Senator