



September 8, 2008

Ms. Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, Southwest
Washington, D.C. 20423

**RE: Canadian National Railway Company and Grand Trunk Corporation
Control—EJ&E West Company (STB Finance Docket No. 35087)**

Dear Ms. Quinlan:

We are writing to request that the Section on Environmental Analysis (SEA) of the Surface Transportation Board (STB) schedule additional public hearings in Indiana to receive comments on the Draft Environmental Impact Statement (EIS) and extend the length of the public comment period for the proposed acquisition of the Elgin, Joliet, & Eastern Railroad (EJ&E) by Canadian National Railroad (CN).

As noted by those involved in this proceeding, including staff of the SEA, the level of input from interested parties has been unprecedented. In the formation of the Draft EIS, the SEA received over 5,000 registered comments submitted by individuals, business owners, transportation organizations, and elected officials. Many of these comments expressed concerns over the effect the dramatic increase in train traffic proposed by CN will have on the quality of life in their communities. Further, the affected communities in Indiana and Illinois have formed a broad coalition to advocate their collective interests on the proposed acquisition, which leads us to believe that public interest will increase significantly during the comment period for the Draft EIS. However, despite this tremendous demonstration of concern by the public, the SEA adopted a hearing schedule that will not provide a sufficient opportunity for many of our constituents to participate.

In Indiana, the towns of Dyer, Schererville, Griffith and the cities of Gary, Hammond, East Chicago, and Whiting will each experience significantly more train traffic, which will result in increased congestion and air-pollution from cars waiting at grade crossings, and an increase in the risk of vehicle-train and pedestrian-train collisions. Yet, the over 250,000 residents of these seven municipalities will only have a single opportunity to participate in a public meeting on the Draft EIS. We strongly urge the SEA to hold an additional hearing in Northwest Indiana to allow the residents of the region an ample opportunity to express their concerns with the impact of this transaction.

Ms. Anne K. Quinlan
September 8, 2008
Page 2

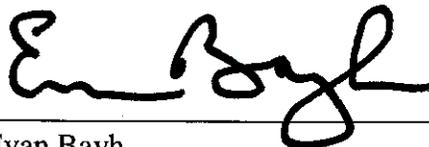
In addition, the SEA provided only a 60-day public comment period for the Draft EIS. This comment period is merely 15 days more than the minimum number of days for public review set forth in the Council of Environmental Quality regulations. Given the breadth and magnitude of the multi-volume Draft EIS released by the SEA and the number of concerned citizens along the EJ&E arc, this 60-day period does not provide adequate time for interested parties, agencies, government entities, and members of the general public to analyze and comment on all aspects of the transaction. We strongly urge the SEA to extend the public comment period by a minimum of 30 days to give the impacted parties adequate time to evaluate the Draft EIS.

We appreciate your serious consideration of this matter.

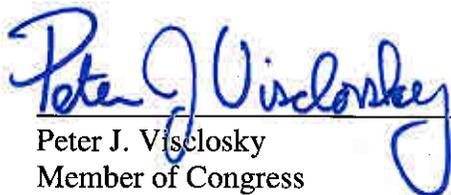
Sincerely,



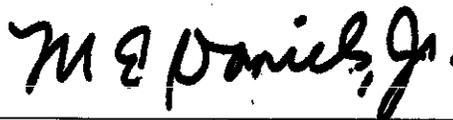
Richard G. Lugar
United States Senator



Evan Bayh
United States Senator



Peter J. Visclosky
Member of Congress



Mitchell E. Daniels, Jr.
Governor of Indiana

Cc: Chairman Charles "Chip" Nottingham
Cc: Vice Chairman Francis P. Mulvey
Cc: Board Member W. Douglas Buttrey
Cc: Ms. Victoria J. Rutson
Cc: All Parties of Record