

Congress of the United States
Washington, DC 20515

February 28, 2008

E. Hunter Harrison
President
Canadian National Railroad
935 de La Gauchetière Street West
Montreal, Quebec
H3B 2M9

Dear Mr. Harrison:

We are writing you to express our current opposition to Canadian National Railroad's (CN) proposed acquisition of the Elgin, Joliet and Eastern Railroad (EJ&E) and request a meeting with you to discuss this acquisition further.

First, we are concerned with the adverse impacts the proposed increase in freight traffic will have on many communities along the EJ&E. Many communities unaccustomed to and ill-equipped to handle freight traffic are facing a four-fold increase. This increase will cause significant delays on already congested arterial roads in the collar counties. First responders will be unable to respond quickly to emergencies in communities that will now be divided by trains nearly two miles in length.

In your verified statement in Canadian National's Railroad Control Application filed October 30, 2007, you state, "We are committed to working with the communities affected by the re-routed traffic to address their specific concerns." However, in an article that ran in *The Chicago Tribune* on February 13, 2008, CN officials stated the company was only willing to pay its "fair share" to build overpasses or underpasses at "three or four" points along the EJ&E. With nearly 140 crossings along the EJ&E, we would like to discuss your plan for funding these mitigation projects and your plan for those communities which would not receive underpasses or overpasses under your proposal.

Looking broadly at the entire region, we are also concerned that the proposed acquisition plan only projects freight traffic for the next three years. We understand that CN is in the process of purchasing a container terminal at the Port of Prince Rupert, which will lead to international freight traffic growth on its tracks for many years beyond the three year projection. Much of this increased traffic will be routed through the Chicago area, which will mean either an increase beyond the projections for the EJ&E line, or a return of freight traffic on the CN lines which the EJ&E is meant to detour. We would like to discuss your plans for this increase in traffic.

Furthermore, we are concerned that the proposed acquisition could jeopardize Metra's New Start project STAR Line (Suburban Transit Access Route). The STAR Line is a first-of-its-kind project to connect suburbs to suburbs, providing 1.2 million residents with new access to mass transit. The Chicago area delegation has worked tirelessly to bring this project to fruition in order to stir economic development and make the Chicago area more accessible for the proposed

2016 Olympics. However, the STAR Line's 55-mile route would utilize a corridor running approximately 36 miles along the EJ&E railroad. Any increase in freight traffic along this track would likely require Metra to build additional track to operate commuter trains, increasing proposed costs and delaying completion. This additional cost would come at a time when the state of Illinois is struggling to meet the current needs of our regional transit system.

Finally, at a state level, CN's acquisition of the EJ&E would jeopardize Amtrak service between Chicago, Champaign and Carbondale. Currently, Amtrak uses an eleven mile stretch of CN's track between the St. Charles Airline and 95th Street in the city of Chicago. Your STB filing would allow CN to abandon this stretch of track. You recently have suggested that Amtrak would be allowed to use the Airline indefinitely. While your offer seems positive, you have failed to mention that your recent offer assumes Amtrak be required to cover all maintenance expenses associated with the line. IDOT and others have asked you multiple times for details on the entire cost of maintaining that track, unfortunately you have refused to disclose that cost.

Last year, routes along this line had the greatest increase in ridership of any Amtrak route in the national system—a 67.4 percent increase. Compromising these routes would almost certainly jeopardize further Amtrak expansion in Illinois and devastate the Illinois communities along the routes. Despite requests, CN has declined to make any commitment to addressing this concern and has instead left Amtrak's future operations in question.

Mr. Harrison, an acquisition of this size will have a dramatic impact on the Chicago region for years to come. At this point, Canadian National has not demonstrated a willingness to meet the needs of the communities along the EJ&E, provide long-term commitments to the region, or guarantee full cooperation with the proposed STAR Line and current Amtrak service, which leads us to oppose the acquisition as it stands today. We look forward to discussing our concerns with you in greater detail in the future.

Sincerely,



Richard Durbin
U.S. Senator



Melissa L. Bean
Member of Congress