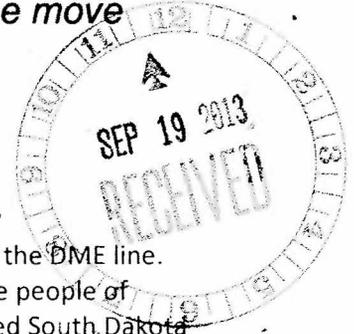


234839  
ENTERED  
Office of Proceedings  
September 19, 2013  
Part of  
Public Record



Re: *Canadian Pacific Railway Company, et. al. – Control – Dakota, Minnesota & Eastern Railroad Corp., et. al.*, Finance Docket No. 35081 *Sub 2*



Dear STB Members:

I am writing to express my concern over the CP's operation and possible sale or lease of the DME line. CP's announced plans to sell are of great concern to members of our community and the people of South Dakota as well. If implemented, they could eliminate the benefits CP had promised South Dakota farmers and shippers, leaving them with marginalized service and fewer competitive options than those that existed when DM&E first began operations in 1986.

When the CP sought to purchase the DM&E they committed to make substantial investments in the line. The people of South Dakota relied on those commitments and supported CP's acquisition based on CP's promises. Had the people known in just a few short years CP would flip the track and eliminate access to Minneapolis/St. Paul, Mankato, Waseca, Winona, and Chicago, to name a few, it is hard to imagine CP would have received the support it did for the acquisition.

Several shippers have made considerable investments on the existing tracks to expand to shuttle loading facilities based on rail availability to markets. Those investments are now at risk. Other shippers have suspended additional investments in expansion plans as a result of CP's recent announcement.

The Surface Transportation Board's approval of the South Dakota petition would allow CP to publicly justify its belated effort to avoid these track upgrades and service to the STB, South Dakota farmers, shippers, and communities who relied on their representation.

Please accept this letter as an expression of my complete support for the SD DOT's Petition to Enforce Canadian Pacific Railway Company's Investment Representations in the above-captioned matter.

Thank you.

Sincerely,

Laurie R. Gill, Mayor  
City of Pierre

CC:  
The Hon. Daniel R. Elliott III  
The Hon. Ann D. Begeman  
The Hon. Francis P. Mulvey  
The Hon. Mayor Tim Reed



Mr. Daniel Ainslie  
Mr. Brian Hammerbeck  
Mr. Craig Haugaard  
Mr. Richard Jones  
Mr. John Leseur  
Mr. Lyndell Petersen  
Mayor Tim Reed  
Ms. Lisa Richardson  
Mr. Justin Sell  
Mr. Duane Sutton  
Mr. Clinton Vanneman

Office of the Mayor  
City of Pierre  
222 East Dakota  
Pierre, SD 57501



September 11, 2013

Surface Transportation Board  
395 E. Street, SW  
Washington, DC 20423-0111

Dear Surface Transportation Board Members,

I, on September 11, 2013, certify that all parties of record in regard to the United States Department of Transportation Surface Transportation Board Docket number 35081 have been served by first class mail.

Sincerely,

Laurie R. Gill, Mayor  
City of Pierre



SURFACE TRANSPORTATION BOARD  
395 E. Street, SW  
Washington, DC 20423-000



Re: *Canadian Pacific Railway Company, et. al. – Control – Dakota, Minnesota & Eastern Railroad Corp., et. al.*, Finance Docket No. 35081 *Sub 2*

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Laurie R. Gill, Mayor  
City of Pierre

CC:

The Hon. Daniel R. Elliott III  
The Hon. Ann D. Begeman  
The Hon. Francis P. Mulvey



RESOLUTION #2509  
TO THE SURFACE TRANSPORTATION  
BOARD OF THE PETITION OF THE STATE OF SOUTH DAKOTA  
FINANCE DOCKET #35081

WHEREAS, Hughes County is located in the central portion of the State of South Dakota and is the economic center of central South Dakota and includes vast agricultural area on its prairies; and

WHEREAS, Hughes County includes Pierre, the Capital City of South Dakota which is a wholesale, retail, and commercial center with business and agricultural needs for rail services upon which it depends; and

WHEREAS, the County has many grain producers, a fertilizer manufacturer, manufacturing wholesalers and distributors which depend upon rail services to deliver their materials and products and to receive shipments from outside the State of South Dakota; and

WHEREAS, the Canadian Pacific Railroad owns and operates the only west to east statewide railroad service which provides service to Pierre and Hughes County, South Dakota, with connections to eastern and western South Dakota and beyond to the central and eastern United States, especially the major grain markets and commercial manufacturing centers; and

WHEREAS, CP also owns and operates the railroad line from Colony, Wyoming to Pierre, South Dakota, which provides rail service to ship bentonite from the mines at Colony, Wyoming east across South Dakota to eastern markets; and

WHEREAS, many businesses, both agricultural and commercial, depend upon reliable rail service to serve their needs in Hughes County; and

WHEREAS, the maintenance and improvement of the CP line through South Dakota to Tracy, Minnesota is vital to its continued operation; and

WHEREAS, the Honorable Dennis Daugaard, Governor of the State of South Dakota, has petitioned the Surface Transportation Board to require CP to demonstrate compliance with the commitments which it made for capital improvements and safety compliance on the railroad track in South Dakota at the time of the purchase thereof from the Dakota Minnesota and Eastern (DME) Railroad; and

WHEREAS, the portion of the CP railroad line from Rapid City to Pierre, South Dakota, which is part of the CP line, is a vital connection to Eastern South Dakota and markets beyond which line must be maintained as it is so important to Hughes County and the entire state of South Dakota; and

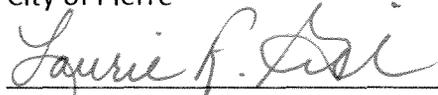
WHEREAS, when CP acquired the DME railroad in South Dakota, it made commitments to expend capital sums to improve the railroad lines; and

WHEREAS, such maintenance is vital to the continuation of rail service to central South Dakota in the City of Pierre and Hughes County.

NOW, THEREFORE, the Pierre City Commission does hereby adopt, in its entirety, the Petition of the State of South Dakota endorsing the same with the, unqualified support to the prayer for relief set forth therein; and does direct its administrator to prepare and furnish a certified copy of this Resolution for submission to the Surface Transportation Board of the United States in such proceeding now known as Canadian Pacific Railway Company, et al. - Control - Dakota, Minnesota & Eastern Railroad Corp, et al., Finance Docket No: 35081.

Dated this 3<sup>rd</sup> day of September, 2013.

City of Pierre



Laurie R. Gill, Mayor

ATTEST:



Twila Hight, Finance Officer