

Before the
SURFACE TRANSPORTATION BOARD

Finance Docket No. 35087 (Sub-No. 8)

238639

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Public Record

**CANADIAN NATIONAL RAILWAY COMPANY AND GRAND TRUNK
CORPORATION – CONTROL – E J & E WEST COMPANY**

REPLY TO PETITION FOR RECONSIDERATION

As the mayor of Aurora, Illinois, the co-chair with Mayor Karen Darch of the TRAC Coalition that represented the interests of the region vis-à-vis CN's purchase application of the EJ&E rail line before the Board, and leader of a community that was granted grade separation mitigation following the NEPA review for that transaction, I support Barrington's June 4, 2015 Reconsideration Petition to the Board seeking a grade separation at U.S. Hwy. 14 and the EJ&E.

Having worked with Mayor Darch on rail issues over the last eight years, I must laud her continuing leadership in supporting community interests on oversight matters before the Board. She has demonstrated a true commitment to the interests of her constituents, as well as the interests of the general public throughout the region on this transaction. Partnering with Mayor Darch has enabled me to have an understanding of the congestion her town is experiencing due to CN operations.

With all frankness, I cannot understand why the Board did not recognize in 2008 that the environmental impacts in Barrington at U.S. Highway 14 were – for all practical purposes – identical to the situation here in Aurora at U.S. Highway 34. That we received a grade separation (which has entered the construction phase) and Barrington did not, makes little sense, given the facts.

In 2011, Barrington contracted with a traffic engineering firm to conduct a comparative traffic analysis based on CN's post-acquisition operations on the EJ&E. That analysis showed that the impacts in Aurora were practically identical to Barrington's in terms of hours of daily delay due to CN's freight operations. The projected delay at U.S. Highway 34 in Aurora was 114 hours daily, while the projected delay at U.S. Highway 14 was between 98 to 116 hours daily. The similar hours of delay is quite remarkable given that Aurora is the second largest city in Illinois with a population of nearly 200,000 and an ADT at that crossing of 46,000 vehicles, while Barrington is a small town with a population of just over 10,000 and the crossing in question having an ADT of 30,700 vehicles. Furthermore, Barrington demonstrated in that 2011 traffic analysis that it has a significant problem with vehicle queues dispersing at US. 14.

Given the expense of constructing a grade separation, Barrington has been severely impacted by the Board's failure to grant grade separation relief in 2008. In my studied opinion, this amounts to a true injustice to the people who work, live, and commute through the greater Barrington region.

The Board has an additional two years of oversight on this transaction, and it is clear that it can act at its own volition to remedy this injustice. I would urge the Board to do so, as expeditiously as possible.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Tom Weisner". The signature is written in a cursive style with a large, sweeping initial "T".

Tom Weisner
Mayor
City of Aurora, Illinois
June 16, 2015

Certificate of Service

I, Suzanne M. Devane, do hereby certify that on June 16, 2015, I served a true copy of the foregoing Aurora, IL Reply to Petition for Reconsideration on all parties of record by email. I also served a copy by email on counsel for Canadian National Railway Company, Paul A. Cunningham and David A. Hirsh.

A handwritten signature in cursive script that reads "Suzanne M. Devane".

Suzanne Devane
President
HD Resources