

Citizens for Equitable Enforcement of 49 U.S.C. 11323  
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12/31/2012

FD 35506  
ENTERED  
Office of Proceedings  
January 9, 2013  
Part of  
Public Record

The Honorable Daniel R. Elliott III  
Chairman  
Surface Transportation Board  
395 E. Street S.W.  
Washington, D.C. 20423

Dear Chairman Elliott:

I am writing to you concerning the possible fraud and distortion of facts concerning the ordered sale of railroads owned by Berkshire Hathaway Corporation.

As ordered by your agency, Berkshire Hathaway was ordered to become compliant by Dec 31, 2012 by disposal of its additional railroad properties to a non-railroad entity.

What in fact is believed to have happened with the divestiture of the White City Terminal Union Railroad (WCTU) was the WCTU was sold to a railroad agent with possible legal, financial and operational assistance from one or more railroads. As a "Straw Dog" scenario, the new railroad agent owner is acting only as an agent long enough to receive title and stock ownership of the WCTU. Later WCTU stock will pass to the true owner railroad, **circumventing Surface Transportation Board rules and requirements**, and exempting the BNSF railway from any mutli-railroad ownership public hearing process.

We urge the Surface Transportation Board (STB) to carefully examine the new ownership of WCTU, sources of financing used for the purchase of the WCTU, require a time limit of twenty or more years before any WCTU stock sale can take place to any other person or company without STB approval and swift punishment for any other railroad companies possible conspiracy efforts to ignore federal law 49 U.S.C. 11323.

Respectfully

  
Matthew Winters  
President  
CEE 49 U.S.C. 11323