

United States Senate

WASHINGTON, DC 20510

June 24, 2015

239340

ENTERED
Office of Proceedings
October 8, 2015
Part of
Public Record

The Hon. Daniel Elliott
Chairman
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

The Hon. Ann D. Begeman
Vice Chairman
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

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

Dear Chairman Elliott and Vice Chairman Begeman:

We write to you again regarding the Village of Barrington's petition seeking additional mitigation efforts from the Canadian National Railway Company (CN) following its acquisition of the Elgin, Joliet and Easter Railway Company (EJ&E) in Illinois. After reviewing the Surface Transportation Board's recent decision to deny the Village of Barrington's 2014 petition, we remain concerned that the Board did not closely reexamine the 2008 Office of Environmental Analysis (OEA) report that may have used flawed data in assessing the community impact of the sale. Therefore, we write in support of Barrington's petition for reconsideration, which was submitted on June 4, 2015.

When CN acquired the EJ&E rail line in 2008, it expanded the footprint of rail congestion in northeastern Illinois. When considering CN's acquisition, the Board relied on the 2008 OEA traffic analysis that suggested minimal impact at Barrington's railroad crossings. However, the Village of Barrington has performed its own traffic analyses after the CN began operating on the line, which found actual traffic density and gridlock to be far worse than predicted in the 2008 OEA study. In light of these disparities, we wrote to the Board in December 2011 requesting a close review and reconsideration of mitigation measures. Due to the lack of action by the Board and the absence of a grade separation at U.S. Highway 14 and the CN rail line in Barrington, mobility and public safety remain significant problems for the community.

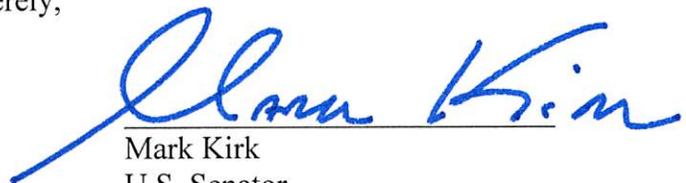
We are concerned by the Board's dismissive response to the Village of Barrington's 2014 petition for reconsideration that presented additional evidence to support the Village's request for a grade separation. We urge the Board to fully reconsider its denial of Barrington's mitigation request and to grant grade separation relief if it is warranted based on the criteria used by the board in 2008.

Thank you for your consideration of this request.

Sincerely,



Richard J. Durbin
U.S. Senator



Mark Kirk
U.S. Senator