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# United States Senate

WASHINGTON, D.C. 20540

December 5, 2011

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

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

The Honorable Francis P. Mulvey  
Commissioner  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423

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Re: Docket No. FD 35087 (Sub-No. 8)

Dear Chairman Elliott, Vice Chairman Begeman and Commissioner Mulvey:

We write to you regarding the Village of Barrington's petition seeking additional mitigation efforts from the Canadian National Railway Company (CN) following its acquisition of the Flgin, Joliet and Eastern Railway Company (EJ&E) in Illinois. We feel that the Village's recent discoveries about potentially flawed data used to calculate the community impact of the sale warrant the Board's close review.

In May 2011, the Village commissioned a new study regarding the impact of CN's increased use of the EJ&E line that bisects the community. The Village's engineering firm discovered several flaws in the methodology used by the Board's Traffic Operational Analysis. The original study included many streets outside of the heavily impacted area, diluting the actual congestion impacts where they matter most. The original study also focused too narrowly on certain times of day, which led to results that do not accurately reflect delays occurring at rail-highway crossings throughout the entire day.

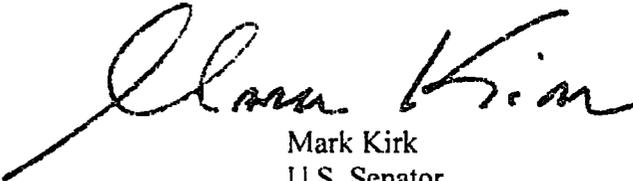
The Village's more comprehensive study found traffic delays significantly higher than the Board's original study, especially at the U.S. Route 14 crossing. The new study found CN rail traffic will increase delays at U.S. Route 14 by over 1,000 percent. The Board mandated CN partially fund grade separations at two crossings where CN's rail traffic increased delays much less than in Barrington - U.S. Route 30 (686 percent) and U.S. Route 34 (286 percent)

The Village of Barrington currently does not have any grade-separated crossings with the EJ&E rail line. The Village's new study demonstrates the lack of any grade-separated crossing in Barrington adversely affects regional mobility and public safety. We encourage the Board to utilize its oversight jurisdiction of the EJ&E transaction to examine the new study brought forward by the Village, and reconsider a grade separation in the Village of Barrington.

Thank you for your consideration of this request.

Sincerely,

  
Richard J. Durbin  
U.S. Senator

  
Mark Kirk  
U.S. Senator