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PETER MacGREGOR

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**THE SENATE
STATE OF MICHIGAN**

ENTERED
Office of Proceedings
August 30, 2016
Part of
Public Record

August 30, 2016

Daniel R. Elliott III
Chairman
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20034

Re: Docket No. FD 35187 (Sub-No. 1)
Grand Elk Railroad, Inc. – Acquisition of Incidental Trackage
Rights Exemption -- Norfolk Southern Railway Company

Dear Chairman Elliott, Vice Chairman Miller and Commissioner Begeman:

As a Michigan State Senator from the 28th District I am writing in response to the above-referenced proceeding. I urge the Surface Transportation Board to act quickly and decisively to restore recently-disrupted Grand Elk Railroad (“Grand Elk”) operations in Grand Rapids, MI. My district relies upon Grand Elk’s railroad transportation services, and we are harmed by the current railroad service disruption. I understand that Grand Elk is taking necessary legal action to restore its service in Grand Rapids in the face of another railroad’s obstruction. Also, I understand that the Board has the authority to order Grand Elk service restored quickly, and I have a vested interest in seeing that happen. Accordingly, your prompt attention to this matter is urgently requested.

I have never had reason to believe that use of Grand Elk service would be disrupted without advance warning, particularly not without the Board permitting Grand Elk’s cessation of service in the first place. Because Grand Elk has been prohibited from accessing certain lines in Grand Rapids, despite years of operation over those lines.

That a short line operator such as Grand Elk could be forced for reasons of a contract dispute with another railroad to cease service on lines over which it has operated for several years is baffling. I do not believe that the Board would sanction such service disruptions, or allow shippers that have come to depend upon Grand Elk to be deprived of railroad transportation due to an apparent contract dispute. It appears to me that the Board can and should direct the restoration of Grand Elk service, and that it should order the railroads in this dispute to negotiate new terms of operation in Grand Rapids.

I look forward to your prompt action on this issue. I urge your expedited consideration of Grand Elk's filings in this proceeding, and look to the Board to take all necessary action to restore the 28th District's access to Grand Elk's railroad service as soon as possible.

Sincerely,

A handwritten signature in cursive script, appearing to read "Peter F. MacGregor".

Peter MacGregor
Michigan State Senator – 28th District

CC:

Deb Miller, Vice Chairman
Ann D. Begeman, Commissioner