

CAL FREIGHT

A DIVISION OF SANDAIR, INC.

Logistics/Storage

January 10, 2013

The Honorable Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E Street, SW, Room #100
Washington, DC 20423-0001

233666

ENTERED
Office of Proceedings
January 11, 2013
Part of
Public Record



Re: Finance Docket No. 32760, *Union Pacific Corporation, Union Pacific Railroad Company and Missouri Pacific Railroad Company -- Control and Merger -- Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp. And the Denver and Rio Grande Western Railroad Company*

Dear Ms. Brown:

This letter is in support of the Joint Petition of BNSF Railway and G3 Enterprises for Enforcement of Decision No. 44.

We lease approximately 75,000 square feet of warehouse space from G3 Enterprises at their site at the corner of Whitmore and Crows Landing in Modesto, CA. We have boxcar contracts with the UP Railroad for the G3 site.

With indoor boxcar loading docks, the G3 site is an ideal Modesto location for the food grade products we handle for our customer's. Unfortunately, the UP Railroad has refused us access to the BNSF Railroad and increased our boxcar rates by over \$600 per car compared to rates available to us for similar commodities on the BNSF Railroad. Trans-loading to the BNSF Railroad is not a viable option costing us over \$1,400 per boxcar. This puts us at a serious competitive disadvantage when shipping boxcars from the G3 site.

Our ability to grow and create jobs is dependent upon obtaining fair and competitive cost effective boxcar rates and services for our customers. It was our understanding the concessions agreed to by the UP Railroad in their merger with the SP Railroad would provide for dual service and reciprocal switching at sites such as the G3 location. The UP Railroads refusal to honor its merger commitments is unfair and puts us at a serious economic disadvantage. We respectfully urge the Surface Transportation Board to hold the UP Railroad accountable to their merger commitments to provide competitive BNSF access to the G3 site in Modesto, CA.

Respectfully,

A handwritten signature in black ink, appearing to read 'Patrice Goulart'.

Patrice Goulart
VP of Warehouse Distribution

cc: Jolene Yee, Esq.
Adrian L. Steel, Jr., Esq.
Michael L. Rosenthal, Esq.

