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United States Senate

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COMMITTEES:
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232724

July 31, 2012

ENTERED

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

Office of Proceedings
July 31, 2012
Part of
Public Record

Re: STB Docket No. FD 35654

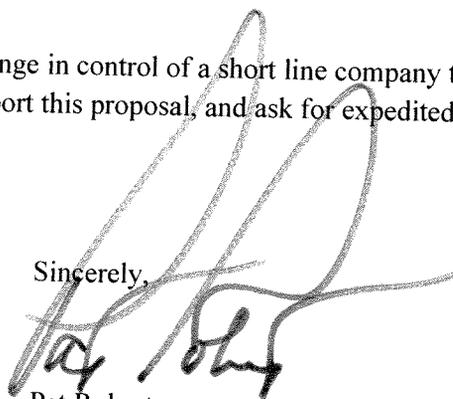
Dear Chairman Elliott:

Genesee & Wyoming, Inc. has proposed to acquire RailAmerica, Inc., the owners of the Kyle Railroad, based in Phillipsburg, Kansas. I have been an active supporter of short line railroads for many years, and I believe that short line railroads thrive when they are allowed to operate in an environment of minimal government intrusion. For this reason, I urge an expedited review of this proposed acquisition.

In major transactions where railroads are merging in a manner that directly impacts service offerings and rail access for railroad customers, a more stringent review of the transaction may be warranted. In this case, of the over 100 short line railroads impacted by this change in ownership, only two railroads directly interchange traffic between each other. Neither of those railroads are in Kansas. As such, there is minimal opportunity for Genesee & Wyoming to engage in behavior that is harmful to Kansas rail customers. Also, unlike major past mergers between two very large railroad companies, no environmental impacts are expected from the construction of new railroad yards since the vast majority of these railroads do not directly connect.

Because this transaction is more akin to a change in control of a short line company than it is to a major merger between large Class I railroads, I support this proposal, and ask for expedited review and approval of it by the Surface Transportation Board.

Sincerely,



Pat Roberts

U.S. Senator