

Aaron Fukuda

7450 Mountain View Street, Hanford, California 93230

April 1, 2014

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

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ENTERED
Office of Proceedings
April 2, 2014
Part of
Public Record

Re: California High Speed Rail Authority Petition for Exemption of the Fresno to Bakersfield HST Section (Finance Docket No. 35724 (Sub-No. 1))

Dear Ms. Brown,

I write this letter to you and the Surface Transportation Board (STB) to object to the Motion for Leave to File a Reply to Public Comments (Motion) that was submitted by the California High Speed Rail Authority (Authority) on March 27, 2014.

In the Motion the Authority indicated that under 49 C.F.R. Section 1104.13(c), which prohibits a "reply to a reply", the STB is not authorized to receive comments beyond those submitted by the public response to a petition. Beyond the recognition that submission of a reply is not allowed, the Authority proceeded to include a Reply to Public Comments as if the STB would authorize such a submission. The replies were submitted under the notion that the record was incomplete. However, the record in this docket case is complete given that the STB received the original petition on September 26, 2013 and the public provided comments to that petition according to the findings served on December 4, 2013 and February 4, 2014. Not found in either decisions handed down by the STB was the direction or potential to provide further commentary by the petitioners (Authority).

In the event that the STB grants acceptance of this document, I believe the STB must first acknowledge that it is not allowed per the 49 C.F.R. Section 1104.13 (c) and provide a ruling/decision that outlines the reasoning for abandoning regulations in favor of the petitioners request. Lastly, I respectfully request, in the event this document is entered into the record that the public be given an opportunity to provide further feedback of this document under a 20-day comment period. This represents that same comment period enjoyed by the petitioner beyond the public comment period, which closed on March 7, 2014.

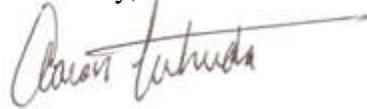
This request by the Authority only highlights the disregard for laws and regulations, which have been established to protect the public and the petitioner. This same aggressive project handling was noted by Sacramento Superior Court Judge Michael Kenny in his following ruling:

*"...the Court concludes that the **Authority abused its discretion** by approving a funding plan that did not comply with the requirements of the law."*

The California High Speed Rail Project is by my estimations only in its infancy. Allowing this agency to "step out of bounds" and manipulate the public process will only yield a further mismanaged and out of control project. In its role as an oversight agency, the STB might represent the only means by which the public will be able to hold the Authority accountable.

I greatly appreciate your time and effort in reviewing this letter and ask that given the current rules governing the STB process that you immediately deny the Motion and disregard the Reply to Public Comments.

Sincerely,

A handwritten signature in cursive script that reads "Aaron Fukuda". The signature is written in dark ink and has a long horizontal flourish extending to the right.

Aaron Fukuda