

June 13, 2016

Chairman Daniel R. Elliott III
Vice Chairmen Deb Miller
Member Ann D. Begeman
Surface Transportation Board
395 E Street S. W.
Washington, DC 20423

Finance Docket No. 36025
Petition to REJECT Motion for Protective Order

Dear Chairman Elliot, Vice Chairman Miller and Ms. Begeman:

As a private citizen and impacted landowner, I am asking the board to oppose this motion made by Texas Central Railroad and Infrastructure, Inc. & Texas Central Railroad, LLC (TCR) for a protective order.

TCR speaks of adverse competitive impact. To speak in this regard, TCR would have to identify their competitor. In TCR's own words "they are the first to introduce a technology of this kind". As of this date there is no known competitor. So the statement "adverse competitive impact" is a farce and deceptive. The parties requesting the information are not competitors trying to steal their project or trade secrets but instead just average landowners and tax payers. These are the individuals who will be responsible to pay taxes to supply the moneys that TCR will seek in future tax subsidies. The tax payers and landowners could not possibly afflict competitive harm to TCR. In fact, TCR has provided no rational proof of potential harm.

TCR mentions an "unnecessary public disclosure" of information. The major problems that TCR now faces are a result of their actions – namely many inconsistent statements asserted by themselves, their employees and others encouraged to speak on their behalf. These statements have been posted all over the internet in YouTube videos and statements they have made at closed door meetings and their open house meetings (which I will remind you, did not allow for all affect/impacted landowners to attend.)

TCR has had a history of not being forth coming and operating in shadows of secrecy. *The average tax payer has a right to be properly informed of projects that will impact their lives.* Such impacts would include;

- TCR proving beyond a shadow of a doubt that this project is viable (that's not unreasonable).
- TCR should prove that their project will not contribute to an environmental disaster (again not unreasonable).
- TCR should have to provide documentation to all requests made by the public (again not unreasonable).

If you are not aware, in Harris, Waller and many other counties in which this project is proposed to traverse has experience one of the worst flooding events in history and is projected to become a regular occurrence in the future. One item that has consistently affected flooding is past projects not being in compliance. One concern with this project is it too will further intensify the flooding problem when there are torrential down pours, not to mention tropical storms or hurricanes.

TCR's attempt to seek a protective order seems to be a way for them to arbitrarily stamp every document as either "Confidential" or "Highly Confidential" so that they can continue to operate in a cloud of secrecy. There were several well written and professional requests made to access information for the public so that they can be better informed by *ALL* the facts, not the facts TCR's wants the public to believe. When disclosing information, the receiver should not be bonded by restrictions of privacy. Any objections based on vague assertions of competitive dangers should be squashed. There is nothing private about this proposed project.

I petition the board to look beyond TCR's motions and take in consideration all comments and requests as none of them are unreasonable, nor will any request be a cause for a competitive disadvantage. Their latest petition is a ploy to dodge their accountability to Texas landowners and tax payers. I humbly petition the Board to **REJECT** TCR's Motion for Protective Order.

Sincerely,

Connie Shivvers

cc: Parties of Record