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May 12, 2016

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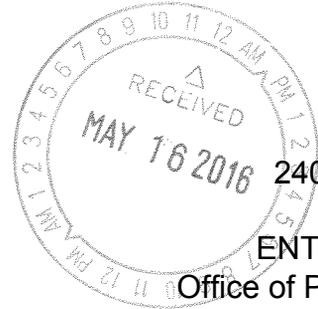
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Surface Transportation Board
ATTN: Filing Clerk
395 E. Street, SW
Washington, D.C. 20423-0001

ENTERED
Office of Proceedings

MAY 16 2016

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Public Record



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May 16, 2016
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Re: Finance Docket No. 36025; TEXAS CENTRAL RAILROAD AND INFRASTRUCTURE, INC. & TEXAS CENTRAL RAILROAD, LLC - AUTHORITY TO CONSTRUCT AND OPERATE - PETITION FOR EXEMPTION FROM 49 U.S.C. § 10901 AND SUBTITLE IV - PASSENGER RAIL LINE BETWEEN DALLAS, TX AND HOUSTON, TX; Response of JBJQ Ranch to Petition for Exemption of Texas Central

Dear Clerk:

Enclosed please find an original and eleven copies of "JBJQ Ranch's Response to Petition for Exemption of Texas Central Railroad and Infrastructure, Inc. and Texas Central Railroad, LLC (collectively "Texas Central")" relating to the above referenced docket. Would you please file stamp each of the JBJQ Ranch's Responses and return one of the copies of the Response in the self-addressed and stamped envelope?

Should you have any questions, please contact me at my cell phone number of 817-319-4298

Sincerely yours,

Michael A. Bucek
Of Counsel to the Firm
State Bar No. 03285500
817-319-4298 (cellular)

cc: Individuals collectively known as JBJQ Ranch
Federal Railroad Administration

**BEFORE THE
SURFACE TRANSPORTATION BOARD**



Finance Docket No. 36025

TEXAS CENTRAL RAILROAD AND INFRASTRUCTURE, INC. & TEXAS CENTRAL RAILROAD, LLC - AUTHORITY TO CONSTRUCT AND OPERATE - PETITION FOR EXEMPTION FROM 49 U.S.C. § 10901 AND SUBTITLE IV - PASSENGER RAIL LINE BETWEEN DALLAS, TX AND HOUSTON, TX

JBJQ Ranch's Response to Petition for Exemption of Texas Central Railroad and Infrastructure, Inc. and Texas Central Railroad, LLC (collectively "Texas Central")

INTRODUCTION

The undersigned submits this response on behalf of the heirs of Maggie Zula Dawkins James, who are collectively known as "JBJQ Ranch". The undersigned has been advised by an agent of Texas Central that the ranch has two parcels of land totaling 450 acres (12711 CR 408 and 11573 CR 408, Normangee, TX 77871) that are proposed to be in one of the alignments being considered by Texas Central for the High Speed Passenger Rail Line (HSR) between Dallas, TX and Houston, TX.

ARGUMENT

Texas Central, through its Petition for Exemption, asks the STB to endorse a new concept that "what's good for Texas Central is good for the country". The inference is that Government regulation is bad and entrepreneurship is good. JBJQ Ranch believes reality is somewhere in the middle. Historically, of all of the industries in America where lack of regulation proved most detrimental to our country was in the rail industry. The leaders in this industry like Cornelius Vanderbilt and Jay Gould were referred to by the public as "Robber Barons" because they habitually cheated and robbed investors and consumers and corrupted government. In 1876 Texas amended its constitution to prohibit local governments from providing subsidies to railroads. The Interstate Commerce Act was adopted in 1887 to regulate business and industry for the purposes of consumer protection and or the enhancement of business competition. Regulations were adopted to protect minorities, employees, investors and the environment. Based on the history in this industry we would ask the Surface Transportation Board (STB) to be very cautious in taking statements by Texas Central as being gospel.

For example, regarding Texas Central's comments regarding protecting the environment, it is too early to determine if such comments will prove to be correct. It is the hope of JBJQ Ranch that when the public hearing on the Environmental Impact Study relating to the bullet train is held that we can move Texas Central to a route that truly reduces the CO2 in the atmosphere. Texas

Central will need electricity to operate its train and it is quite interesting that in Texas when you need more electric transmission lines you present your case to the Texas Public Utility Commission (PUC) and are required to provide numerous alternatives to where the line will be ultimately installed. Recently, in PUC Docket No. 44649, the entity requesting a certificate of convenience and necessity, Cross Texas Transmission, LLC, pursuant to state regulations presented 64 route segments that provided the PUC the ability to review 31 route alternatives and approve an alignment that provided the best environmentally safe route for the proposed 345 kV transmission line. The PUC sought recommendations from the Texas Parks and Wildlife Department (TPWD) for the routes that had the least negative impact on fish and wildlife resources and protected to the greatest extent possible the forest areas of the state. A route through JBJQ Ranch was considered by the PUC but TPWD determined that the Upland Forests in Leon County, Texas needed to be preserved and the PUC agreed. The route selected went mainly through deforested lands. There was a public hearing process and the route that was ultimately selected really had only one property owner that was disappointed with the decision whereas the other routes had numerous complainants.

Hopefully, the Federal Railroad Administration (FRA) will follow the reasoning of the PUC. On February 15, 2016, we provided an agent for Texas Central with the corridor (Route 18-approximately 67 miles in length) that was approved by the PUC but have not received a response. TPWD recommended Route 18 because it was parallel to existing utility corridors for 68% of the route length, was one of the shortest routes (one was 81 miles in length), crossed pastureland and grassland for 42% of the route, was the shortest distance through upland forest and riparian woodland, fewest number of streams crossed, shortest length through potential endangered, threatened or otherwise federally-protected animal species habitats and was one of routes with the fewest number of known rare/unique plant locations within the right-of-way. (Exhibit 1 attached is a preliminary route segment map that highlights in pink the location of Route 18 before it was modified by the PUC.)

Texas Central's "Verified Statement of Timothy B. Keith in Support of Petition for Exemption" opines that Texas Central's bullet train will benefit the environment. Mr. Keith talks about reducing carbon emissions. Science tells us that the best tool that nature has given Texas for eliminating CO2 and creating Oxygen is the mass amounts of Forestry in this state. Americans have the "common sense" to understand that large amounts of CO2 into the atmosphere are counterproductive to the health of our youngsters, senior citizens and other health impaired individuals.

The proposed route of the High Speed Rail (HSR), if it crosses JBJQ Ranch properties we refer to as the Vaughn Place (12711 CR 408, Normangee, TX) and the Randall Place (11573 CR 408, Normangee, TX), will further reduce the declining acreage of Texas Forest land. Also if the alignment goes through JBJQ Ranch properties, the HSR will be constructed over two existing residences. A new manufactured home is on the Vaughn Place and an old trailer with accessory structures is located on the Randall Place.

Removing more of this Leon County Forest, that exists on both the Vaughn and Randall tracts of the JBJQ Ranch, will reduce the habitat that specifically exists for deer in Leon County which brings tourist revenue into this area of the State.

If the HSR must be installed then a route should be selected that is already deforested to the greatest extent possible.

CONCLUSION

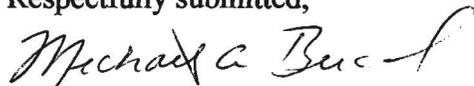
It is premature for Texas Central to seek an exemption for the construction and operation of the Texas Central bullet train until an Environmental Impact Study has been approved.

It is premature for Texas Central to seek an exemption from 49 U.S.C. Subtitle IV until it has taken viable steps that clearly indicate that the HSR can become a part of the interstate rail network. Certainly, until it can prove to STB that it has possessory rights to depots in Houston and Dallas that have access to Amtrak passengers, then all Texas Central has is a pipedream.

Additionally, "Deregulation for just deregulation sake" does not create competition. Also, the granting of exemptions do not automatically result in financial success for the entities seeking same. The deregulation of the Airline Industry has certainly not increased competition and has resulted in inflated airfares. We can still remember the bank failures that resulted in the deregulation of the Banking Industry. In the Cable Television Industry, monthly rates have risen much faster than the overall inflation rate. The deregulation of the Telecommunications Industry certainly has not resulted in competitive pricing for services because deregulation does not stop mergers which limit competition and cause massive bankruptcies like WorldCom's. The last attempt for deregulation in Texas was the Energy Industry. Prior to deregulation, Enron was the largest marketer of natural gas and electricity in North America and ranked #7 on Fortune 500. Enron and a number of other Energy providers quickly went bankrupt. No state in the union has the natural resources of Texas (e.g. natural gas and petroleum oil reserves) but with deregulation, Texas is experiencing some of the highest utility bills in the country and yet the cooperatives in Texas that opted out of deregulation have some of the lowest utility bills in the country.

JBQ Ranch would request that no exemptions requested by Texas Central be considered until the final Environmental Impact Statement has been approved.

Respectfully submitted,



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ATTORNEY FOR JBJQ Ranch

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of May, 2016, I served a true and correct copy of the foregoing upon counsel for the entities listed below via U. S. first class mail, postage prepaid.

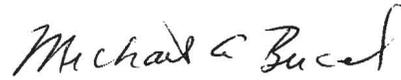
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Michael A. Bucek

EXHIBIT

tabbles

1

PR

Limestone Substation

Legend:

- Existing Substation
- Preliminary Route Segment
- Study Area Boundary

