

MICHAEL E. LASALLE

13771 EXCELSIOR AVENUE, HANFORD, CA 93230 559-582-6138
lasalle@lightspeed.net

November 26, 2013

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

235131
ENTERED
Office of Proceedings
November 27, 2013
Part of the Public Record

Re: **STB Finance Docket No. 35724, Sub-No. 1.**

California High-Speed Rail Authority's Petition for Exemption of Fresno to Bakersfield HST Section.

Dear Ms. Brown:

I am a retired attorney and a landowner whose farm is threatened by a proposed alignment of the California High-Speed Rail Authority's (CHSRA) Fresno to Bakersfield section of its High-Speed Rail Project.

On March 27, 2013, the California High-Speed Rail Authority filed with you a Petition for Exemption for its Merced to Fresno HST Project (STB Finance Docket No. 35724-0). Prior to that date, on March 20, 2013, I had filed with you a letter expressing my concerns about the Authority's plans regarding the Project and, among other things, I requested that I be given notice of all filings in that matter.

I just noticed that on September 26, 2013 the HSRA filed with your agency a Petition for Exemption for the Fresno to Bakersfield section of its Project. It would appear that because this Petition involves a section of the same Project, this Petition bears the same Finance Docket number (but with a different sub-number) as CHSRA's Petition for Exemption for its Merced to Fresno HST section. The CHSRA's most recent Petition does not show that it gave any notice of this filing to any of the multitude of parties who filed responses in the earlier Petition for Exemption. Therefore, I am surprised and disappointed that your agency did not give such notice to me and others who filed comments/opposition papers in STB FD 35724-0.

I assure you that there will be significant public interest and participation in this proceeding once they are made aware of it. I certainly intend to file a detailed opposition paper soon. There have been a number of new and significant developments in this matter that need to be brought to the attention of the STB, just one of which is that Sacramento Superior Court Judge Michael Kenney has recently ruled that the Authority has violated a number of Prop 1A statutory requirements and that he has effectively barred the Authority from the use of Prop 1A bond proceeds until the Authority can cure these violations. It will impossible for the Authority to cure a number of these violations in the foreseeable future.

I therefore ask that you give written notice to all individuals and organizations who filed comments and oppositions in STB FD 35724-0 that the CHSRA has filed a Petition for Exemption in STB FD 35724-1. I also ask that you to give these potentially interested parties a reasonable period during which they can file such replies. I am confident you will do so since I am sure you are sensitive to constitutionally protected principles of due process and because you would not want to create the false impression that the STB makes its decisions without seeking the input of parties who have an interest in the matter.

Please promptly advise me by email of your position on these issues so that I and others can respond accordingly.

Sincerely,

Michael E. LaSalle

cc:

California High-Speed Rail Authority
Congressman Jeff Denham
Congressman David Valadao
Assembly Member Andy Vidak