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December 17, 2012



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

RE: STB Docket No. EP714, Information Required in Notices and Petitions Containing Interchange Commitments.

Dear Ms. Brown:

The Pennsylvania Department of Transportation (PennDOT) has become aware that the Surface Transportation Board is considering action in Ex Parte 714 that would require an applicant in a line sale transaction that includes an interchange commitment to provide significantly more information than is currently required.

We are concerned about this proposal. Specifically, we believe there could be an unforeseen consequence that this proposal will inhibit the creation of future short line railroads from light density lines now operated by Class I rail carriers. We believe any positive effects of increased transparency through increased disclosure requirements are not worthy of the public risks of inhibiting future lines transferred to short line. If the short line option is effectively eliminated, we could face a serious deterioration of services and maintenance in these light density lines.

This concern is based on a long history of PennDOT involvement with short line railroads in the Commonwealth of Pennsylvania. In fact, with almost 65 short line and regional freight railroads, our state has more of these smaller railroads than another other state. We have dealt with the creation of these lines for decades, in efforts to preserve the rail freight network in Pennsylvania.

Thank you for consideration of our concerns and respectfully request that the Board reconsider its recommendations in this matter.

Sincerely,

Sarah L. Gullett
Sarah L. Gullett, Director
Bureau of Rail Freight, Ports & Waterways