



Cynthia M. Lummis
Congress of the United States
Wyoming

235040

October 30, 2013

ENTERED
Office of Proceedings
November 5, 2013
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Record

Daniel R. Elliott, III
Chairman
Surface Transportation Board
395 E. Street S.W.
Washington, D.C. 20423-0001

Ann D. Begeman
Vice Chairman
Surface Transportation Board
395 E. Street S.W.
Washington, D.C. 20423-0001

Francis P. Mulvey
Commissioner
Surface Transportation Board
395 E. Street S.W.
Washington, D.C. 20423-0001

Re: STB Finance Docket No. 35081 -2

Dear Chairman Elliott, Vice Chairman Begeman, and Commissioner Mulvey:

I write regarding Canadian Pacific Railroad's (CP) 2008 acquisition of Dakota, Minnesota and Eastern Railroad (DM&E) and CP's ongoing efforts to divest approximately 660 miles of former DM&E rail line that runs through Wyoming, South Dakota, Nebraska, and Minnesota.

During its acquisition of DM&E, CP committed to investing financial resources to upgrade and maintain these routes. The former DM&E line is the only east-west rail line that crosses the entire state of South Dakota. Through its connections to other major railroads, the line provides shippers with competitive access to other regions of the country. Without this line, some shippers would be left lacking rail service while others would become captive shippers subject to higher rates. CP's announcement to sell the line west of Tracy, Minnesota raises serious concerns about the impact such a sale would have not only on shippers and communities in South Dakota but also those in Wyoming.

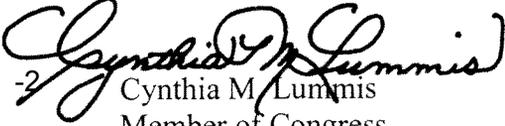
The westernmost terminus of the 660 miles of track proposed for sale is Colony, Wyoming. Two organizations that produce and ship bentonite to domestic and international markets, Bentonite Performance Materials and American Colloid Company, are located in Colony, Wyoming, and rely on CP to reach their markets. Reliable rail service is vital to these shippers as well as the numerous customers and industries that rely on bentonite to service their consumers. As you may know, bentonite clay is a component used in products ranging from the automotive and heavy equipment industries to consumer products. Depending on the buyer, CP's sale of this line could

significantly and adversely impact the ability of shippers in my home state of Wyoming to supply various markets with bentonite.

In August 2013, South Dakota Governor Dennis Daugaard filed a petition with the STB to clarify whether CP fulfilled the representations made in its 2008 acquisition of the DM&E. On September 18, 2013, Wyoming Governor Matthew Mead submitted a letter in support of Governor Daugaard's petition, citing concerns regarding CP's investment in the line as well as the impact of a sale on Wyoming's and other shippers. It is my understanding that the South Dakota delegation has also expressed its concerns to the STB regarding CP's possible divestiture.

Considering that the Federal Railroad Administration (FRA) and the STB are ultimately responsible for CP's compliance with any relevant requirements, I am confident that you will give full and fair consideration to Governor Daugaard's petition as well as Governor Mead's letter. In addition, I would like to take this opportunity to register my interest and concerns with the STB regarding the impact CP's sale of the former DM&E line could have on Wyoming, South Dakota, and the broader region. Thank you for your attention to my concerns.

Sincerely,


-2 Cynthia M. Lummis
Member of Congress

CC: The Honorable Matthew H. Mead, Governor, State of Wyoming
The Honorable Dennis Daugaard, Governor, State of South Dakota