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HOUSE TRANSPORTATION  
AND INFRASTRUCTURE COMMITTEE  
SUBCOMMITTEE ON  
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HOUSE HOMELAND SECURITY COMMITTEE  
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CHAIRMAN  
SUBCOMMITTEE ON  
COUNTERTERRORISM AND  
INTELLIGENCE

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-3224**

November 3, 2015

239518

The Honorable Daniel R. Elliott, III  
Chairman  
Surface Transportation Board  
395 E St, SW  
Washington, DC 20423

ENTERED  
Office of Proceedings  
November 10, 2015  
Part of  
Public Record

Dear Chairman Elliott:

I write to share my interest in the proceeding pending on reconsideration before the Surface Transportation Board No. FD 35817, *JGB Properties, LLC – Petition for Declaratory Order – Woodard Industrial Railroad Operations*.

The proceeding involves the construction and use of rail lines connected to an industrial warehouse complex in my Congressional District in Clay, New York, in Onondaga County. The petitioner, my constituent, asked for a Board declaratory order back in April 2014 on critical commerce law issues, including whether the involved lines are properly authorized and whether there is a right to construct, acquire, operate, and use the lines for rail service absent STB authorization/certification. According to my constituent, the remaining tracks have not been used or maintained in many years.

Congress has authorized the Board to decide all commerce law issues under the agency's exclusive jurisdiction, and to provide for fair and expeditious regulatory decisions. However, my constituent asserts that in an initial decision in the referenced docket, the Board did not address many of the issues presented. It has now been over 16 months since this proceeding was commenced, and there still is no resolution.

According to my constituent, the Petitioner has been in the process of drawing up plans to build a warehouse or distribution facility that could create a number of jobs for the local upstate New York economy. Absent full and fair consideration and resolution by the Board of each and all of the issues presented, decisions pertaining to the productive development of this important economic development site will, unfortunately, remain in limbo.

I urge the Board to give full and fair consideration to my constituent's request for reconsideration, as may be permissible under applicable law, rules, and regulations, and to resolve all presented issues under your jurisdiction in an expeditious manner. I also ask that you please keep me apprised of developments in this proceeding. Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'John M. Katko', with a long horizontal flourish extending to the right.

John M. Katko  
Member of Congress