

23916



House of Representatives

STATE OF OKLAHOMA

ENTERED
Office of Proceedings

Surface Transportation Board
395 E Street, S W
Washington, DC 20024

NOV 06 2008

Part of
Public Record

Re BNSF RAILWAY COMPANY – PETITION FOR DECLARATORY ORDER
STB Finance Docket No 35164

I am writing to urge the Surface Transportation Board to reject BNSF's *PETITION FOR DECLARATORY ORDER*, referenced in the STB's *Institution of Declaratory Order Proceeding and Request for Comments* of October 2, 2008. What BNSF proposes is plainly an abandonment of the rail line under consideration and not merely a "relocation," and clearly subject to STB authority.

As State Representative in Oklahoma House District 53, I represent parts of Norman and Moore traversed by the BNSF's heavily used north-south Red Rock Subdivision. Increases in volume on this line have greatly increased conflicts between street and rail traffic at the many at-grade crossings in my district.

It is plain to me that congestion on the Red Rock line, including the very common incidence of two-trains-at-a-time stopped across S Fourth and Main Streets in downtown Moore, as well as N 12th Street, and similar conflicts hour-to-hour in Norman, will very likely be made worse by the substitution of the Packingtown Lead for the more-direct BNSF, former Frisco line, considered in this case.

The BNSF, former Frisco line has always been fully independent, traversing congested areas of Oklahoma City on its own bridges and over enviable underpassed arterial street crossings. Destruction of this historic corridor in favor of the far lower quality "Packingtown Lead" not only subjects both rail and street traffic to conflicts not seen since 1931, but, for the first time ever, forces this line's east-west trains to use the BNSF Red Rock Subdivision bridge over the N Canadian River, plainly threatening greater congestion, slower train movement and longer waits for roadway traffic trying to get through at-grade crossings all along both lines.

Clear security concerns are also raised by this plan. Altus AFB and the US Army Field Artillery Center at Ft Sill / Lawton to the southwest and the US Air Force Air Logistics Center at Tinker AFB are all linked by the BNSF, former Frisco rail line, both to each other and to other strategic national points. The BNSF / ODOT plan to put BNSF, former Frisco line traffic serving these bases exclusively across the BNSF Red Rock Subdivision Bridge at the N Canadian River in Oklahoma City would certainly seem to make disabling both lines possible by the destruction of a single bridge. Strategic redundancy as well as baseline capacity are thus plainly reduced.

This increased vulnerability is just one example of the degree to which the ill-considered expressway design driving these troubles is now, plainly, "a pre-9-11-01 plan in the post 9-11-01 world."

Meanwhile, the inexplicable abandonment by BNSF of businesses like Boardman, Inc., one of the oldest heavy industries in Oklahoma, cries out for explanation. The unannounced destruction of the rail line next to this historic plant looks more like the work of vandals than anything driven by some kind of "plan."

At a time when Oklahoma's roadways are very stressed and maintenance funding increasingly scarce, it is unbelievable that BNSF, in league with the Oklahoma Department of Transportation, would deliberately and unnecessarily destroy the independence of the BNSF, former Frisco rail line while also further burdening the congested Red Rock Subdivision line Surely the "domino effect" would be clear to all None of this helps either railroads or highways

The very ugly tone of BNSF's criticism of decent Oklahomans who have put themselves on the line in this matter to create the best possible outcome, is also troubling and worthy of mention I know these people to be some of the best friends both railroads and highways have in our state, and great examples of responsible citizenship "Shooting the messenger" is an unproductive strategy

While there was never a need for ODOT's expressway project to threaten existing rail assets or capacity, enhancement of both railways and highways all across our state is much needed Unfortunately, what BNSF and ODOT propose is not only not helpful, but ultimately deleterious to both modes

I would ask the STB to reject the BNSF Petition for Declaratory Order, and also urge that any further effort to abandon the BNSF, former Frisco rail line be subjected to the highest possible scrutiny, both by the Board, itself, and in public hearings under Board authority held here in central Oklahoma

Further, considering the obvious readiness and determination of ODOT and BNSF to start the destruction of key elements of the rail assets under consideration, I would ask the STB to institute strong orders protecting the assets

Sincerely,

Handwritten signature of Randy Terrill in black ink, featuring a stylized 'R' and 'T' followed by the name 'TERRILL' in all caps.

Randy Terrill
State Representative
OK House District 53

cc Krsty Clark
2500 Lou Menk Drive
Fort Worth, TX 76131-2828

Dr Edwin Kessler
1510 Rosemont Drive
Norman, OK 73072