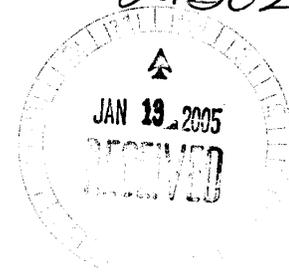


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AB-57 (Sub. No. 55X)

11-3-04

Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001

ENTERED
Office of Proceedings

JAN 14 2005

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Public Record

Dear Sirs:

We have received the latest documentation regarding the abandonment of CPR track in West Allis Wisconsin and would like to express some concerns and objections we have now that there is finally an avenue through which to express them. Our hope in writing this letter is to clear up the inconsistencies in the documentation submitted for the proposed abandonment but to open the discussion to reconsider the use of this line. When there is vital business to be had I would think it would warrant this attention.

The process by which this abandonment has come about has not been without considerable frustration as well as financial and logistical difficulties. The unwillingness to communicate from the Soo Line end has only made for an increasingly difficult situation with which we have had no choice but to try and muddle through ourselves.

Abruptly on 7/17/03 Avalon Rail, Inc. was notified and forced into using UPRR as our new main carrier when we received a phone call informing us that CPR would not be providing service any longer as the line had been embargoed. It was quite a shock since we had discussed the line remaining open when we started our business with the Soo Line Development representative, Mark Nordling, in spring of 2000. Since our inception in West Allis, we had also had continuous conversations with Mark Nordling and Rick Tessman locally about keeping the line open and the other local businesses that were interested in participating in service to no avail. In the documentation presented by Judy Mitchell states over and over again that Avalon Rail has not used the Soo Line rail since October 2001, which is absolutely untrue. We were making use of and expected a delivery of a railcar the week we were notified of the embargo in 2003.

That morning of July 17, 2003, we had to scramble to get our clients where they needed to be that week and one private railcar in particular that was left in limbo, the Pointe St. Charles. We also have had considerable hardship with using UPRR as our only rail service provider into the building since most of our clients travel here via Amtrak and CPR services the depot here in Milwaukee. In addition to the hassle, we also have

considerable difficulty in using UPRR's line, which is in much worse shape than the CPR rail line and a curve that led to our building that did not accept 85' railcars without damage to the undercarriage. We have had to have the curve reconstructed in order to receive railcars without damage over the last year and have had to cover the costs with the clients.

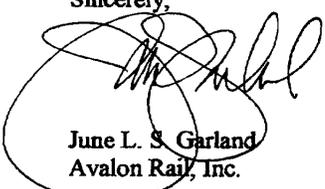
An additional piece of crucial information is also omitted in that as a shipper even with the UPRR there needs to be track extending at least 12 car lengths in order to switch multiple railcars/equipment in and out of this West Allis location. So, even if the abandonment is passed, there will be a need to maintain a great length of track to actually give the Union Pacific enough room to maneuver the equipment onto their own rail line.

In the document submitted to the Surface Transportation Board it states that Avalon Rail, Inc. is the only shipper on the West Allis line. This is not true now and it was not true then that other adjacent businesses, such as Advance Boiler and Tank Co. and RegenCo, are very interested in getting rail service from the CPR but have trouble negotiating a contract and that they are making use of the rail shipment even this week. Because of the downturn in business in manufacturing there has been less shipping certainly but that too should change with the economy.

I am aware that when the line was initially embargoed there was great interest in trying to financially participate in maintaining the West Allis line. There was also a West Allis city official that was interested in possibly extending the rail line for further service. To my knowledge no conversation has been conducted or encouraged from the CPR side whatsoever and our inability to get a response has been futile.

We would like to express our sincere thanks for giving this matter your attention and consideration.

Sincerely,



June L. S. Garland
Avalon Rail, Inc.

Cc: Mayor Jeanette Bell – City of West Allis
Mr. Scott Walker – Milwaukee County Executive
Mayor Tom Barrett – City of Milwaukee
City of Milwaukee Dept. of Development
Leonard, Street and Deinard Law Firm
Mr. Steven Fisk – Canadian Pacific Railway ✓