

BAKER BOTTS LLP

THE WARNER
1299 PENNSYLVANIA AVE., NW
WASHINGTON, D.C.
20004-2400
TEL +1 202.639.7700
FAX +1 202.639.7890
www.bakerbotts.com

215660
AUSTIN
DALLAS
DUBAI
HONG KONG
HOUSTON
LONDON
MOSCOW
NEW YORK
RIYADH
WASHINGTON

January 26, 2006

J. Patrick Berry
TEL +1 202-639-7746
FAX +1 202-585-1005
patrick.berry@bakerbotts.com

Via Hand Delivery

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street N.W.
Washington, D.C. 20423

RE: Comments Supporting Petition for Exemption filed
by New England Transrail, LLC
FD-34797



Dear Secretary Williams:

Enclosed for filing are an original and ten (10) copies of the comments of National Black Agenda Convention in support of the Petition for Exemption filed by New England Transrail, LLC, Finance Docket Number 34797. Please time-stamp the extra copy and return it to our messenger.

We are hereby requesting that the following individual be added to the official service list:

Arthur Williams, Chairman
Structural Committee
National Black Agenda Convention, Inc.
P.O. Box 366211
Boston, MA 02136-9998

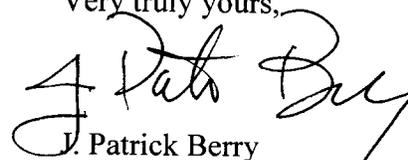
Thank you in advance for your consideration.

ENTERED
Office of Proceedings

JAN 26 2006

Part of
Public Record

Very truly yours,


J. Patrick Berry

**NATIONAL BLACK AGENDA CONVENTION, INC.
P. O. BOX 366211
BOSTON, MASSACHUSETTS 02136-9998**

JANUARY 20, 2006

**VERNON WILLIAMS
SECRETARY
UNITED STATES SURFACE TRANSPORTATION BOARD
1925 K STREET, NW
WASHINGTON, D.C. 20423**

ENTERED
Office of Proceedings

JAN 26 2006

RE: NEW ENGLAND TRANSRAIL, LLC

Part of
Public Record

DEAR SECRETARY WILLIAMS:

THE NATIONAL BLACK AGENDA CONVENTION, INC. (NBAC) IS A NATIONAL ORGANIZATION INCORPORATED IN MASSACHUSETTS AS A NOT-FOR PROFIT CORPORATION WHICH HOLDS THE CONDITION AND WELL-BEING OF THE BLACK AND MINORITY COMMUNITIES, AS WELL AS OTHERS LOCALLY AND NATIONALLY, A TOP PRIORITY.

OUR ORGANIZATION STRONGLY SUPPORTS THE EFFORTS OF NEW ENGLAND TRANSRAIL, LLC (NET) TO INCREASE FREIGHT RAIL TRANSPORTATION INTO NEW ENGLAND. NEW ENGLAND TRANSRAIL IS A MINORITY OWNED ENTITY TRYING TO DEVELOP A PROJECT IN AN INDUSTRY THAT CONTINUOUSLY LACK AFRICAN-AMERICAN OWNERSHIP DESPITE THE FACT THAT WE HAVE BEEN IN THE SERVICE AREA OF THAT INDUSTRY FOR A VERY LONG TIME. WE BELIEVE THAT A PROJECT SUCH AS THIS SHOULD HAVE A STRONG BLACK REPRESENTATION AND NEW ENGLAND TRANSRAIL'S MAKE-UP AND COMMITMENT TO MINORITY HIRING WILL ADDRESS THAT CONCERN.

IN ADDITION TO THE SOCIAL GOALS FURTHERED BY NEW ENGLAND TRANSRAIL'S PRESENCE AND PROJECT, THE ENVIRONMENTAL AND ECONOMIC BENEFITS OF RAIL TRANSPORTATION OVER LONG-HAUL FREIGHT TRUCKING ARE WELL DOCUMENTED. POLLUTION FROM LONG-HAUL FREIGHT TRUCKS HAS A DISPROPORTIONATELY LARGE IMPACT ON MINORITY AND POOR COMMUNITIES WHICH ARE THE LOCATIONS OF SOME OF THE MOST POPULATION CONGESTED AND TRAFFIC CONGESTED PORTIONS ON THE INTERSTATE ROAD SYSTEM SERVING NEW ENGLAND AND COMING FROM THE MID-ATLANTIC STATES. PROJECTS SUCH AS NEW ENGLAND TRANSRAIL, LLC WHICH WILL DIVERT TRUCKS FROM THE CONGESTED ROADWAYS ONTO OUR RAIL SYSTEM MUST BE ENCOURAGED.

SEVERAL OF THE GOALS OF THE NATIONAL BLACK AGENDA CONVENTION, INC. ARE REFLECTED IN THE GOALS OF NET'S PROPOSED

PROJECT. THE SOCIAL, HEALTH, ECONOMIC AND ENVIRONMENTAL QUALITY CONCERNS EXPRESSED IN THE NEW ENGLAND TRANSRAIL PROPOSED PROJECT ARE SOME OF THE SAME ISSUES THAT WE HAVE FOCUSED ON FOR OVER THIRTY YEARS AND IT IS VERY POSITIVE THAT NET, LLC IS RESPONSIBLE AND CONSCIENTIOUS ENOUGH TO INCORPORATE THOSE ISSUES IN A BUSINESS PROJECT TO HELP ALLEVIATE THEM.

IN VIEW OF THE PROBLEMS OF AIR POLLUTION GENERATED BY THE LONG-HAUL FREIGHT TRUCKS, THE DECREASING AVAILABILITY OF LANDFILL FOR DISPOSAL OF WASTE, COST OF FUEL, STATE AND INTERSTATE ROAD CONGESTION, DENSELY POPULATED AREAS BEING EXPOSED TO POLLUTANTS, CARCINOGEN ETC., THIS APPROACH APPEARS TO BE ONE OF THE MOST EFFECTIVE MEANS FOR US TO REDUCE THE PROBLEMS ASSOCIATED WITH LONG-HAUL FREIGHT TRUCKING AND GROWING RELIANCE ON FOREIGN FUEL.

THE APPROVAL OF NEW ENGLAND TRANSRAIL TO MOVE FORWARD WITH THIS PROJECT WOULD COMPLIMENT THE ENVIRONMENTAL GOALS OF THE NATIONAL BLACK AGENDA CONVENTION.

SINCERELY,



**ARTHUR WILLIAMS, CHAIRMAN
STRUCTURAL COMMITTEE
NATIONAL BLACK AGENDA CONVENTION, INC.**

CERTIFICATE OF SERVICE

I do hereby certify that on this 26 day of January, 2006, I served a copy of the foregoing comments of National Black Agenda Convention in support of New England Transrail's Petition for Exemption by causing a copy to be delivered by first class mail, postage prepaid, to:

James R Miceli
Commonwealth Of Massachusetts
Room 167, State House
Boston, MA 02133-1054

Patrick John Cane
Mercer County Improvement Authority
640 S Broad St
Trenton, NJ 08650

Stephen M. Richmond
Beveridge & Diamond, P.C.
45 William Street, Suite 120
Wellsley, MA 02481

Susan P. Ruch
Massachusetts Department Of
Environmental Protection Northeast Regional Office
205B Lowell Street
Wilmington, MA 01887

Daniel R. Deutsch
Deutsch Williams Brooks Derensis & Holland, P.C.
99 Summer Street
Boston, MA 02110-1235

Arthur G. Mansilia
United Tool & Die Co., Inc.
Eames Street
Wilmington, MA 01887

M. Barbara Sullivan
27 Gunderson Road
Wilmington, MA 01887-1546

Robert A. Rio
Associated Industries of Massachusetts
P.O. Box 763
Boston, MA 02117-0763

Deborah L. Duggan
11 Hillcrest Street
Wilmington, MA 01887

Thomas E. Dew
Berry Moorman
900 Victors Way - Suite 300
Ann Arbor, MI 48108-2705

Nyah Wyche, Project Coordinator
Health Education and Learning Program for Black Males Health
University of Massachusetts, Boston
100 Morrissey Blvd.
Boston, MA 02125-3393

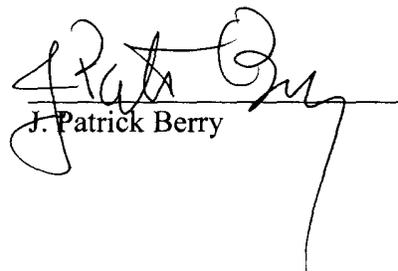
P. Christopher Podgurski
Podgurski Corp.
8 Springfield Ave.
Canton, MA 02021-3205

Frank S. DeMasi
26 MacArthur Road
Wellesley, MA 02482

Hon. John W. Carrington, Sr.
The M.W. Grand Master of
The Most Worshipful Hiram Grand Lodge A.F. & A.M., Inc.
Bay State Grand Chapter
Youth Development Center
98 Talbot Avenue
Dorchester, MA 02124

Senator Bill Owens (Ret.)
115 Hazelton Street
Mattapan, MA 02121

Arthur Williams, Chairman
Structural Committee
National Black Agenda Convention, Inc.
P.O. Box 366211
Boston, MA 02136-9998


J. Patrick Berry