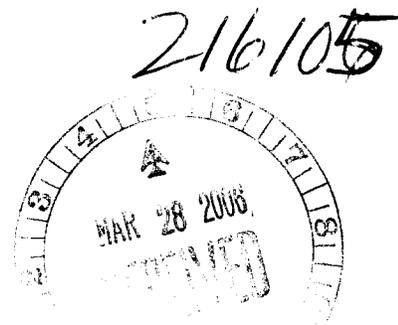


ORIGINAL

Before the
SURFACE TRANSPORTATION BOARD



Ex Parte No. 575

REVIEW OF RAIL ACCESS AND COMPETITION ISSUES-RENEWED PETITION
OF THE WESTERN COAL TRAFFIC LEAGUE

REPLY COMMENTS

ENTERED
Office of Proceedings

MAR 28 2006

Part of
Public Record

John D. Fitzgerald,^{1/} for and on behalf of United Transportation Union-General Committee of Adjustment (UTU/GO-386), submits these reply comments,^{2/} particularly to the opening comments from Albany & Eastern Railroad Company (AERC).

AERC appears to be the only rail carrier in support of the WCTL petition. AERC is the only rail carrier to have invoked the STB's arbitration procedure. UTU/GO-386 is familiar with that proceeding. The "paper barrier" controversy appears non-existent other than in the public relations forum. If AERC has an individual rate or routing controversy, it has access to the STB. The railroad industry should not be held hostage to a prolix rule-making proceeding on the account of one small carrier.

Respectfully submitted,

1/ General Chairman for United Transportation Union on lines of BNSF Railway Company, with offices at 400 E. Evergreen Blvd., Vancouver WA 98660.

2/ UTU/GO-386 filed a brief opening letter-comment on March 8, 2006.


GORDON P. MacDOUGALL
1025 Connecticut Ave., N.W.
Washington DC 20036

Atty. for John D. Fitzgerald

Dated at
Washington DC
March 28, 2006