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WASHTENAW AREA TRANSPORTATION STUDY

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705 NORTH ZEEB ROAD 2ND FLOOR
ANN ARBOR, MICHIGAN 48103-1560
PHONE (734) 994-3127 FAX (734) 994-3129
WEBSITE WWW.MIWATS.ORG
E-MAIL WATS@MIWATS.ORG

July 25, 2007

Docket Number: FD 35065

From: **Tern Blackmore, Executive Director
Washtenaw Area Transportation Study
705 N. Zeeb Road
Ann Arbor, MI 48197**

To: **Secretary, Surface Transportation Board
Washington, D.C. 20423
202-245-0462**

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The Washtenaw Area Transportation Study (WATS) is filing a formal protest opposing the lease of the prime and improved Michigan railroad track from Ypsilanti to Kalamazoo owned by the Class I Norfolk- Southern Railroad to WATCO Companies, a Class III railroad operator. Approval of the lease agreement would seriously impede the Wolverine and Blue Water Amtrak routes as well as the projected Ann Arbor to Detroit commuter line

The continued operation development and further development of passenger rail is critical for national security and the ability of the United States to compete globally. It will also play an important role in the reduction of green house gases and global warming as well as reducing the US dependence on foreign oil.

WATS recognizes the extensive investment of \$38 million by the State of Michigan, Amtrak and the Federal Railroad Administration towards improved track and signaling to enable high speed rail passenger trains to travel 90 mph currently and 110 mph by the end of 2007. Reflecting the increased attraction of passenger rail, the Amtrak Wolverine, which uses the track in question, sold 142,185 tickets (report for January 30, 2007,) a 6% increase over the previous year

WATS is most concerned that Class III railroads' record and financial capability for track maintenance, the new top speed for passenger and freight rail may decline from 79 mph to a top speed of only 45 mph. This decrease in speed may block development of the Midwest Regional Rail Initiative and the Ohio Hub, while seriously lowering the efficiency of the Midwest's entire passenger rail system

POLICY COMMITTEE MEMBERS

- CITY OF ANN ARBOR • ANN ARBOR TRANSPORTATION AUTHORITY • ANN ARBOR TOWNSHIP • CITY OF CILLESCA • VILLAGE OF DEXTER •
- DEXTER TOWNSHIP • EASTERN MICHIGAN UNIVERSITY • MICHIGAN DEPARTMENT OF TRANSPORTATION • NORTHFIELD TOWNSHIP • NORTHFIELD TOWNSHIP •
- CITY OF SALINE • SCIO TOWNSHIP • SOUTHWEST WASHTENAW COUNCIL OF GOVERNMENTS • SUPERIOR TOWNSHIP • UNIVERSITY OF MICHIGAN •
- WASHTENAW COUNTY BOARD OF COMMISSIONERS • WASHTENAW COUNTY ROAD COMMISSION • CITY OF YPSILANTI • YPSILANTI TOWNSHIP •
- EX OFFICIO FEDERAL HIGHWAY ADMINISTRATION • SOUTHEAST MICHIGAN COUNCIL OF GOVERNMENTS •

**AN INTERMUNICIPALITY COMMITTEE ORGANIZED UNDER ACT 200 OF PUBLIC ACTS OF MICHIGAN (1957)
REPRESENTING WASHTENAW COUNTY**

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2Page 2 of 2

WATS is much concerned that the WATCO Companies do not operate any of their sixteen short lines at a speed of 79 mph. Further, one of WATCO Companies' Oklahoma short lines has violated its contract with the State of Oklahoma maintaining speeds of only 10 mph instead of the contracted 30 mph. The State of Oklahoma has filed a lawsuit for breach of contract

With the continued increase of Amtrak usage in the state of Michigan, now is not the time to diminish fast passenger train service. At a time when the American people are experiencing record gas prices and our population is growing older, it is more important than ever for the Surface Transportation Board to assure time-competitive and safe passenger train service. At a time when Michigan is struggling to balance its budget, this is not the time to impede the promise of the economic development by the projected Ann Arbor-Detroit commuter line.

As an organization committed to fighting global warming, WATS is concerned that decreasing the efficiency of passenger train travel would increase carbon emissions as former Amtrak passengers elect to drive or fly. One train carrying 200 people between Detroit and Chicago saves 22 tons of CO₂ compared to 200 cars and saves 15 tons compared to two jets carrying that many passengers.

WATS believes that in order to promote efficient, economical and environmentally sensible service, it would be far better for the Norfolk-Southern to enter into serious negotiations with the State of Michigan and Amtrak than to unilaterally decide, despite large public investment, to sell to a short line operator that does not have the economic viability to maintain prime railroad track at existing levels.

Sincerely,

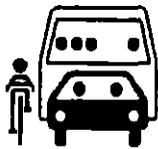

Terri Blackmore
Executive Director

I, Terri Blackmore, declare under penalty of perjury that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this pleading. Executed on July 25, 2007.

A handwritten signature in black ink, appearing to read "Terri Blackmore", written over a horizontal line.

Signature

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WASHTENAW AREA TRANSPORTATION STUDY

705 N Zeeb Road
Ann Arbor, MI 48103
313-963-1571
www.watsmi.org

July 31, 2007

Docket Number: ID 35065

From: Gretchen Driskell, Chair
Washtenaw Area Transportation Study
705 N Zeeb Road
Ann Arbor, MI 48103

To: Vernon Williams, Secretary
Surface Transportation Board
395 F Street S.W.
Washington, DC 20426-0001

RE: Certificate of Service

Please be aware that as part of the formal protest regarding ID 35065 the Washtenaw Area Transportation Study has provided letters of service to the following sent on July 31, 2007:

Paul Montes
Sidley Austin LLP
1501 K Street, N.W.
Washington, DC 20005

Karl Mechl
Ball Lambert LLP
1435 J Street, N.W. Suite 225
Washington, DC 20005

Donald Smith
Sidley Austin LLP
1501 K Street, N.W.
Washington, DC 20005

Honorable Carl Levin
United States Senate
259 Russell Senate Office Building
Washington, DC 20501

William Mullins
Baker & Miller PLLC
2401 Pennsylvania Ave. N.W. Suite 300
Washington, DC 20037

Honorable Pam Byrnes
Michigan House of Representatives 5th District
P.O. Box 30014
Lansing, MI 48909

If you have questions, please do not hesitate to contact the WATS office at 313-963-1571.

Sincerely,

Gretchen Driskell, Chair

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Ann Arbor, MI 48103
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