

ENTERED
Office of Proceedings

JAN 07 2010

Part of
Public Record

January 7, 2010

Cynthia Brown
Chief, Section of Administration
Surface Transportation Board
395 E. Street S. W.
Washington, DC 20423-0001

Re: The Indiana Rail Road Company Abandonment Exemption-Martin and Lawrence Counties,
Indiana STB Docket No. AB-295 (Sub-No7x)

Dear Ms. Brown,

I am writing to protest the Indiana Railroad's application for abandonment STB docket No. AB-295 (Sub-No. 7x) the Indiana Rail Road Company-Abandonment Exemption-in Martin and Lawrence Counties, IN.

We request that this abandonment exemption be rejected for the following reasons:

1. The Lawrence County elected officials and its economic development agencies have been blind sided by the Indiana Rail Road's sudden desire to abandon the Crane-Bedford rail line. Just three short years ago the Indiana Rail Road contacted numerous public officials to write letters of support in its acquisition of the Soo Line Railroad Company's Latta Sub. (Finance Docket No. 34783 *Indiana Rail Road Company-Acquisition-Soo Line Railroad Company*). Many public officials in the Lawrence and Martin County area wrote letters in support of the Indiana Rail Road's acquisition based on the INRD's representation of providing customer oriented service and a proven record of increasing the use of rail in its areas of operation. These public officials determined that rail service was important for future economic development in the area and believed that Indiana Rail Road would assure continued rail service to this area. With such short notice that Indiana Rail Road was planning on abandoning the Crane-Bedford line, there has been little progress made in determining how to preserve vital rail service to the area. We are open to pursuing an acquisition of the line if we can find the funding. Denying the abandonment exemption would help the public officials of this area at least determine the feasibility of acquiring the line or finding some other alternative to preserve rail service in the area.

2. The United States is currently in the most severe economic downturn since the Great Depression of the 1930's. The Lawrence County area has experienced significant losses of industry and jobs during this period and for the Indiana Rail Road to base its opinion that there is no future need for rail service in this area is unrealistic when one considers the current economic climate in Lawrence County and the entire United States.

3. This abandonment would have an adverse impact on rural and community development in the Lawrence County area. Lawrence County is in continuous contact with businesses wishing to locate in Indiana. At least 25% of those contacts require access to rail service to even consider a location for their business. Currently there are two business/industrial parks in development in Lawrence County and continued rail service is vital for the future development of these parks.

4. The Indiana Rail Road Line is part of the Strategic Rail Network and Defense Connector Lines and its continued existence is vital for the National Security of the United States. The Crane Naval Surface Warfare Center is located just to the west of the line segment in the abandonment application. This would leave Crane with only one rail outlet. The remaining outlet is prone to flooding in the area near Elnora, Indiana and the West Fork of the White River. The line gets under water and is out of service anytime there is a significant flood on this river. This area was severely damaged by flood waters in January 2005 and June 2008 and required more than a week to restore service after those floods. Can the United States afford to lose its only rail outlet out of Crane if a flood occurred during a National Emergency? Also, the lack of another outlet could have an adverse impact on Crane in future Base Realignment and Closure Hearings and Crane and other businesses working directly with Crane are some of the largest employers in South Central Indiana.

5. The Indiana Rail Road purchased the line from Soo Line (Canadian Pacific Railway) and began operations on May 27, 2006. (Finance Docket No. 34783 *Indiana Rail Road Company Acquisition-Soo Line Railroad Company*). On page 13 and page 22 of the public version of Finance Docket No. 34783, Soo described the declining traffic to Louisville, Kentucky. The Indiana Rail Road was aware at the time of its purchase of the Soo track that the traffic volumes for Louisville and Bedford were declining. Also, INRD knew the condition of the tunnel described in the abandonment application. On page 59 of the public version of FD 34783 INRD stated that it did not contemplate any discontinuances or abandonments as a result of the transaction. For this line to now be the subject of an abandonment application only three (3) years after its purchase and to have such a detailed plan on how it plans to use the rail and other assets of the subject line shows that INRD could have made inaccurate or misleading statements concerning abandonment to help it acquire the support of elected officials in its purchase of the subject line.

6. I worked on this section of railroad for more than 30 years before retiring in 2007. When the INRD bought this line in 2006 we thought it would be good for the shippers in South Central Indiana. This has proved to be incorrect. It is obvious that the INRD management is having trouble making long range plans for this railroad. I urge this board to deny this abandonment exemption and to give local political and economic development leaders time to assess what can be done so Lawrence County does not suffer economically because of poor management decisions by the INRD.

Sincerely,

Dan Terrell
Mayor
City of Mitchell

January 7, 2010

The parties of record listed in reference to Docket AB_295_7_X have been served with this notice.

Crystal Arthur
Tug Beal
John Broadley
Jimmy D. and Nancy E. Brook
Lili Carole Brown
Bryan Chaillaux
Michael Chastain
Mike and Susan Chastain
Chris Cox
Mike and Evon Emmick
David Gaither
Lowell and Betty Gore
Ravenna Hanners
Jim and Denise Hatfield
Jayson Howe
Jerry and Rena Jackson
Leo and Lucille Lynch
Vicki Murphy
David Parker
Everett and Neva Patrick
Michael Spires
Mike Spreen
John W. and Marie Stipp
John and Patty Sullivan
Marilyn Sullivan
Gary and Nancy Terrell
Wilbur and Sara Terrell
Lee and Velma Thompson
Alan and Steve Thorp
Richard C. Vonnegut