

**COMMISSIONER W. DOUGLAS BUTTREY TO DEPART SURFACE TRANSPORTATION BOARD ON MARCH 13, 2009**

Surface Transportation Board Commissioner W. Douglas Buttrey announced today that he will conclude his term on the Board on March 13, 2009. Mr. Buttrey was nominated to serve on the Board by President George W. Bush on November 17, 2003, for a five-year term expiring December 31, 2008. On August 28, 2008, Mr. Buttrey announced that he would hold over for a period into 2009 for the Board to complete certain pending matters. The Board's governing statute permits a Board member to serve for up to one year after the end of the Member's term, unless a successor is appointed.

Since Mr. Buttrey's announcement in August, the Board has held five public meetings and has acted on several pending matters including: issuing the Final EIS and approval of the CN merger with the EJ&E in which Mr. Buttrey included an expression noting the necessary mitigation to assure a continued high quality of life for the residents living in suburban Chicago; modifying the simplified standards previously approved by the Board to provide better shipper access to the Board's rate adjudication processes; modifying the methodology for determining the railroad industry's cost of capital; re-establishing rail service for a group of shippers in the Pacific Northwest; and approving the largest ever award to shippers in a rate reasonableness case.

Board Chairman Charles D. Nottingham issued the following statement on Mr. Buttrey's resignation:

**"Doug Buttrey's leadership, judgment and broad experience in transportation and logistics will be greatly missed. He is the consummate gentleman and public servant who played a critical role in developing the collegial, impartial and bipartisan atmosphere that has helped the Surface Transportation Board to implement a reform agenda that will continue to advance the public interest far beyond Doug's tenure."**

Chairman Nottingham was joined by Vice Chairman Francis P. Mulvey, who added:

**"Commissioner Buttrey has been an invaluable asset to the Surface Transportation Board. His reasoned judgment and concern for ensuring that the Board considers the interests of all parties appearing before it added greatly to the soundness and fairness of our decisions. I consider Doug to be a friend in addition to a professional colleague. He will be sorely missed here."**

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