



Office of the Chairman

**Surface Transportation Board**  
Washington, D.C. 20423-0001

November 17, 2011

Hon. Richard J. Durbin  
United States Senate  
Washington, DC 10510-1304

Dear Senator Durbin:

Thank you for your letter of November 4, 2011 regarding the derailment that occurred on the Canadian National Railway the prior day. You request that the Board exercise its oversight authority from CN's acquisition of the Elgin, Joliet & Eastern Railway to determine if CN has properly maintained the EJ&E's tracks.

As you note, the Board established a five-year oversight period to monitor its approval of the CN-EJ&E acquisition. The Board continues to actively monitor and investigate, where appropriate, CN's operations over the EJ&E's lines.

We are working with the Federal Railroad Administration, the agency with primary jurisdiction over rail safety, on this matter. In addition, we have requested detailed information from CN about the derailment. We also expect that CN will report on the derailment as part of its monthly operational reports to the Board. After reviewing information from FRA and the requested information from CN, we will determine an appropriate course of action.

Thank you for your inquiry. If I can be of further assistance, please do not hesitate to call on me.

Sincerely,

Daniel R. Elliott III