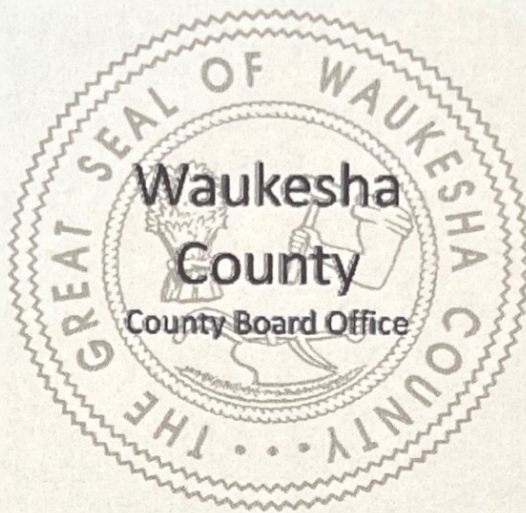


Tyler J. Foti
County Board Supervisor
District 1



BY ELECTRONIC FILING

The Honorable Cynthia T. Brown
Chief, Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street S.W.
Washington, DC 20423

Re: Finance Docket No. 36514 – Canadian National Ry. – Control – Kansas City Southern

Dear Ms. Brown:

I write to you today to express my support for Canadian Pacific (CP) in its effort to acquire Kansas City Southern (KCS).

As a Waukesha County supervisor representing an area serviced by CP, it is apparent that a combined CP-KCS railroad network is the better option for our area businesses. Though this is a merger of two Class 1 railroads, I do not see a threat to competition should this merger be completed. On the contrary, I believe it will enhance competition and keep each railroad accountable to their customers on both pricing and service. In fact, even after KCS and CP merge, the joint railroad will still be the smallest Class 1 railroad in North America by revenue.

Unfortunately, this CP-KCS deal has been derailed by an unsolicited offer by Canadian National (CN). CN-KCS is a combination that I believe will hurt competition. If CN is allowed to merge with KCS, it will create the third-largest Class 1 railroad in North America. This is a deal that I cannot support for the sake of Waukesha County's shippers and consumers.

I urge the board to consider the broad impact that allowing a CN-KCS merger will have on Wisconsin and competition as a whole and instead support a CP-KCS merger, which will promote healthy competition for our area businesses.

Respectfully submitted,

Cc: All Parties of Record