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BY HAND

Mr. Matthew T. Wallen
Director – Office of Public Assistance,
Governmental Affairs & Compliance
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0012

**Re: *Canadian National Railway Company and Grand Trunk Corporation –
Control – EJ&E West Company (STB Finance Docket No. 35087)***

Dear Director Wallen:

In Decision No. 23, served April 21, 2010, in the above-referenced proceeding, the Board ordered that by today Canadian National Railway Company and Grand Trunk Corporation (collectively, “CN”) (a) resubmit all previous monthly operating reports that omit the Cellular Remote Terminal Unit (“RTU”) data for crossings blocked by moving trains, and (b) submit in electronic format all historical RTU data in its possession (or otherwise available to it), for any past period for which it is available, for all crossings along the acquired line.

In accordance with that decision, CN is hereby submitting the following three items, each on a separate, labeled disc: (1) summary sheets and complete raw RTU data relating to notifications of automated crossing warning devices (“ACWD”) activated for 10 or more minutes for the entire EJ&E line and for the full period for which such data has been retained (specifically, data was available at the time of request from July 20, 2007 to April 9, 2010); (2) all prior blocked crossing reports (February 2009 to March 2010) restated to include added RTU data drawn from the raw data; and (3) CN’s dispatcher spreadsheets from April 2009, when CN first began to use them to prepare monitoring reports, through its last report, covering March 2010, which show RTU information reviewed by CN in preparing its monthly report of crossing blockages caused by trains stopped 10 or more minutes.

As an initial matter, CN would like to point out that the raw data from the RTUs is not processed or stored by CN, but is kept on the servers of the vendor of the system. This is a transition period for that vendor, as EJ&E originally purchased the RTUs from a subsidiary of GE Transportation, and that subsidiary was purchased by Progress Rail on March 2, 2010. While GE/Progress Rail keeps the data on its servers, it does not typically assist its railroad

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clients in interpreting and/or reporting the data. CN, however, has had to rely on GE/Progress Rail to provide the raw historic data, to provide useful summaries of the raw data, and to populate the blocked crossing reports that CN is resubmitting. CN understands from GE/Progress Rail that as a result of the technical challenges presented by this data and the short time-frame between the Board's decision and today's required submission date, there are some minor errors or inconsistencies in the data. These are described below. CN is working with GE/Progress Rail to expeditiously verify that the data being submitted today is as accurate and comprehensive as possible. A further description of each of the three items CN is supplying is provided below.

1. Raw RTU Data With Summary Sheets

With regard to the historical RTU data, CN is providing both the raw data generated by the RTUs and summary sheets for each month from July 20, 2007 through April 9, 2010. As required by Decision No. 23, CN is providing this data for "all crossings along the acquired line" at which RTUs are installed (*i.e.*, those crossings with ACWDs), and not just the data for those RTUs at crossings between Leithton and Gary, as reported by HDR in its audit report.

While the Board's decision required CN to submit only the raw RTU data, GE/Progress Rail has provided summary sheets that extract from the raw data the number of notifications of ACWD activations of 10 minutes or more for each crossing on the entire EJ&E rail line. These summary sheets provide an easy means for comparing, historically or otherwise, the number of ACWD notifications at all crossings (or at individual crossings) on EJ&E.

CN understands from GE/Progress Rail that they discovered, after producing and sending the raw data and summaries to CN, that the data are overstated and will require further processing to remove some double counted indications that ACWDs were activated 10 minutes or more. GE/Progress has done limited testing on the 2009 and 2010 data to determine the likely size of this overstatement and, based on that testing, it believes the margin of error is small. CN plans to re-file the data or errata, as warranted, after further analysis has been performed.

2. Resubmitted Reports Using RTU Data

Decision No. 23 requires CN to "resubmit all previous reports that omit the RTU-data for crossings blocked by moving trains." To develop part of its response, CN asked GE/Progress Rail to flow the RTU blocked crossing data into a spreadsheet in the format of CN's monthly blocked crossing report. The RTU data, however, does not provide a train ID for each notification involving a train, and cannot provide a comment for each. (The RTU data includes ACWD activations of 10 minutes or more that do not involve a moving or stopped train, such as gate malfunctions.) In addition, given time limitations, GE/Progress Rail was able to generate only the approximate time of day when the ACWD activation notification took place, not the

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total delay time beyond 10 minutes for each ACWD activation. The latter requires matching initial notifications of ACWDs of 10 minutes or more with subsequent notifications that the ACWD activation has ended. This is a difficult process, as the system is constantly generating notices, and the subsequent "all clear" notice is not necessarily the next notice generated by the system. GE/Progress Rail is working to create and run against the raw data an algorithm that will automatically match the two notices and calculate the total gate down time, but was unable to complete this task in time for today's submission. When Progress Rail is able to provide this information, CN will resubmit the reports to the Board with that information included.

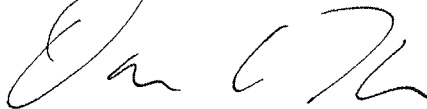
Some of the information that is missing from the resubmitted reports is contained in the dispatcher spreadsheets that CN used to help generate its blocked crossing reports. In order to supplement the reports CN is re-filing today and also to provide additional RTU information, CN is also submitting these dispatcher spreadsheets.

3. Dispatcher Spreadsheets

The dispatcher spreadsheets are in their original format as used by CN. This is essentially the same format as the reports of blocked crossings due to stopped trains submitted monthly to the Board, but includes an extra column listing those instances that were preliminarily identified as reportable blockages due to stopped trains. Because CN's use of RTU data as an aid in producing its monthly reports only evolved over time, these reports do not correspond exactly with the data from the RTUs. Nonetheless, they contain pertinent additional information related to RTU data, such as the train identification and comments related to particular notifications that ACWDs were activated for 10 minutes or more.

As ordered by the Board in Decision No. 23, CN's future reports will include RTU information about all instances of crossing warning system activations of 10 minutes or more, regardless of whether it is caused by a stopped or slow moving train.

Very truly yours,



Paul A. Cunningham

David A. Hirsh

Counsel for Canadian National Railway Company
and Grand Trunk Corporation

Enclosures