

June 19, 2009

The Honorable John D. Rockefeller
Chairman, Committee on Commerce,
Science and Transportation
531 Hart Senate Office Building
Washington, DC 20510

The Honorable Herb Kohl
Chairman, Judiciary Subcommittee on Antitrust,
Competition Policy and Consumer Rights
330 Hart Senate Office Building
Washington, DC 20510

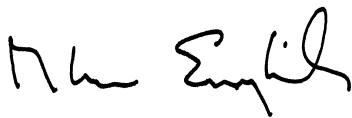
Dear Senator Rockefeller and Senator Kohl:

Thank you for your agreement to work together on comprehensive rail customer legislation for consideration by the full Senate later this year. Your joint efforts will place in one legislative vehicle policy changes needed by rail customers: removal of railroad industry exemptions from the nation's antitrust laws, reform of the policies of the Surface Transportation Board, and an enhanced and vigilant Surface Transportation Board for the future. We look forward to working with you in the development of your unified legislation and providing the support you will need to enact this important legislation.

We strongly believe that a robust regulatory program to protect those rail customers without access to transportation competition and the nation's antitrust laws will work together to ensure a normal commercial relationship between the railroads and their customers. We are pleased that your goal is enactment of this legislation in 2009. We understand that the agenda of the Senate this year is particularly crowded. Nevertheless, we hope that this comprehensive legislation can be developed and ready for Senate floor action this summer. We will steadfastly work to ensure passage of your critical legislation.

Again, thank you for your leadership and advocacy on behalf of rail customers. We stand ready to work with you to resolve this important issue.

Sincerely,



Glenn English
Chief Executive Officer
National Rural Electric Cooperative
Association



Thomas R. Kuhn
President
Edison Electric Institute

Cal Dooley
President and Chief Executive
American Chemistry Council

Don Kimball
President
Consumers United for Rail Equity

Mark Crisson
President and Chief Executive Officer
American Public Power Association

Donna Harman
President and Chief Executive Officer
American Forest & Paper Association

Brian Jennings
Executive Vice President
American Coalition for Ethanol

David Springe
President
National Association of State Utility
Consumer Advocates

Barry S. Williams
President
Western Coal Traffic League

Stephen Brobeck
Executive Director
Consumer Federation of America

Bill Oemichen
Chief Executive Officer
Cooperative Network (Wisconsin and Minnesota)

Matt Bromley
Coordinator
Badger CURE

Terry Whiteside
Chairman
Alliance for Rail Competition

cc: Members, Senate Commerce, Science and Transportation Committee
Members, Senate Judiciary Committee