



OFFICE OF CHAIRMAN

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The Honorable Daniel R. Elliott III, Chairman
United States Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

The Honorable Ann D. Begeman, Vice Chairman
United States Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

The Honorable Debra Miller
United States Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

January 20, 2016

Dear Chairman Elliott and Surface Transportation Board Members:

I am writing regarding Canadian Pacific Railway's proposal to acquire Norfolk Southern Corp. As chairman of the West Virginia Business & Industry Council, which represents 26 different industry classifications and nearly 400,000 working West Virginians, I have serious concerns about the consequences of allowing CP to acquire NS.

First, all indications are that CP would implement significant reductions in resources to the West Virginia operations. CP's Chief Executive Officer made statements about reductions to NS physical plant and employment levels on November 19, 2015. Such a move points to negative implications for employment and service levels in the event of a merger, particularly in light of West Virginia's \$30 million investment in the Prichard Intermodal Facility.

Second, and of equal importance, the safety implications of this merger raise serious concerns and now are under scrutiny by the Federal Railroad Administration. In a Jan. 15, 2016, report by the Wall Street Journal, an FRA official was quoted as being concerned about "significant safety hurdles" associated with the potential CP acquisition of NS.

West Virginia's energy and manufacturing sectors represent a significant employer base, and Norfolk Southern plays an integral role in the movement of its products and bi-products not only through our state but throughout the country. Maintaining the NS investment in West Virginia and promoting the highest levels of safe railway transportation are a priority.

The impact that a railroad merger would have on the many businesses in West Virginia and across the country that depend on railroads to get their products to market cannot be overstated. Canadian



Pacific's proposed cost-cutting transaction would result in decreased investment in our transportation infrastructure, the railroads infrastructure and ultimately raise concerns regarding public safety.

Norfolk Southern has been a great neighbor to West Virginia, and it is clear CP's intentions are unwanted and totally unwelcome. The West Virginia Business & Industry Council believes a CP acquisition of NS would be detrimental to West Virginians and the many businesses that align with NS operations. In short, this merger is not in the public's best interest, and we urge the Surface Transportation Board to keep a close eye on Canadian Pacific's pursuit of Norfolk Southern.

Thank you for your time and consideration of this important matter.

Regards,

A handwritten signature in black ink that reads "Chris Hamilton". The signature is written in a cursive, slightly slanted style.

Chris Hamilton
Chairman, WVBIC