

The Commonwealth of Massachusetts
House of Representatives
State House, Boston 02133-1054

DANIEL B. WINSLOW
STATE REPRESENTATIVE
9TH NORFOLK DISTRICT

COMMITTEES ON:
Judiciary
Ethics

STATE HOUSE, ROOM 33
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December 2, 2011

Jody Ray
Director of Railroad Operations
MassDOT
10 Park Plaza
Boston, MA 02116

Re: Commuter Rail Connection to Foxboro from Boston, Worcester and Providence

Dear Mr. Ray,

The recent media reports confirming potential development of a casino at the Foxboro stadium site has validated my concern that rail expansion should not be considered separately from possible land uses in Foxboro. In the circumstances as we now know them, I am writing to request that no public funds or resources (including personnel) be expended in support of rail expansion or upgrades to Foxboro from Boston/Walpole, Worcester or Providence.

The MBTA's own study of commuter rail expansion to Foxboro (Foxborough Commuter Rail Feasibility Study, Final Report, September 1, 2010) indicated that such expansion "would cost ~\$84 million to construct and ~\$6 million annual for operations" with an annual operating loss of ~\$4 million. (Report, p. 151). With two billionaires poised to privately benefit from rail expansion, it would be fiscally irresponsible for any public funds to be expended on this project. Moreover, use of public funds for rail expansion would create an unfair advantage for Foxboro casino developers over competing developers in the Boston area or other areas of the state who must otherwise bear the costs of infrastructure improvements associated with their projects.

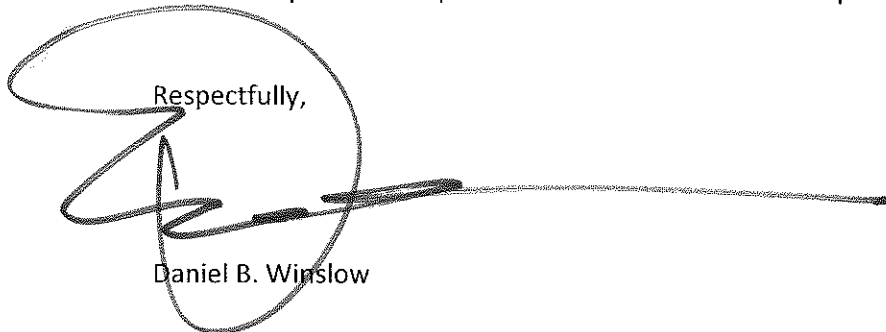
Only the Gaming Commission will have the statutory ability to consider impacts on surrounding communities associated with any casino development. Here, any expansion of rail service to Foxboro from Boston, Worcester and/or Providence will directly impact the towns of Walpole, Norfolk, Medfield and Mansfield as surrounding communities, plus incidental impacts on other area communities. It is critically important that all commuter rail work and planning associated with expansion to Foxboro cease to allow such impacts to be considered in accordance with the new gaming statute. Failure to do so will be tantamount to an end-run around the jurisdiction of the Gaming Commission.

Finally, in the interests of good faith and fair dealing with the Commonwealth's contracting partners, I ask that all negotiations with CSX regarding rail bed use rights be suspended until the impacts

of the proposed casino project can be fully considered. If a casino in fact is slated for development at Foxboro, the value of rail rights currently held by CSX will be far more valuable than is currently the case. Attempting to negotiate those rights now, at current values, will expose the Commonwealth to a claim of bad faith and unfair dealing in the contracts given the actual knowledge of persons in the Executive branch of government.

Please let me know the agency's intentions in this regard and whether any additional public funds will be spent on this project henceforth. In my view, not one thin dime of limited public money should be spent for the private benefit of billionaires in a private transaction.

Respectfully,

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a horizontal line extending to the right. The signature is written over the word 'Respectfully,' and the name 'Daniel B. Winslow'.

Daniel B. Winslow

Cc: Secretary Richard Davey, MassDOT
Mo Cowan, Chief of Staff, Office of Governor Deval Patrick
Roy Avellaneda, Legislative Liaison, MassDOT