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Congress of the United States
House of Representatives

July 18, 2012

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The Honorable Ken Cuccinelli
Virginia Attorney General
900 E Main St
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Dear Attorney General  Cuccinelli:

You and I have had past discussions about the Dulles Greenway and the fact that Loudoun residents have no voice over the ridiculous tolls they are forced to pay if they want to use the road. I believe it is very important to provide Loudoun residents with consumer protection from these tolls.

When I am in Loudoun County, the tolls on the Greenway are a recurring issue and a continual source of aggravation. Peak tolls on the Greenway are as much as \$4.80 for a one-way trip. When this is combined with the tolls on the Dulles Toll Road and the new Beltway Express Lanes, Loudoun residents are going to face dramatically higher transportation costs than most other residents in the Commonwealth. These outrageous tolls cause cars as well as large trucks from most area businesses to divert to side roads and residential streets. Route 7, often the only available alternate route, is at capacity around the clock, including weekends. When large trucks divert from the Greenway, they clog local roads and often use neighborhood streets. This puts additional stress on these roads, adds to congestion and puts the public at risk. No one wants their children playing in the front yard or on the sidewalk when a large truck rolls through their neighborhood all to avoid a toll.

I have been openly critical of the cost of the tolls on the Dulles Greenway for several years and the increase that went into effect on January only added fuel to the fire. During rush hours, it now costs \$4.80 to use the road, and if drivers are coming from or going onto the Dulles Toll Road the rate is \$5.55. That means a daily round trip would be \$11.10. Over the course of a month, a daily commuter could spend the equivalent of a car payment. If you live in one of the communities just off the Greenway, you could easily get on and off the road multiple times a day taking your children to soccer practice, day care, or to take your family out for dinner. In fact, it costs \$4.80 to go approximately 1.1 miles during rush hour; the same cost to travel the entire road. To charge such high tolls to go such short distances significantly reduces the number of options for area residents. They must either change their route to avoid the Greenway or change their plans altogether.

If there were ever a group of consumers in need of protection, it is those who are forced to pay the Greenway tolls. I am writing today to ask that you refer the Greenway toll structure to the consumer protection section in your office and work with the Loudoun Board of Supervisors and Loudoun residents to address this serious and growing consumer abuse.

The Honorable Ken Cuccinelli

July 18, 2012

Page 2

As you know, I have been a long-time critic of the owner of the Greenway and the state law that allows it to operate the road. Even though the Greenway insists these tolls are necessary, the company that operates the road, Toll Road Investors Partnership II (TRIP II) and its Australian parent company Macquarie Ltd spends liberally on many other things. TRIP II pays former Virginia Secretary of Transportation Whitt Clement to lobby the General Assembly against changing the state law that permits the outrageous tolls. Not to be outdone by its subsidiary, Macquarie threw a lavish Christmas party in 2008 at the height of the world-wide financial panic. News reports stated the company spent between \$500,000 and \$750,000 for the year-end bash. Simply put, this is money ill-spent; money that could have been used to pay down the debt on the Greenway and reduce tolls.

You may also be aware that I worked with Virginia Secretary of Transportation Sean Connaughton to establish a Dulles Greenway Advisory Committee to study ways to make the road more user-friendly. While I wanted the committee to address distance-based pricing, its parameters were limited to new signs. After working with my office, the Metropolitan Washington Airports Authority, and area residents and business owners, new signs were designed and are currently under construction. Despite being included in every step of the process, it took a Herculean effort to get TRIP II CEO Tom Sines to agree to pay for signs that are designed to provide his customers more accurate information.

As you know, I have asked the State Corporation Commission (SCC) to address this appalling oversight in state law. But to date, nothing has been done. When the Greenway operators submitted their 2007 request for toll increases, the SCC stated, "the Commonwealth made a series of policy decisions that leave us little choice but to make the decision we make in this case." They are basically saying their hands are tied. In my opinion, the current law protects the interests of the owner of the toll road rather than the customers of the road.

As you can see, this is an issue that cries out for action. I believe you have the ability to give these residents a way to fight what I call "highway robbery." If there were ever a group of consumers in need of protection, it is those who pay the Greenway tolls.

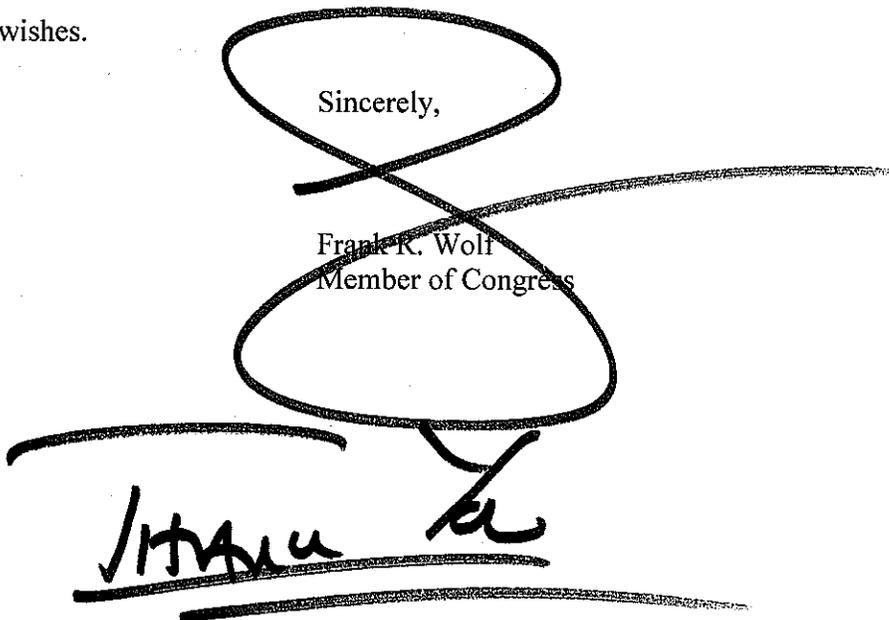
Thank you for your assistance and I look forward to working with you to resolve this important issue.

Best wishes.

Sincerely,

Frank R. Wolf
Member of Congress

FRW:cw

A large, stylized handwritten signature in black ink, appearing to read 'Frank R. Wolf', is written over the typed name and extends across the width of the page.