



COMMONWEALTH OF MASSACHUSETTS  
**THE GENERAL COURT**

STATE HOUSE, BOSTON 02133-1053

October 20, 2016

His Excellency Charles D. Baker, Jr.  
Massachusetts State House  
Office of the Governor  
Room 280  
Boston, MA 02133

Dear Governor Baker,

As co-chairs of the MBTA Legislative Caucus, we write to you on behalf of our members to express our serious concern for the MBTA quietly agreeing to waive \$839,000 of the \$1.7 million in penalties leveled against Keolis, the private company that operates the commuter rail system, for their poor performance during the winter of 2015.

Whenever Secretary of Transportation Stephanie Pollack or MBTA Acting General Manager Brian Shortsleeve has requested a meeting with the MBTA Caucus, we have worked hard as the co-chairs to arrange a meeting with the Representatives and Senators of the caucus. So we were surprised that this important decision, both from a substantive and a transparency point of view, was not shared with the caucus.

You were a stern critic of Keolis during the winter of 2015 when commuters endured trains that were repeatedly canceled, reduced, late and overcrowded. For our constituents who missed work or arrived late and in many cases suffered a decrease in income, your tough stance was appreciated. In February of that year you publicly expressed your disappointment with Keolis and stated that you were "done with excuses." We are now disappointed to hear that you believe that the MBTA "made the right decision" in forgiving the fines.

Keolis promised to provide the patrons of the commuter rail with a certain level of service and they didn't provide it. As a result, we believe Keolis needs to be held fully accountable and we are disappointed in the private decision to forgive \$839,000 in fines. We were pleased when the Baker-Polito administration and MBTA officials pledged to discuss decisions about our public transit system openly, but the decision to dismiss fines behind closed doors is disturbing.

We look forward to hearing from you and your Transportation Team on this issue.

Sincerely,



James B. Eldridge

**State Senator**

*Middlesex & Worcester District*



Sean Garballey

**State Representative**

*Twenty-Third Middlesex District*



Linda Dorcena Forry

**State Senator**

*First Suffolk District*

cc: Stephanie Pollack, Secretary & Chief Executive Officer of MassDOT  
Brian Shortsleeve, Chief Administrator & Acting General Manager of the MBTA