



ATTORNEYS AT LAW
THE FOUNDRY BUILDING ♦ 1055 THOMAS JEFFERSON STREET, NW ♦ SUITE 500 ♦ WASHINGTON, D.C. 20007
TELEPHONE: 202-342-5200 ♦ FACSIMILE: 202-342-5299

RICHARD BAR
BRENDAN COLLINS
EDWARD D. GREENBERG
KATHARINE FOSTER MEYER
DAVID K. MONROE
TROY A. ROLF
KEITH G. SWIRSKY
THOMAS W. WILCOX
CHRISTOPHER B. YOUNGER

OLIVER M. KRISCHIK
KRISTINE O. LITTLE

OF COUNSEL:
STEVEN JOHN FELLMAN

MINNESOTA OFFICE:
114 FIRST STREET SOUTH
BUFFALO, MN 55313
TEL: 763-682-6620 FAX: 763-682-6261

WRITER'S DIRECT E-MAIL ADDRESS
EGREENBERG@GKGLAW.COM

WRITER'S DIRECT DIAL NUMBER
202-342-5277

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VIA E-FILING

Cynthia Brown
Chief, Section of Administration
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0001

ENTERED
Office of Proceedings
March 16, 2020
Part of
Public Record

Re: Docket No. FD 35068, *Soo Line Railroad Company d/b/a Canadian Pacific Railway – Acquisition and Operation Exemption – BNSF Railway Company*

Dear Ms. Brown:

As required by the Board's decision served November 27, 2019, New Century Ag ("NCA"), Canadian Pacific ("CP") and BNSF Railway Company ("BNSF") participated in Board sponsored mediation facilitated by the Federal Mediation and Conciliation Service on January 27, 2020. The initial thirty (30) day mediation period was extended for an additional two (2) weeks, which period expired today. As the parties were not able to reach a settlement of the issues, NCA requests that the Board now issue a decision in this matter based on the existing record.

Very Truly Yours,



Edward D. Greenberg

Cc: All Parties of Record