



Surface Transportation Board
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March 17, 2020

Hon. Ann Begeman
Chairman
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423

Re: STB Docket No. FD 35068, Soo Line R.R.—Acquis. & Operation Exemption—BNSF Ry.

Dear Chairman Begeman:

By your letter dated December 4, 2019, you appointed the Federal Mediation and Conciliation Service (FMCS) to serve as lead mediator in the above-referenced matter, and we were appointed to assist in the mediation.

On behalf of both the FMCS and STB mediators, we write to inform you that the mediation team met with the parties on January 27, 2020, for a full-day mediation session, and additional communications have taken place since that time. By decision served March 3, 2020, the mediation period was extended to March 16, 2020, at the parties' request.

As required by the November 27, 2019 decision in this docket, we are hereby providing notice that the mediation period has ended without a resolution of the issues in the case. As required by the Board's regulations, we will remain recused from the formal proceeding and thus will remain available to the parties as mediators should they decide to renew mediation at a later date.

Respectfully,

Scott Zimmerman
Office of Proceedings

Robert Plum
Office of Economics

cc: Edward Greenberg, counsel for New Century Ag
David Rifkind, counsel for Soo Line R.R. d/b/a Canadian Pacific
Peter Denton, counsel for BNSF Railway
Martin Oberman, Vice Chairman, Surface Transportation Board
Patrick Fuchs, Board Member, Surface Transportation Board
David Moora, Federal Mediation & Conciliation Service
Kevin Wagner, Federal Mediation & Conciliation Service