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SERVICE DATE – NOVEMBER 30, 2020

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. FD 36433

NORTH COUNTY TRANSIT DISTRICT—PETITION FOR DECLARATORY ORDER

Decided: November 30, 2020

On August 28, 2020, North County Transit District (NCTD), filed a petition for declaratory order relating to certain actions of the City of Del Mar, Cal. (City) and the California Coastal Commission (Commission) regarding NCTD's rail line maintenance and other upgrading activities in its rail right-of-way. Numerous filings have been received in response to the petition.

On November 6, 2020, NCTD filed a motion to hold this proceeding in abeyance, stating that it recently has had constructive discussions with the City and the Commission and that those three parties have agreed that they should engage in further discussions to attempt to resolve the matters at issue. Therefore, NCTD requests that this proceeding be held in abeyance for 120 days while settlement discussions take place.

The Board favors the private resolution of disputes whenever possible. NCTD's unopposed request will be granted and this matter held in abeyance until March 30, 2021. NCTD will be directed to file a status update by March 30, 2021.

It is ordered:

1. This proceeding is held in abeyance until March 30, 2021. NCTD shall file a status update by March 30, 2021.

2. This decision is effective on its service date.

By the Board, Allison C. Davis, Director, Office of Proceedings.