

ENTERED  
Office of Proceedings  
January 11, 2021  
Part of  
Public Record

# FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive  
Suite 800  
Chicago, Illinois 60606-3208

Phone: (312) 252-1500  
Fax: (312) 252-2400  
www.fletcher-sippel.com

## ROBERT A. WIMBISH

(312) 252-1504  
rwimbish@fletcher-sippel.com

January 11, 2021

### VIA ELECTRONIC FILING

Ms. Cynthia T. Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W., Room 1034  
Washington, DC 20423

Re: **FD 36452**  
**Wisconsin & Southern Railroad, L.C.C. — Acquisition and**  
**Operation Exemption — Soo Line Railroad Company**

Dear Ms. Brown:

Wisconsin & Southern Railroad, L.C.C. (“WSOR”) hereby notifies the Board that, on December 28, 2020, it consummated its purchase of the of the railroad line (previously owned by Soo Line Railroad Company – “Soo”) that is the subject of the above-referenced proceeding. WSOR and Soo are grateful to the Board for its expedited handling of WSOR’s acquisition and operation petition for exemption and its corresponding request for waiver of the Board’s otherwise-applicable advance labor notice requirements.

WSOR and Soo also wish to advise the Board that, under the terms of the governing Asset Purchase Agreement, Soo has retained local trackage rights enabling it to serve exclusively facilities of two customers located on the subject railroad line (Miller Brewing Company and Pak Technologies, Inc.) in keeping with the terms of the lease arrangement among the parties that preceded the line sale. Soo’s retention of the aforementioned rights does not require separate Board authorization or exemption,<sup>1</sup> but the parties believe that it is nevertheless

---

<sup>1</sup> See, e.g., *BNSF Railway Company – Acquisition and Operation Exemption – Union Pacific Railroad Company*, FD 34863 (STB served Jun. 13, 2006) slip op. at 1; *Buffalo & Pittsburgh Railroad, Inc. – Acquisition and Operation Exemption – CSX Transportation, Inc.*, FD 34410 (STB served Nov. 19, 2003); *Minnesota Northern Railroad, Inc. – Exemption –*

# FLETCHER & SIPPEL LLC

Ms. Cynthia T. Brown  
January 11, 2021  
Page 2

appropriate for the Board to be aware of, and for the administrative record to reflect, this arrangement, which the parties overlooked disclosing in their haste to have WSOR file its petition for exemption.

Please let me know if you have any questions.

Respectfully submitted,

*R. A. Wimbish*

Robert A. Wimbish  
Attorney for Wisconsin & Southern  
Railroad, L.L.C.

RAW:ah

cc: All parties of record