



CITY OF CHICAGO

CHICAGO DEPARTMENT OF TRANSPORTATION

February 24, 2021

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VIA E-FILING

Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Karl Morell
Ball Janik LLP
655 15th Street NW, Suite 225
Washington, DC 20005

ENTERED
Office of Proceedings
February 25, 2021
Part of
Public Record

Re: BNSF Railway Company--Abandonment Exemption--in Cook County, IL, STB
Docket No. AB-6 (Sub-No. 482X)

Dear Board:

The City of Chicago, an Illinois municipal corporation, acting by and through its Department of Transportation ("City"), hereby petitions the Surface Transportation Board ("Board") for an order modifying and extending its Decision and Notice of Interim Trail Use or Abandonment ("NITU") in the above-referenced matter for an additional year, through and including February 19, 2022.

On January 29, 2013, the City filed a request for issuance of a notice of interim trail use (NITU) and public use condition ("Petition") for the line proposed for abandonment in Docket No. AB-6 (Sub-No. 482X), between Station 36+70 (north of the Chicago Sanitary and Ship Canal Bridge) and Station 149+87 (at the end of the track near Western Avenue), referred to herein as the "Rail Line."

On April 9, 2013, the Board issued its NITU, as part of STB decision #42859, permitting the City to negotiate with BNSF Railway Company ("BNSF") for trail use for the Rail Line. STB granted the most recent extension, to February 19, 2021 as Order #50188.



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In the interim, the City has continued active negotiations with BNSF counsel regarding this line (while mutually prioritizing completion of work on the Sangamon Line in Docket No. AB-6-487X). The City also continued other activities in earnest toward potential acquisition of the rail line for trail use including procurement of engineering design services. Previously, on December 12, 2018, the Chicago City Council unanimously passed an ordinance authorizing the acquisition of this corridor and other BNSF properties.

However, the City will still need to complete testing and engineering, conduct other due diligence, secure additional funding, and conclude negotiations with BNSF. Because these efforts have been impaired by the extraordinary circumstances of operations and communications during a global pandemic and episodes of societal unrest. The City requests additional time to continue these activities.

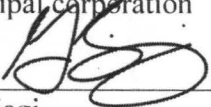
In support of its request for additional time, the City renews its Petition and its Statement of Willingness to Assume Financial Responsibility.

A copy of this statement is being served on BNSF on the same date it is being served on the Board. By my signature below, I certify service upon all parties of record in this proceeding, by U.S. Mail, postage prepaid, first class, this 25th day of February 2021.

Pursuant to 49 C.F.R. § 1002.2(e)(1), the filing fee for this request is waived.

Respectfully submitted,

CITY OF CHICAGO, an Illinois
municipal corporation

By: 

Gia Biagi

Commissioner of Transportation