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March 24, 2021

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Submitted via e-filing

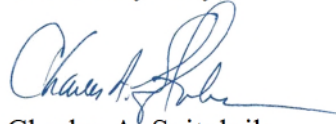
Re: STB Finance Docket No. 36281, *Petition by the Southeastern Pennsylvania Transportation Authority for Relief Under 49 U.S.C. § 24903*

Dear Ms. Brown:

I have attached for filing in the above captioned matter Southeastern Pennsylvania Transportation Authority's ("SEPTA") Unopposed Motion to Continue to Hold Proceedings in Abeyance.

Thank you very much.

Yours very truly,



Charles A. Spitulnik

Enclosure

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Finance Docket No. 36281

**PETITION BY THE SOUTHEASTERN PENNSYLVANIA TRANSPORTATION
AUTHORITY FOR RELIEF UNDER 49 U.S.C. § 24903**

UNOPPOSED MOTION TO CONTINUE TO HOLD PROCEEDINGS IN ABEYANCE

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Date: March 24, 2021

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Finance Docket No. 36281

**PETITION BY THE SOUTHEASTERN PENNSYLVANIA TRANSPORTATION
AUTHORITY FOR RELIEF UNDER 49 U.S.C. § 24903**

UNOPPOSED MOTION TO CONTINUE TO HOLD PROCEEDING IN ABEYANCE

Petitioner Southeastern Pennsylvania Transportation Authority (“SEPTA”) hereby requests the Surface Transportation Board (“STB” or “Board”) continue to hold the above captioned proceeding in abeyance pending resolution of the related case in the U.S. Court of Appeals for the District of Columbia Circuit, *National Railroad Passenger Corporation v. Southeastern Pennsylvania Transportation Authority*, No. 1:19-cv-00537-TNM. The STB issued an order on March 27, 2019 holding the proceeding in abeyance pending the outcome of proceedings in *National Railroad Passenger Corporation v. Southeastern Pennsylvania Transportation Authority*, No. 1:19-cv-00537-TNM (D.D.C. filed Feb. 28, 2019). *Petition by the Southeastern Pennsylvania Transportation Authority for Relief Under 49 U.S.C. § 24903*, STB Finance Docket No. 36281, slip op. at 1-2 (Service Date March 27, 2019).

Although the appellate proceeding will address separate legal issues than those presented in this instant proceeding, it involves the same parties and the same rail properties, stations, and parking facilities at issue in this proceeding. Respondent National Railroad Passenger Corporation (“Amtrak”) does not oppose SEPTA’s Motion to Continue to Hold Proceeding in Abeyance.

Accordingly, SEPTA respectfully requests the Board to order the following:

- 1) This proceeding will continue to be held in abeyance pending the final disposition of the Court of Appeals for the District of Columbia Circuit proceeding.
- 2) Pending final disposition of the proceeding, the Parties will maintain the status quo under the Station Agreement, with the exception that the Parties may enter into amended, new or different agreements with the express written consent of both Parties. *See* 49 U.S.C. § 24903(c)(2).
- 3) Any final determinations by the Board, including compensation, if any, will apply retroactively to commence on March 30, 2019.

Respectfully Submitted,



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CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of March 2021, I have caused a copy of the foregoing Unopposed Motion to Continue to Hold Proceedings in Abeyance to be served upon the following individuals via e-mail:

Neil K. Gilman
Hunton Andrews Kurth
2200 Pennsylvania Ave. NW
Washington, DC 20037
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Eleanor D. Acheson
National Railroad Passenger Corporation
1 Massachusetts Avenue, NW
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A handwritten signature in blue ink, reading "Charles A. Spitulnik", with a horizontal line underneath.

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