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SERVICE DATE – MARCH 22, 2023

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. FD 36397

WISCONSIN CENTRAL, LTD.—PETITION FOR DECLARATORY ORDER—
INTERCHANGE WITH SOO LINE RAILROAD COMPANY

Decided: March 22, 2023

On April 14, 2020, Wisconsin Central, Ltd. (CN), filed a petition for declaratory order raising issues related to the location chosen by CN for the interchange of traffic from Soo Line Railroad Company (CP) to CN in the Chicago, Ill., area. On October 30, 2020, the Board served a decision denying the relief sought by the CN. CN appealed, and the United States Court of Appeals for the Seventh Circuit vacated the Board's decision and remanded the matter to the Board. Wis. Cent. v. STB, 20 F.4th 292 (7th Cir. 2021).

Following remand, on October 18, 2022, the Board served a decision soliciting comments from stakeholders and other interested persons on the legal issues raised in light of the court's decision. That decision stated that following the comment period, CP and CN would be afforded an opportunity to submit additional briefs. Accordingly, a briefing schedule will be set allowing initial briefs and replies from CN and CP. Initial briefs may be filed by April 21, 2023, and reply briefs may be filed by May 11, 2023.

It is ordered:

1. CN and CP may submit initial briefs by April 21, 2023, and reply briefs by May 11, 2023.

By the Board, Mai T. Dinh, Director, Office of Proceedings.