

307892

ENTERED
Office of Proceedings
February 2, 2024
Part of
Public Record

VIA ELECTRONIC FILING

February 2, 2024

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

Re: STB Finance Docket No. 36734: *Soo Line Railroad Company a/k/a CPKC –
Petition for Declaratory Order*

Dear Ms. Brown:

Enclosed for filing in the above-referenced proceeding is the State of Wisconsin and Soo Line Railroad Company's Joint Motion to Hold in Abeyance.

Please contact me with any questions.

Sincerely,

/s/ David F. Rifkind

Counsel for Soo Line Railroad Company

Enclosures

cc: Parties of Record

 GRANTED	DECISION ID NO.: <u>52038</u>
	DECIDED DATE: <u>2/5/2024</u>
	SERVED DATE: <u>2/5/2024</u>
	APPROVED: <u><i>madair</i></u> Director
Office of Proceedings	☐

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Finance Docket No. 36734

**SOO LINE RAILROAD COMPANY a/k/a CPKC – PETITION FOR
DECLARATORY ORDER**

JOINT MOTION TO HOLD IN ABEYANCE

On October 27, 2023, Soo Line Railroad Company a/k/a CPKC, filed a petition seeking a declaratory order that certain actions by the State of Wisconsin related to railroad bridge repairs are subject to federal preemption. On January 10, 2024, the State of Wisconsin (the “State”) filed its Reply in opposition to the petition in which the State indicated a desire to resume settlement negotiations. CPKC and the State have agreed to resume settlement discussions. Accordingly, CPKC and the State hereby submit this joint motion to hold this proceeding in abeyance. The parties will report to the Board on progress towards settlement no later than April 1, 2024.

Respectfully submitted,

JOSHUA L. KAUL
Attorney General of Wisconsin

/s/ Zachary B. Corrigan
ZACHARY B. CORRIGAN
Assistant Attorney General
State Bar # 1116596

*Attorneys for Plaintiff the State of
Wisconsin*

/s/ David F. Rifkind
David F. Rifkind
STINSON LLP
1775 Pennsylvania Avenue NW,
Suite 800
Washington, DC 20006
(202) 785-9100
David.Rifkind@stinson.com

Andrew Davis
Joshua Poertner
STINSON LLP
50 South Sixth Street, Suite 2600
Minneapolis, MN 55402
(612) 335-1466
Andrew.Davis@stinson.com
Joshua.Poertner@stinson.com

*Attorneys for Soo Line Railroad Company
a/k/a CPKC*

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of February 2024, I caused a copy of the foregoing JOINT MOTION TO HOLD IN ABEYANCE to be served by e-mail upon all parties of record.

/s/ JoshuaPoertner