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Transportation Solutions for the 21st Century

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July 12, 2024

VIA-E-FILING

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

RE: Great Lakes Terminal Railroad, LLC – Acquisition and Operation Petition
for Exemption - Great Lakes Terminal, LLC, CRRC Sifang America
Incorporated, and Chicago Enterprise Center Owners’ Association,
FD 36764 (Sub-No. 1)

Dear Ms. Brown,

As the Board is aware, on March 29, 2024, Great Lakes Terminal Railroad, LLC (“GLTRR”) filed a notice of exemption (“Notice”) for GLTRR to lease and operate over approximately 22,568 linear feet (4.27 miles) of track of existing railroad right-of-way and trackage and transloading facilities in Chicago, Illinois, from Great Lakes Terminal, LLC (“GLT”), CRRC Sifang America Incorporated, and Chicago Enterprise Center Owners’ Association. The Board rejected the Notice in a decision served on April 26, 2024. On May 2, 2024, GLTRR refiled a petition seeking after-the-fact acquisition authority and requested expedited consideration per the Board’s decision. In the Petition, GLTRR explained that it was seeking expedited consideration because Norfolk Southern Railway Company (“NSR”) and GLT are parties to a purchase and sale agreement under which GLT will sell the Chicago Transloading Facility to NSR, which will in turn lease back the operation of the Chicago Transloading Facility to GLTRR. The parties originally intended to close this important transaction on May 1, 2024. In light of the April 26 Decision, this closing has been delayed to (1) allow GLTRR to correct its regulatory omission concerning the April 2018 Lease, and (2) allow GLTRR to file a notice of exemption for its lease from NSR upon NSR acquiring the Chicago Transloading Facility. Two months have passed since GLTRR refiled its petition for exemption addressing the issues raised by the Board in its May 2, 2024 decision. While GLTRR is mindful of the Board’s busy and complex docket, GLTRR is writing to provide some additional information and renew its request for expedited consideration.

GLTRR is a small privately, family-owned Class III railroad. The pending deal with NSR is going to facilitate infrastructure investment at the Chicago Transloading Facility, which will be a game-changer for GLTRR. Unfortunately, GLTRR's ability to generate and encourage new business development is contingent upon additional infrastructure investment and the sale of the Chicago Transloading Facility to NSR, which is in turn contingent upon a decision by the Board. Given that GLTRR has been the operator of the Chicago Transloading Facility trackage since 2018 and remains the operator today, its requested after-the-fact grant of the lease and operating authority by the Board will not have an adverse impact on any affected shippers. While GLTRR sincerely regrets its prior failure to timely file a lease and operation notice of exemption back in April 2018, GLTRR has dutifully worked to expeditiously clean up the record and needs a decision by the Board to move forward and grow its operations. Therefore, GLTRR is writing to renew its request for expedited consideration. Lastly, should the Board have any additional questions about the Petition, GLTRR stands ready and willing to immediately provide the necessary information. If you have any questions, please contact me at (202) 663-7831 or czorbaugh@mullinslawgroup.net.

Respectfully submitted,

Crystal M. Zorbaugh

Counsel for Great Lakes Terminal Railroad, LLC

cc: Parties of Record