GRANTED
Office of Chief Counsel
DECISION ID NO.: 53317
DECIDED DATE: 11/10/2026
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APPROVED: Chief Counsel

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ENTERED
Office of Chief Counsel
November 6, 2026
Part of
Public Record

BEFORE THE
ACE TRANSPORTATION BOARD

Finance Docket No. 36734

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

JOINT MOTION TO DISMISS
PETITION FOR DECLARATORY ORDER

Soo Line Railroad Company a/k/a CPKC ("CPKC") and the State of Wisconsin (the "State") (collectively, the "Parties") hereby jointly move the Surface Transportation Board (the "Board") to dismiss, without prejudice, the Petition for Declaratory Order (the "Petition") filed in this proceeding. In support of this Joint Motion, the Parties state as follows:

1. On October 27, 2023, CPKC filed the Petition, requesting that the Board issue a declaratory order finding that certain actions taken by the State with respect to repairs of CPKC railroad bridges are preempted by federal law.

2. On January 10, 2024, the State filed a Reply in opposition to the Petition, in which the State expressed its interest in resuming settlement negotiations with CPKC.

3. The Parties thereafter agreed to resume settlement discussions and jointly moved the Board to hold this proceeding in abeyance. The Board granted that joint motion on February 5, 2024, and has since granted several subsequent joint motions to continue holding this proceeding in abeyance while the Parties pursued settlement.

4. The Parties have now reached a settlement and have executed a written agreement memorializing its terms. The settlement resolves the controversy that gave rise to the Petition. Accordingly, there is no longer a dispute between the Parties requiring resolution by the Board, and the issuance of a declaratory order is unnecessary.

WHEREFORE, because the controversy giving rise to the Petition has been resolved by settlement, the Parties respectfully request that the Board grant this Joint Motion and dismiss the Petition for Declaratory Order without prejudice.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of November 2026, I caused a copy of the foregoing JOINT MOTION TO DISMISS PETITION FOR DECLARATORY ORDER to be served by e-mail upon all parties of record.

/s/ David F. Rifkind