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Office of Chief Counsel
November 23, 2026
Part of
Public Record

BEFORE THE
SURFACE TRANSPORTATION BOARD

AB 1354

CICERO CENTRAL RAILROAD, L.L.C.
—DISCONTINUANCE OF SERVICE EXEMPTION—
IN COOK COUNTY, ILL.

PETITION FOR EXEMPTION

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ATTORNEYS FOR CICERO CENTRAL RAILROAD, L.L.C.

Dated: November 23, 2026.

FEE RECEIVED
November 23, 2026
SURFACE
TRANSPORTATION BOARD

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AB 1354

CICERO CENTRAL RAILROAD, L.L.C.
—DISCONTINUANCE OF SERVICE EXEMPTION—
IN COOK COUNTY, ILL.

PETITION FOR EXEMPTION

Cicero Central Railroad, L.L.C. ("CERR"), pursuant to 49 U.S.C. § 10502, 49 C.F.R. § 1121, and 49 C.F.R. § 1152.60, hereby files this Petition for an exemption from the formal prior approval requirements of 49 U.S.C. § 10903 to discontinue common carrier freight service over approximately 5,675 feet (or approximately 1.075 miles) of railroad track (the "Line"), operated pursuant to agreements with the Line's owner, Illinois Central Railroad Company ("IC").

The Line which is the subject of this Petition measures approximately 5,675 feet, from the western edge of Cicero Avenue to the eastern edge of an overpass on Central Avenue, in the Village of Stickney, Illinois.[1] The Line has no mileposts. It serves a plant owned and operated by Koppers Holdings, Inc., and Koppers Carbon Materials, LLC (collectively, "Koppers"). The Koppers plant is the

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[1] *Cicero Cent. R.R., L.L.C.—Lease Exemption—Ill. Cent. R.R. Co.*, FD 35947 (STB served Nov. 4, 2015) ("*Cicero Cent.*"); *Watco Holdings, Inc.—Continuance in Control Exemption—Cicero Cent. R.R., L.L.C.*, FD 35948 (STB served Nov. 4, 2015).

sole customer on the Line. In 2015, IC leased the line to CERR, which then entered into a switching services agreement with Koppers to provide rail service to the plant. On July 28, 2026, Koppers provided CERR with written notice of its intent to terminate the switching services agreement, effective January 29, 2027, due to the closure of the plant, thereby eliminating the *raison d'etre* for CERR's presence on the Line. In turn, facing the absence of any railroad service demand upon the termination of Koppers' operations at the Stickney plant, CERR has petitioned for the subject discontinuance relief, thus ending CERR's operations entirely.

CERR respectfully submits that this situation clearly satisfies the exemption criteria codified at 49 U.S.C. § 10502(a), and that CERR's Petition should be granted accordingly.

I. Identification of Petitioner:

CERR is a Class III common carrier of freight by railroad, operating over approximately 5,675 feet (or approximately 1.075 miles) of track in the Village of Stickney, Illinois.[2] It is a wholly-owned subsidiary of the Watco Companies ("Watco"), a Kansas holding company which controls multiple railroad carriers in the United States. No other Watco railroad carriers connect with CERR. CERR's business address is:

Cicero Central Railroad, L.L.C.
315 West Third Street
Pittsburg, Kansas 66762

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[2] *Cicero Cent.* at 1.

II. Description of the Line That is the Subject of this Petition:

CERR operates on just over one statute mile of railroad track, which it leases from IC. The Line is located entirely within the Village of Stickney, Illinois, within United States Postal Service ZIP Code 60402. Although of limited relevance in this context, since CERR is only seeking authority to discontinue service and is not aware of any plans to abandon the Line, CERR does not think, upon the basis of information and belief, the Line is built on any federally-granted rights-of-way. Any documents in CERR's possession regarding federally-granted rights-of-way will be provided to any party requesting them to the extent relevant to this proceeding.

III. Jurisdiction and Statutory Standards

The Surface Transportation Board (the "Board") has jurisdiction over all proposed discontinuances of rail service in the United States.[3] Any common carrier of freight by railroad, like CERR, must obtain the Board's authority to discontinue service over a line of railroad. However, the Board is required to exempt a person, transaction, or service from the statutory and regulatory requirements otherwise applicable to a railroad carrier when it determines that—(1) the application of those requirements is not necessary to carry out the Rail Transportation Policy of the United States, 49 U.S.C. § 10101 (the "RTP"); and (2) either (a) the transaction is of limited scope or (b) regulation is not needed to protect shippers from an abuse of market power by the carrier.[4]

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[3] 49 U.S.C. § 10903 (2026).

[4] 49 U.S.C. §§ 10502(a)(1) *et seq.* (2026).

A. Granting this Exemption Would Serve the RTP

Among other policy mandates, the RTP requires the Board to minimize the need for regulatory control over America's railroad transportation system, reduce barriers to exit, and expedite regulatory decisions.[5] The Board has recognized that exempting discontinuances of service such as this one from the formal requirements of 49 U.S.C. § 10903 furthers RTP policies, thereby satisfying the exemption criteria codified at 49 U.S.C. § 10502(a)(1).[6]

CERR's requested discontinuance exemption would (1) minimize the need for regulatory control over its proposed cessation of operations over the Line in accordance with 49 U.S.C. § 10101(2); (2) eliminate a regulatory barrier to exit consistent with 49 U.S.C. § 10101(7); and (3) expedite regulatory processes to facilitate an agreed-upon cessation of service, in accordance with the termination of CERR's services agreement with Koppers.

Further, granting CERR this requested exemption would relieve it from the expensive and time-consuming formal application process under 49 U.S.C. § 10903, consistent with the statutory mandate of 49 U.S.C. § 10502(a)(1) and its incorporation of 49 U.S.C. § 10101.

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5 49 U.S.C. §§ 10101(2), (7), and (15) (2026).

6 *See Savage, Bingham & Garfield R.R. Co.—Discontinuance of Trackage Rights Exemption—In Whiting, Ind.*, AB 1271X (STB served Mar. 1, 2019), at 2 ("An exemption would expedite regulatory decisions, reduce regulatory barriers to exit, and provide for the expeditious handling and resolution of proceedings.").

B. The Transaction is of Limited Scope

CERR's requested exemption consists solely of its discontinuance of service over the track it uses to serve the Koppers plant in Stickney, Illinois. Since Koppers, the only customer on the Line, is closing its plant, the need for service on the Line will be eliminated. Further, since there are no other customers on the Line, there are no other carriers involved, and there is no abandonment of the Line being contemplated, the requested exemption is clearly of limited scope.

C. Regulation is Not Necessary to Protect Shippers from Abuse of Market Power

Since CERR's requested exemption is of limited scope, there is no requirement for it to demonstrate that regulation is necessary to protect shippers from an abuse of market power.[7] Even so, this transaction cannot and will not subject any shippers to an abuse of market power. The whole reason for this exemption is the fact that the only shipper on the Line is closing its facility, and there are no other shippers on the Line who would be affected by this transaction. Accordingly, there are no other shippers in need of regulatory protection.

IV. Labor Protection

The Board has stated it will not impose labor protection requirements where a discontinuance of service would result in the cessation of service over a carrier's entire system, and the carrier would maintain no residual interest in any

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[7] 49 U.S.C. § 10502(a)(2) (2026).

railroad assets or other regulated operations.[8] That is precisely the case in this transaction. The Line for which CERR seeks authority for discontinuance represents the whole scope of its operations. CERR has no propriety interest in any assets other than its lease from IC, which it will relinquish effective upon the closure of Koppers' Stickney plant. Because CERR will have no residual interest in any railroad assets or other regulated operations, it is entitled to relief from otherwise-applicable labor protection conditions.[9]

V. Environmental Impact, Interim Trails Use, and Public Use Conditions

Generally, the Board does not require a carrier seeking to discontinue service (as opposed to abandonment) to prepare and submit for review a combined environmental and historic preservation report pursuant to 49 C.F.R. §§ 1105.6(c) and 1105.8(b), particularly where, as here, the only shipper on the Line is closing its plant, triggering no rail-to-highway traffic diversions.[10] That general rule applies to this petition, and, accordingly, CERR has not undertaken environmental and historic preservation impact reporting. CERR will not be undertaking any salvage

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[8] *Mfr.'s Ry. Co.—Discontinuance Exemption—In St. Louis Cnty., Mo.*, AB 1075X (STB served Feb. 5, 2013), at 6; *cf. Cent. Tex. & Colo. River Ry., LLC—Discontinuance Exemption—In McCulloch, San Saba, Mills, and Lampasas Counties, Tex.*, AB-1272X (STB served Apr. 27, 2026), slip op. at 4-9.

[9] *Id.*

[10] *See Norfolk S. Ry. Co.—Discontinuance of Service Exemption—In Isle of Wight, Southampton, Greensville, and Brunswick Counties, Va.*, AB 290 (Sub-No. 359X) (STB served Dec. 6, 2013), at 2 ("Because this is a discontinuance proceeding and not an abandonment . . . no environmental or historical documentation is required[.]").

activity or alter or destroy any historic structures which may exist along the Line upon receiving discontinuance authority, and as a leasehold operator, it has no right to do so anyway.

CERR is not aware of any plans to abandon the Line (nor could it as a mere leasehold operator), and so CERR will undertake no track salvage. Moreover, CERR has arranged to publish notice of the discontinuance of service in a newspaper of general circulation in Cook County, Illinois, pursuant to 49 C.F.R. § 1105.12. *See* Exhibit C, Certificate of Publication. Finally, because this is a discontinuance proceeding, and not an abandonment proceeding, interim trails use and public use conditions do not apply.

WHEREFORE Cicero Central Railroad, L.L.C., respectfully requests the Board exempt from the prior approval requirements of 49 U.S.C. § 10903 its discontinuance of service over the Line as described herein.

Respectfully submitted,

By: /s/ ***Stephen J. Foland***
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Chicago, Illinois 60606-3208
(312) 252-1500
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ATTORNEYS FOR CICERO CENTRAL RAILROAD, L.L.C.

Dated: November 23, 2026.

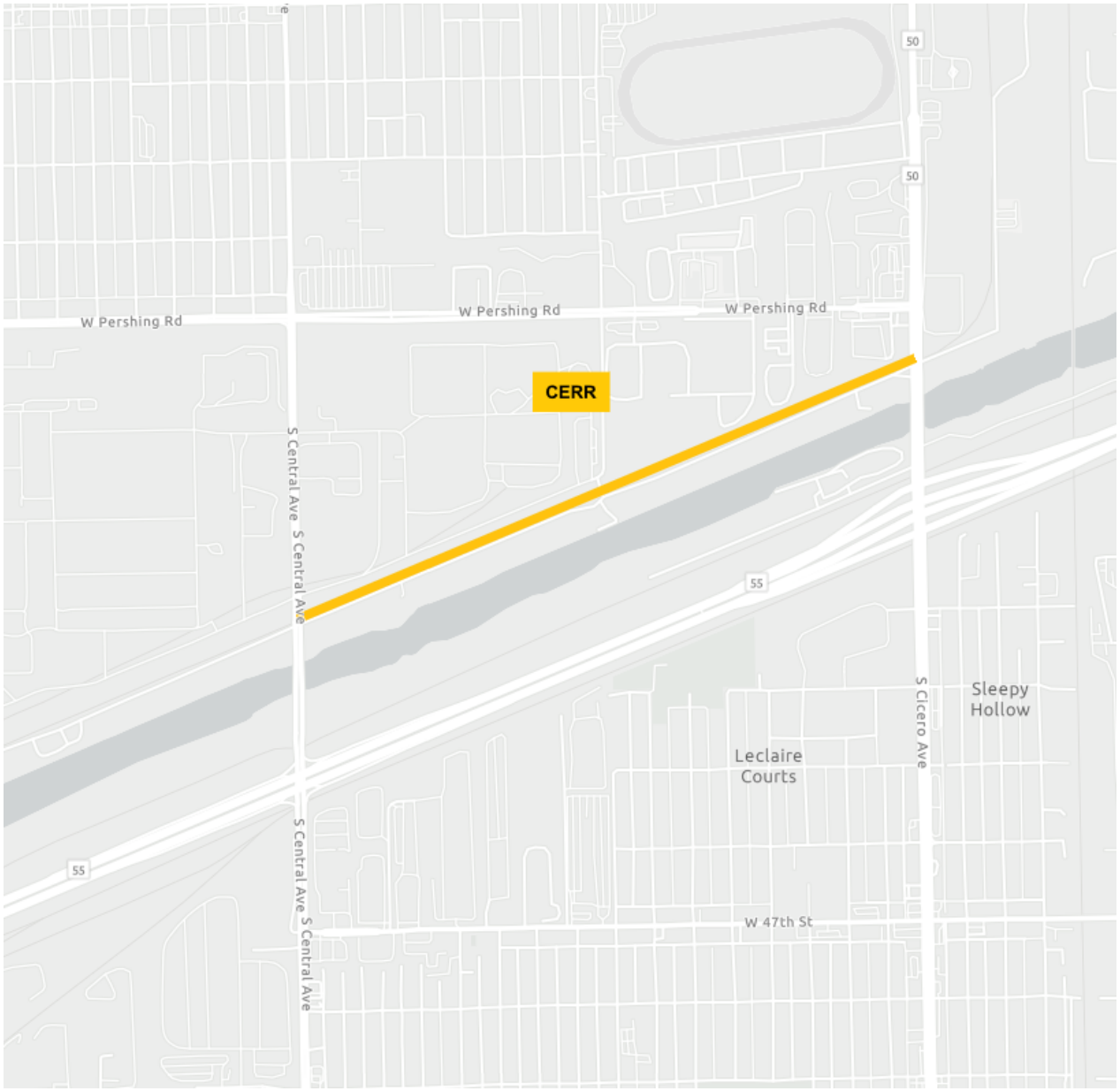
BEFORE THE
SURFACE TRANSPORTATION BOARD

AB 1354

CICERO CENTRAL RAILROAD, L.L.C.
—DISCONTINUANCE OF SERVICE EXEMPTION—
IN COOK COUNTY, ILL.

EXHIBIT A
MAP

Cicero Central Railroad



LEGEND

Cicero Central Railway (CERR)

Interchanges

Stickney - CN

Total Miles: 1.075

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

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AB 1354

CICERO CENTRAL RAILROAD, L.L.C.
—DISCONTINUANCE OF SERVICE EXEMPTION—
IN COOK COUNTY, ILL.

EXHIBIT B
DRAFT NOTICE FOR THE *FEDERAL REGISTER*

SURFACE TRANSPORTATION BOARD

AB 1354

Notice of Petition for Exemption to Discontinue Service

On November 23, 2026, Cicero Central Railroad, L.L.C. ("CERR") filed with the Surface Transportation Board a petition for exemption from the formal requirements of 49 U.S.C. § 10903 for authority to discontinue service over a line of railroad extending approximately 5,675 feet (or approximately 1.075 miles) from the western edge of Cicero Avenue to the eastern edge of an overpass on Central Avenue, in the Village of Stickney, Illinois (the "Line"). To the best of CERR's knowledge, the Line does not contain any federally-granted rights-of-way. Any documents in CERR's possession regarding federally-granted rights-of-way will be made available to any parties requesting them.

Labor protection conditions in this proceeding are subject to the Board's ruling in *Manufacturers' Railway Company—Discontinuance Exemption—In Saint Louis County, Missouri*, AB 1075X (STB served Feb. 5, 2013). The Board will address these conditions at a later date. Further, because CERR is seeking authority to discontinue service, and not to abandon the line, discussion of interim trails use, rail banking, and public use conditions does not apply to this proceeding. Finally, no environmental or historic preservation documentation is required under 49 C.F.R. §§ 1105.6(c) and 1105.8(b).

Parties seeking further information concerning discontinuance of service proceedings may contact the Board or refer to the full abandonment and

discontinuance of service regulations codified at 49 C.F.R. part 1152. Questions concerning environmental issues may be directed to the Board's Office of Environmental Analysis at (202) 245-0305. Assistance for the hearing-impaired is available through the Federal Information Relay Service at (800) 877-8339.

All filings submitted in response to this notice of petition must refer to Board Docket AB 1354 and must be sent to (1) Surface Transportation Board, 395 E Street SW, Washington, DC 20423-0001 and (2) Stephen J. Foland, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, Illinois 60606-3208, telephone (312) 252-1500, E-mail sfoland@fletcher-sippel.com.

The Board's decisions and notices are available on its website at www.stb.gov.

Decided: _____, 2026.

By the Board, _____, Office of Chief Counsel.

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SURFACE TRANSPORTATION BOARD

AB 1354

CICERO CENTRAL RAILROAD, L.L.C.
—DISCONTINUANCE OF SERVICE EXEMPTION—
IN COOK COUNTY, ILL.

EXHIBIT C
CERTIFICATE OF PUBLICATION

CERTIFICATE OF PUBLICATION

Pursuant to 49 C.F.R. § 1105.12, I hereby certify that my staff and I arranged for the publication of the Notice of Intent to Discontinue Railroad Freight Service in this docket in the *Des Plaines Valley News*, a newspaper of general circulation in the towns and villages in Cook County, Illinois, wherein the Line which is the subject of this Docket is located, on November 19, 2026, in the form attached hereto.

By: /s/ ***Stephen J. Foland***
Attorney for Cicero Central Railroad, L.L.C.

Dated: November 23, 2026.

NOTICE OF INTENT TO DISCONTINUE RAILROAD FREIGHT SERVICE SURFACE TRANSPORTATION BOARD DOCKET AB 1354

Cicero Central Railroad, L.L.C. ("CERR") hereby gives notice to the public that on or about November 20, 2026, it intends to file with the Surface Transportation Board ("STB") in Washington, DC, a petition for exemption from the prior approval requirements of 49 U.S.C. § 10903, which would allow CERR to discontinue common carrier railroad freight service over approximately 5,675 feet (or approximately 1.075 miles) of railroad line ("Line"), extending from the western edge of Cicero Avenue to the eastern edge of the Central Avenue overpass, in the Village of Stickney, Illinois, traversing United States Postal Service ZIP Code 60402. CERR used the Line to serve a plant owned and operated by Koppers Holdings, Inc., and Koppers Carbon Materials, LLC, which has closed, thereby eliminating the need for railroad freight service on the Line.

The proposed transaction will be docketed as STB Docket AB 1354. The proposed transaction entails the discontinuance of railroad freight service over the Line, but not an abandonment of the Line itself. Accordingly, no environmental and historic preservation assessment will be prepared as part of the proceeding. Further, no interim trails use or public use conditions apply to the proposed transaction.

Parties seeking more information about discontinuance of service proceedings may contact the STB or refer to the full abandonment and discontinuance of service regulations codified at 49 C.F.R. §§ 1152.1 *et seq*. Questions concerning environmental issues may be directed to the Board's Office of Environmental

Analysis at (202) 245-0305. Assistance for the hearing-impaired is available through the Federal Information Relay Service at (800) 877-8339. All filings submitted in response to this notice of petition must refer to STB Docket AB 1354 and must be sent to (1) the Surface Transportation Board, 395 E Street SW, Washington, DC 20423 and to (2) Stephen J. Foland, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, IL 60606, Telephone (312) 252-1500, E-mail sfoland@fletcher-sippel.com. Replies to the petition are due on or before December 15, 2026.