



Surface Transportation Board
Washington, D.C. 20423-0001

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and Compliance*

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June 26, 2018

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The Honorable Keith Ellison
United States House of Representatives
2263 Rayburn House Office Building
Washington, DC 20515

Dear Representative Ellison:

Thank you for your May 31, 2018 letter regarding Hennepin County Regional Railroad Authority–Acquisition Exemption–In Hennepin County, Minnesota, FD 36177, and Metropolitan Council–Petition for Declaratory Order, FD 36178. The Surface Transportation Board (STB or Board) appreciates knowing your views on these related proceedings.

As you know, the Metropolitan Council (the Council) and the Hennepin County Regional Railroad Authority (HCRRA) submitted filings with the Board on April 4 and 5, 2018, respectively, for purposes of effectuating transactions through which the Council would ultimately acquire approximately 9.3 miles of railroad property in Hennepin County, over which HCRRA would have operating rights as a common carrier railroad. The transactions are intended to facilitate the Council's development of the Southwest Light Rail Transit project. Numerous stakeholders, including many shippers of agricultural products, submitted comments about the transactions and the potential implications for freight rail service provided by Twin Cities & Western Railroad Company.

On May 3, 2018, the Board stayed the effectiveness of HCRRA's Notice of Exemption. On May 22, 2018, the Board instituted a proceeding to consider the Council's Petition for Declaratory Order, setting June 21, 2018 as the due date for both public comments and the parties' reply statements. At the request of the parties, this deadline was extended to June 27, 2018. Additionally, the Board's May 22 decision requested that the parties consider STB-sponsored mediation as a means to resolve the disputed issues. After receiving the parties' consent, the Board issued a decision on June 1, 2018, initiating mediation, which is being conducted in Minneapolis with the assistance of the Federal Mediation and Conciliation Service.

Because these proceedings are pending, I cannot comment on the merits. However, please be assured that the Board will carefully consider all comments filed. Your letter has been added to both dockets. The Board is hopeful that the parties can reach a mutually agreeable

solution through mediation. I will keep your office updated on the progress of the proceedings. If you have further questions or need additional assistance, please feel free to contact me at (202) 245-0238.

Sincerely,

A handwritten signature in cursive script that reads "Lucille L. Marvin". The ink is dark and the signature is fluid, with a large initial 'L' and a trailing flourish.

Lucille L. Marvin
Director