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April 19, 2018
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Midwest Agri-Commodities Company
999 Fifth Avenue, Suite 500
San Rafael, California 94901
Phone 415-259-2720 Fax 415-259-2712

MIDWEST AGRI



April 18, 2018

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



**Re: Docket No. FD 36178, Metropolitan Council – Petition for Declaratory Order
Docket No. FD 36177, Hennepin County Regional Rail Authority – Acquisition
Exemption –
In Hennepin County, Minnesota**

**LETTER IN SUPPORT OF TWIN CITIES & WESTERN RAILROAD
COMPANY'S
INITIAL REPLY REQUESTING THE BOARD TO SET A PROCEDURAL
SCHEDULE**

Dear Ms. Brown:

Midwest Agri-Commodities Company ("MAC") urges the Board to set a procedural schedule in the above referenced proceeding (FD 36178) to permit public comment and a full hearing on Metropolitan Council's Petition seeking to acquire ownership of the Bass Lake and Kenilworth corridors in Hennepin County, Minnesota. The Board should also stay the Hennepin County Regional Rail Authority's ("HCRRA") request in FD 36177 to acquire the common carrier obligations for the line.

MAC is located in San Rafael, CA. MAC markets, distributes and finances well over 1.5 million tons of solid and liquid sugar beet products a year to North, South and Central America, along with European, African and Asian countries for its members including Southern Minnesota Beet Sugar Cooperative ("SMBSC") which is located at Renville, MN. For over 39 years, SMBSC and the TCW have been a vital channel to MAC's European and African business. SMBSC rail service is provided by Twin Cities & Western Railroad Company ("TCW"). MAC and SMBSC rely on TCW for efficient and effective rail access to the Twin Cities to connect with major Class I carriers in the Twin Cities, a route that includes the Bass Lake/Kenilworth corridor. MAC requires efficient and effective rail service to serve its customers throughout the United States and abroad.

Several years ago, TCW informed us that the Metropolitan Council was seeking to expand its light rail service from Minneapolis west to certain suburban communities. When it was determined that the Metropolitan Council had selected the Bass

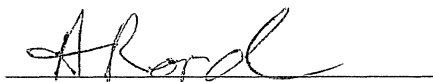
Lake/Kenilworth corridor for a joint light rail /freight rail corridor, TCW committed that it would work with the Council to reach agreements both to minimize disruption to freight rail service during construction and thereafter to assure that the presence of light rail in the freight rail corridor would not negatively impact TC&W's operational and economic ability to provide service or force shippers, such as MAC and its members, to subsidize the expense of adding light rail to the corridor.

We understand the Metropolitan Council recently abruptly ended negotiations with TCW and has filed its present Petition asking the Board to approve an arrangement whereby the Council will acquire ownership of the rail line but will ask the Board to transfer the common carrier obligation to HCRRA.

This is a very complicated transaction that needs full public input and understanding. Neither the Council nor HCRRA has ever sought our input on freight rail needs on the corridor and we now have learned they have no agreements in place with TCW on how freight service will be handled on this proposed "shared corridor" route.

We urge the Board to set a procedural schedule and delay HCRRA's request to acquire the common carrier obligation in order to solicit the views of others affected by this transaction – in particular shippers like ourselves who need this vital rail route to move our goods through the Twin Cities. Entrusting the common carrier obligation to a public entity that does not operate freight rail service provides little assurance that important shipper interests in continued effective transportation service will be protected. In addition, deciding on this matter without reaching an agreement with the one entity that is currently – and effectively – providing the common carrier service, TCW, is a matter of significant concern and warrants close scrutiny by the Board.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "A Ford", is written over a horizontal line.

Andy Ford, President
Midwest Agri-Commodities
999 Fifth Ave. Suite 500
San Rafael, CA 94901

Cc: Parties of Record

By mail to the STB:

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

By overnight delivery to the STB:

Ms. Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
Office of Proceedings
395 E Street, S.W., Room 1034
Washington, DC 20006

Parties of Record:

Edward D. Greenberg
GKG Law, P.C.
1055 Thomas Jefferson Street, N.W.
Suite 500
Washington, DC 20007

Charles A. Spitulnik
Kaplan Kirsch & Rockwell LLP
1001 Connecticut Avenue, N.W.
Suite 800
Washington, DC 20036

William A. Mullins
Baker & Miller PLLC
2401 Pennsylvania Avenue, N.W.
Suite 300
Washington, DC 20037

David F. Rifkind
Stinson Leonard Street LLP
1775 Pennsylvania Avenue, N.W.
Suite 800
Washington, DC 20006