



Office of the General Counsel

Surface Transportation Board
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Meeting under Section 5, STB Reauthorization Act

May 18, 2017

Present: Members Begeman, Elliott, and Miller
Member Staff: James Boles, Allison Davis, Janie Sheng,
and Brian O'Boyle.
Agency Staff: Craig Keats, Rachel Campbell, Vicki Rutson, Evelyn Kitay,
Scott Zimmerman, Michael Higgins, Kim Hillenbrand, Jonathon Binet,
Amanda Gorski, Kenneth Blodgett, Adam Assenza

Topic: FD 35952, Great Lakes Basin Construction Case

Summary of the Matters Discussed, Prepared by General Counsel Craig Keats:

At this meeting staff briefed Board Members on certain issues in the pending "Great Lakes Basin" construction case. In that proceeding, Great Lakes seeks authority to construct a major rail bypass around Chicago. Pending before the Board is the question whether to accept the application as complete. Also before the Board are questions about a requested protective order.

- **Whether the application is complete**
 - Must publish notice of the application, if it is complete, or reject it, if it is incomplete.
 - Here, Great Lakes did not provide balance sheet and income information for the prior year, as required by § 1150.6, because, it says, it has no business operations or revenue and hence has no such documents.
- **The requested protective order**
 - Great Lakes sought to designate the names of 10 principal shareholders and their share percentages as highly confidential, because, it says, that information is commercially sensitive. Staff and Members discussed that claim and the arguments made in opposition by groups opposing the project.