



Member of the Board

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

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The Honorable Gary C. Peters
United States Senate
724 Hart Senate Office Building
Washington, DC 20510

The Honorable Debbie Stabenow
United States Senate
731 Hart Senate Office Building
Washington, DC 20510

Dear Senator Peters and Senator Stabenow:

Thank you for your recent letter regarding a pending rate case challenge before the Surface Transportation Board (Board), Consumers Energy v. CSX Transportation, Inc., NOR 42142. The Board understands and appreciates your continued interest in this case.

As you know, Consumers Energy Company (Consumers) filed a complaint with the Board on January 13, 2015, challenging the reasonableness of rates established by CSX Transportation, Inc. (CSX) for moving unit train shipments of coal to Consumers' generating station near West Olive, Michigan, from an interchange with BNSF Railway Company near Chicago, Illinois. The parties' last evidentiary filings were received on April 13, 2017, and the Board is required to issue a decision by January 12, 2018.

Please be assured that the Board is actively working to resolve this rate dispute as soon as possible. Even though considerable time and resources are focused on processing this case, the Board prefers the private resolution of disputes in lieu of formal Board proceedings whenever possible. Therefore, I hope you will encourage the parties to make additional attempts to resolve the dispute on their own, particularly since a new President and CEO was installed at CSX in March.

Because this proceeding is pending, I cannot comment on the merits of the case. A copy of your letter has been placed in the docket for this proceeding. If you have further questions, please contact Lucille Marvin, Director of the Board's Office of Public Assistance, Governmental Affairs, and Compliance, at (202) 245-0238.

Sincerely,

Ann Begeman
Acting Chairman