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FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

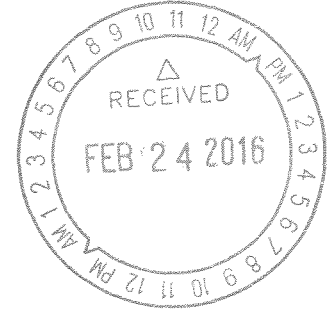
29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

ROBERT A. WIMBISH
(312) 252-1504
rwimbish@fletcher-sippel.com

ENTERED
Office of Proceedings
February 24, 2016
Part of
Public Record

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

February 24, 2016



VIA FEDEX

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

Re: *Wisconsin Chicago Link Ltd. – Discontinuance of Service Exemption – In Cook County, Ill.,*
STB Docket No. AB-1238X

and

Chicago, Central & Pacific Railroad Company, Grand Trunk Western Railroad Company, Illinois Central Railroad Company, and Wisconsin Central Ltd. – Trackage Rights Exemption – Norfolk Southern Railway Company,
Docket No. FD 35961

CONTAINS MATERIALS FILED UNDER SEAL PURSUANT TO A MOTION FOR ISSUANCE OF A PROTECTIVE ORDER

Dear Ms. Brown:

Enclosed are the following filings:

1. An original and 11 copies of a verified discontinuance of service notice of exemption on behalf of Wisconsin Chicago Link Ltd., pursuant to the Board's class exemption procedures at 49 C.F.R. § 1152.50; and
2. An original and ten copies of a verified notice of exemption for a trackage rights transaction on behalf of Chicago, Central & Pacific Railroad Company, Grand Trunk Western Railroad Company, Illinois Central Railroad Company, and Wisconsin Central Ltd., pursuant to the Board's class exemption procedures at 49 C.F.R. § 1180.2(d)(7).
3. An original and ten copies of a motion for a protective order to submit under seal in the FD 35961 proceeding an unredacted copy of a draft trackage rights agreement.

FEE RECEIVED
February 24, 2016
SURFACE
TRANSPORTATION BOARD

FILED
FEBRUARY 24, 2016
SURFACE
TRANSPORTATION BOARD

FLETCHER & SIPPEL LLC

Cynthia T. Brown, Chief

February 24, 2016

Page 2

(The above-referenced trackage rights notice of exemption filing contains at Exhibit B a redacted copy of the draft trackage rights agreement.)

4. A sealed envelope containing unredacted copies of the draft trackage rights agreement that is the subject of the FD 35961 proceeding, submitted pursuant to the aforementioned motion for protective order.

A check in the amount of \$5,100.00, representing the appropriate aggregate fees for both filings (\$3,900 for the discontinuance notice of exemption, and \$1,200 for the trackage rights notice of exemption) is attached.

If you have any questions regarding the enclosed filings, please feel free to contact me. Thank you for your assistance on these matters. Kind regards.

Sincerely,



Robert A. Wimbish

Counsel for Wisconsin Chicago Link Ltd., Chicago
Central & Pacific Railroad Company, Grand
Trunk Western Railroad Company, Illinois
Central Railroad Company, and Wisconsin
Central Ltd.

Enclosures

cc: Thomas J. Healey

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC

STB DOCKET NO. AB-1238X

WISCONSIN CHICAGO LINK LTD.
- DISCONTINUANCE OF SERVICE EXEMPTION -
IN COOK COUNTY, ILL.

**VERIFIED NOTICE OF EXEMPTION OF WISCONSIN CHICAGO LINK LTD.
PURSUANT TO 49 C.F.R PART 1152, SUBPART F**

Robert A. Wimbish
FLETCHER & SIPPEL LLC
29 North Wacker Drive
Suite 920
Chicago, IL 60606-2832
Tel: (312) 252-1504
Fax: (312) 252-2400

ATTORNEY FOR WISCONSIN CHICAGO LINK LTD.

Dated: February 24, 2016

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC

STB DOCKET NO. AB-1238X

WISCONSIN CHICAGO LINK LTD.
- DISCONTINUANCE OF SERVICE EXEMPTION -
IN COOK COUNTY, ILL.

**VERIFIED NOTICE OF EXEMPTION OF WISCONSIN CHICAGO LINK LTD.
PURSUANT TO 49 C.F.R PART 1152, SUBPART F**

Wisconsin Chicago Link Ltd. ("WCLL") hereby submits a notice of exemption pursuant to 49 C.F.R. part 1152, subpart F (Exempt Abandonments and Discontinuances of Service and Trackage Rights), to discontinue service over approximately four miles of railroad property in Chicago, Cook County, Illinois. Pursuant to 49 C.F.R. §§ 1152.50(b) and (d), WCLL provides the following information in support of its exemption notice:

Certification: 49 C.F.R. § 1152.50(b)

WCLL qualifies to invoke the Board's discontinuance of service class exemption at 49 C.F.R. part 1152, subpart F. See Verification of Paul Ladue, Region Director Contracts & Administration, attached hereto and made part hereof as Exhibit A.

Proposed Consummation Date: 49 C.F.R. § 1152.50 (d)(2)

The subject discontinuance will be consummated on or after April 14, 2016 (50 days after the filing date of the notice of exemption), but in no event prior to Board authorization

of the trackage rights transaction encompassed by STB Docket No. FD 35961, which is a prerequisite to consummation of the discontinuance proposed herein.¹

Additional Information Required: 49 C.F.R. §§ 1152.22(a)(1)-(4), (7)-(8) and (e)(4)

Exact name of applicant (49 C.F.R. § 1152.22(a)(1)):

Wisconsin Chicago Link Ltd.

Whether applicant is a common carrier by railroad (49 C.F.R. § 1152.22(a)(2)):

WCLL is a common carrier by railroad subject to the Board's jurisdiction under 49 U.S.C. Subtitle IV.

Relief sought (49 C.F.R. § 1152.22(a)(3)):

WCLL is invoking the Board's two-year-out-of-service class exemption procedures to discontinue service over approximately 4 miles of trackage (the "Line") located entirely within the City of Chicago, Cook County, Illinois. For purposes of this proceeding, the Line over which WCLL seeks discontinuance authority consists of two discrete but contiguous segments. The first segment over which WCLL seeks discontinuance authority – extending from approximately milepost 309.8 (at a connection with CSX Transportation, Inc. ("CSXT"), via the Altenheim Subdivision of the Baltimore and Ohio Chicago Terminal Railroad Company at Ogden Junction near Rockwell Street) to approximately milepost 307.9 (600 feet north of the north bank of the Chicago Sanitary and Ship Canal, near the Ash Street Interlock) (hereinafter the "Leased Segment") – is leased by WCLL from Norfolk Southern Railway Company ("NSR"), the successor to Pennsylvania Lines LLC ("PLLC"). The second segment consists of roughly two miles of overhead trackage rights (incidental to the aforementioned line lease)

¹ See Chicago, Central & Pacific Railroad Company, Grand Trunk Western Railroad Company, Illinois Central Railroad Company, and Wisconsin Central Ltd. – Trackage Rights Exemption – Norfolk Southern Railway Company, Docket No. FD 35961 (filed February 24, 2016).

extending south from milepost 307.9 (hereinafter the “Trackage Rights Segment”), which trackage rights were intended to facilitate “present or future connections” with the lines of other railroads. See Wisconsin Chicago Link Ltd. – Lease Exemption – Pennsylvania Lines LLC, Docket No. FD 33831 (STB served Feb. 10, 2000) (“WCLL-Pennsylvania Lines”). The purpose behind WCLL’s invocation of the discontinuance of service class exemption is to undo the transaction covered by the WCLL-Pennsylvania Lines exemption notice by relinquishing WCLL’s leasehold interest in the Leased Segment and by terminating its trackage rights on the Trackage Rights Segment.²

Map (49 C.F.R. § 1152.22(a)(4)):

A map showing the location of the Line is attached hereto as Exhibit B.

Applicant’s representative (49 C.F.R. § 1152.22(a)(7)):

WCLL’s representative to whom correspondence regarding this discontinuance should be sent is as follows:

² In filing its class exemption notice in the WCLL-Pennsylvania Lines proceeding, WCLL had indicated that operations over the Leased Segment would be conducted by NSR, CSXT, and WCLL affiliate Wisconsin Central Ltd, in each case pursuant to trackage rights. However, only NSR ever obtained Board authority to conduct trackage rights operations. See Norfolk Southern Railway Company – Trackage Rights Exemption – Wisconsin Chicago Link, Ltd., Docket No. FD 33921 (STB served Sept. 20, 2000). In 2004, PLLC was merged into NSR, with NSR emerging as the surviving entity pursuant to CSX Corporation and CSX Transportation, Inc., Norfolk Southern Corporation and Norfolk Southern Railway Company – Control and Operating Leases/Agreements – Conrail Inc. and Consolidated Rail Corporation, STB Finance Docket No. 33388 (Sub-No. 94), Decision No. 2 (STB served Nov. 7, 2003). With the contemplated termination of WCLL’s leasehold interest in the Leased Segment, the common carrier obligation will revert to NSR as owner of the Leased Segment, and NSR’s trackage rights tenancy will effectively “merge” with its ownership interest in the Leased Segment without the need for a separate, formal discontinuance of NSR’s trackage rights interest. See Dakota, Minnesota & Eastern Railroad Corporation – Acquisition Exemption – Line of BNSF Railway Company, Docket No. FD 35125, slip op. at 3 n.4 (STB served May 14, 2008), (citing to Norfolk and Western Railway Company – Acquisition Exemption – Consolidated Rail Corporation, Docket No. FD 32957, slip op. at 1 n.3 (STB served Aug. 15, 1996) for the proposition that a trackage rights tenancy effectively “merges” into rail line ownership when the trackage rights tenant and railroad line owner are the same).

Robert A. Wimbish
FLETCHER & SIPPEL LLC
29 North Wacker Drive
Suite 920
Chicago, IL 60606-2832
Tel: (312) 252-1504
Fax: (312) 252-2400

USPS ZIP codes (49 C.F.R. § 1152.22(a)(8)):

The Line lies within the following U.S. Postal Service ZIP Codes territories:

60608, 60609, and 60632.

Rural and Community Impact (49 C.F.R. § 1152.22(e)(4)):

The information required by section 1152.22(e)(4) (alternative public uses of rail property) appears to be relevant when the railroad proposes *abandonment*.³ Here, WCLL seeks to *discontinue service* over the Line, not abandon it, and for this reason WCLL has no opinion on whether or not the subject rail property might be appropriate for use for other public purposes. Although of questionable relevance here (because the proposed action does not entail abandonment of a rail line), WCLL nevertheless states as follows: WCLL has not undertaken a review of its records to determine whether any parcels may be subject to reversion in the event of an abandonment. In any event, it merely leases, and does not own, the subject property.

Labor Protection

The interests of affected railroad employees, if any, will be protected by the

³ See, e.g., Columbus and Greenville Railway Company – Discontinuance of Service Exemption – in Greenwood, MS, STB Docket No. AB-297 (Sub-No. 103X), slip op. at 2 n.2 (STB served July 3, 2007) (“CAGY-Greenwood”) (“Because this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use conditions are not appropriate”); Norfolk Southern Railway Company—Discontinuance Exemption—in Mahoning County, OH, STB Docket No. AB-290 (Sub-No. 292X), slip op. at 2 n.2 (“NS-Mahoning”) (STB served March 15, 2007) (same); Chillicothe-Brunswick Rail Maintenance Authority—Discontinuance Exemption—in Livingston, Linn, and Chariton Counties, MO, STB Docket No. AB-1001X, slip op at 2 n.3 (“CBRA-Livingston”) (STB served Feb 23, 2007) (same).

conditions discussed in Oregon Short Line Railroad —Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho, 360 I.C.C. 91 (1979).

Certifications

Attached hereto as Exhibit C are the Certificates of Service and Publication pursuant to the notice requirements of 49 C.F.R. §§ 1105.12 and 1152.50(d)(1). For reasons set forth in the “Environmental and Historic Report” section below, the certification of service requirement at 49 C.F.R. § 1105.11 (transmittal of Environmental and Historic Reports) is inapplicable here.

Environmental and Historic Report

A notice of exemption to discontinue service over (rather than to abandon) a line of railroad that has been out of service for more than two years does not require the preparation or submission of an Environmental and/or Historic Report.⁴

Respectfully submitted,



Robert A. Wimbish
FLETCHER & SIPPEL LLC
29 North Wacker Drive
Suite 920
Chicago, IL 60606-2832
Tel: (312) 252-1504
Fax: (312) 252-2400

Attorney for Wisconsin Chicago Link Ltd.

February 24, 2016

⁴ See, e.g., Everett Railroad Company – Discontinuance of Service Exemption – In Blair County, PA, STB Docket No. AB-271X slip op. at 2 n.2 (STB served Nov. 16, 2007) (“Because this is a discontinuance proceeding and not an abandonment, . . . no environmental or historical documentation is required here under 49 CFR 1105.6(c) and 1105.8(b), respectively”); CAGY-Greenwood at 2 n.2 (same); NS-Mahoning at 2 n.2 (same); CBRA-Livingston at 2 n.3 (same).

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC

STB DOCKET NO. AB-1238X

WISCONSIN CHICAGO LINK LTD.
- DISCONTINUANCE OF SERVICE EXEMPTION -
IN COOK COUNTY, ILL.

**VERIFIED NOTICE OF EXEMPTION OF WISCONSIN CHICAGO LINK LTD.
PURSUANT TO 49 C.F.R PART 1152, SUBPART F**

EXHIBIT A

**CERTIFICATION PURSUANT TO
49 C.F.R. § 1152.50(b) AND
VERIFICATION**

DOCKET NO. AB-1238X

**WISCONSIN CHICAGO LINK LTD.
– DISCONTINUANCE OF SERVICE EXEMPTION –
IN COOK COUNTY, ILL.**

CERTIFICATION AND VERIFICATION

STATE OF ILLINOIS)
) ss
COUNTY OF COOK)

Paul Ladue, being duly sworn, deposes and says:

1. Wisconsin Chicago Link Ltd. (“WCLL”) proposes to discontinue common carrier service over two discrete but contiguous rail line segments. The first segment (hereinafter the “Leased Segment”), extends from approximately milepost 309.8 (at a connection with CSX Transportation, Inc., via the Altenheim Subdivision of the Baltimore and Ohio Chicago Terminal Railroad Company at Ogden Junction near Rockwell Street) to approximately milepost 307.9 (600 feet north of the north bank of the Chicago Sanitary and Ship Canal, near the Ash Street Interlock). The second segment (hereinafter the “Trackage Rights Segment”) consists of roughly two miles of overhead trackage rights extending southward from milepost 307.9, which incidental trackage rights were intended to facilitate “present or future connections” with the lines of other railroads. (Collectively, the Leased Segment and the Trackage Rights Segment shall be referred to herein as the “Subject Line”).
2. WCLL has handled no local traffic over the Subject Line for at least two years, and any overhead traffic can be rerouted over other lines; and
3. No formal complaint filed by a user of rail service (or a state or local government entity acting on behalf of such user) regarding cessation of service over the Subject Line is either pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of the complainant within the past two years.

4. I have read the foregoing discontinuance of service notice of exemption; know the facts asserted therein are true and accurate as stated to the best of my knowledge, information, and belief; and state that I am duly authorized to make such verification on behalf of WCLL.

Date: _____

2/11/2016

Paul Ladue

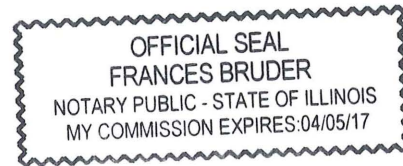
Paul Ladue

Region Director, Contracts & Administration
Wisconsin Chicago Link Ltd.

Subscribed and sworn to before me this 11th day of February, 2016.

Frances Bruder

Notary Public



BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC

STB DOCKET NO. AB-1238X

WISCONSIN CHICAGO LINK LTD.
- DISCONTINUANCE OF SERVICE EXEMPTION -
IN COOK COUNTY, ILL.

**VERIFIED NOTICE OF EXEMPTION OF WISCONSIN CHICAGO LINK LTD.
PURSUANT TO 49 C.F.R PART 1152, SUBPART F**

EXHIBIT B

MAP

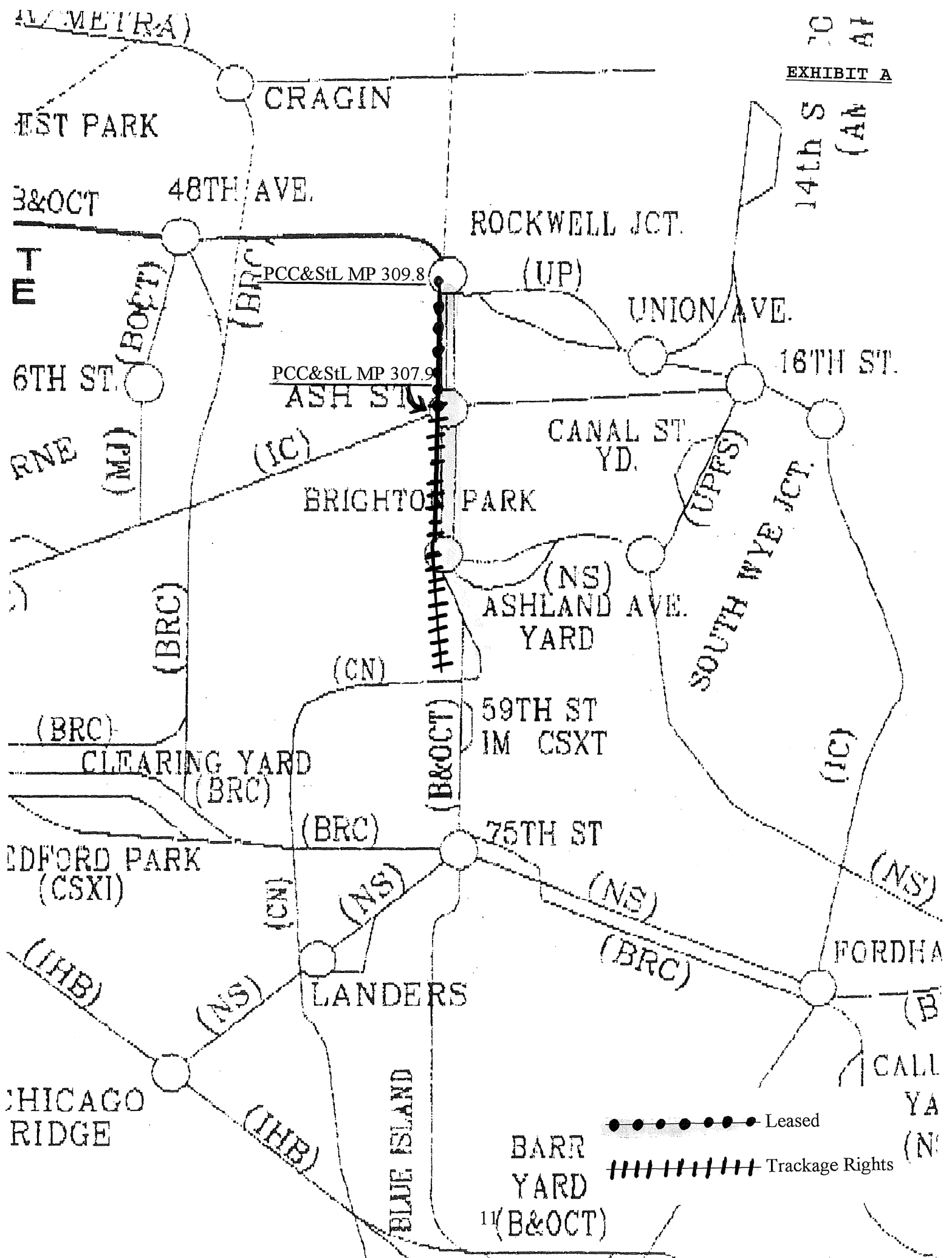


EXHIBIT A

14th S
(AN)

..... Leased
+++++ Trackage Rights

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC

STB DOCKET NO. AB-1238X

WISCONSIN CHICAGO LINK LTD.
- DISCONTINUANCE OF SERVICE EXEMPTION -
IN COOK COUNTY, ILL.

**VERIFIED NOTICE OF EXEMPTION OF WISCONSIN CHICAGO LINK LTD.
PURSUANT TO 49 C.F.R PART 1152, SUBPART F**

EXHIBIT C

**CERTIFICATIONS OF
SERVICE/PUBLICATION**

Certificate of Service

49 C.F.R. § 1152.50(d)(1) – Notice

I hereby certify that Wisconsin Chicago Link Ltd. has supplied written notice of its intent to use the Surface Transportation Board's class exemption procedures to effectuate the discontinuance of common carrier service over approximately 4 miles of rail line in Cook County, Illinois. Written notice (a representative copy of which is attached immediately following), was served on February 12, 2016, upon the following:

Illinois Department of Transportation
Division of Public and Intermodal Transportation
2300 S. Dirksen Parkway
Springfield, IL 62764

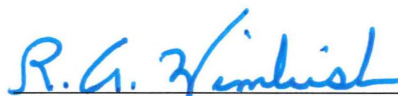
David Dorfman
SDDC TEA-Railroads for National Defense
709 Ward Dr., Bldg. 1990
Scott AFB, IL 62225

Charlie Stockman
National Park Service
Rivers & Trails Conservation Program
1201 Eye Street, NW, 9th Floor
(Org. Code 2220)
Washington, D.C. 20005

Thomas L. Tidwell, Chief
Forest Service
U.S. Department of Agriculture
Sidney R. Yates Federal Building
201 14th Street SW
Washington, DC 20024

Bureau of Transportation
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

February 24, 2016



Robert A. Wimbish
Attorney for Wisconsin Chicago Link Ltd.

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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ROBERT A. WIMBISH
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rwimbish@fletcher-sippel.com

February 12, 2016

David Dorfman
SDDC TEA
Railroads for National Defense
709 Ward Drive, Building 1990
Scott AFS, IL 62225

Re: *Wisconsin Chicago Link Ltd. – Discontinuance of Service Exemption –
In Cook County, Ill., STB Docket No. AB-1238X*

Dear Mr. Dorfman:

On or about February 24, 2016, Wisconsin Chicago Link Ltd. ("WCLL") expects to file with the Surface Transportation Board ("STB") a notice of exemption ("Notice") pursuant to 49 C.F.R. part 1152, subpart F – *Exempt Abandonments and Discontinuances of Service and Trackage Rights*, to discontinue common carrier service on approximately 4 route miles of railroad line (hereinafter, the "Line") located entirely in Chicago, Cook County, Illinois, consisting of two discrete but contiguous line segments. The first segment over which WCLL seeks discontinuance authority extends from approximately milepost 309.8 (at a connection with CSX Transportation, Inc. via the Altenheim Subdivision of the Baltimore and Ohio Chicago Terminal Railroad Company at Ogden Junction near Rockwell Street) to approximately milepost 307.9 (600 feet north of the north bank of the Chicago Sanitary and Ship Canal, near the Ash Street Interlock) (hereinafter the "Leased Segment"). The second segment consists of roughly two miles of overhead trackage rights over a line owned by Norfolk Southern Railway Company extending southward from milepost 307.9, which trackage rights were intended to facilitate "present or future connections" with the lines of other railroads. The Line traverses United States Postal Service ZIP Code territories 60608, 60609, and 60632. As indicated above, the proceeding will be docketed as STB Docket No. AB-1238X. A map depicting the Line is enclosed herewith.

This proceeding involves the discontinuance of common carrier service over the Line and not its abandonment, so WCLL understands that the question of whether the Line contains federally-granted rights-of-way is inapplicable. The Line is not suited at this time for alternative public use. Any documentation in the railroad's possession will be made available promptly to those requesting it.

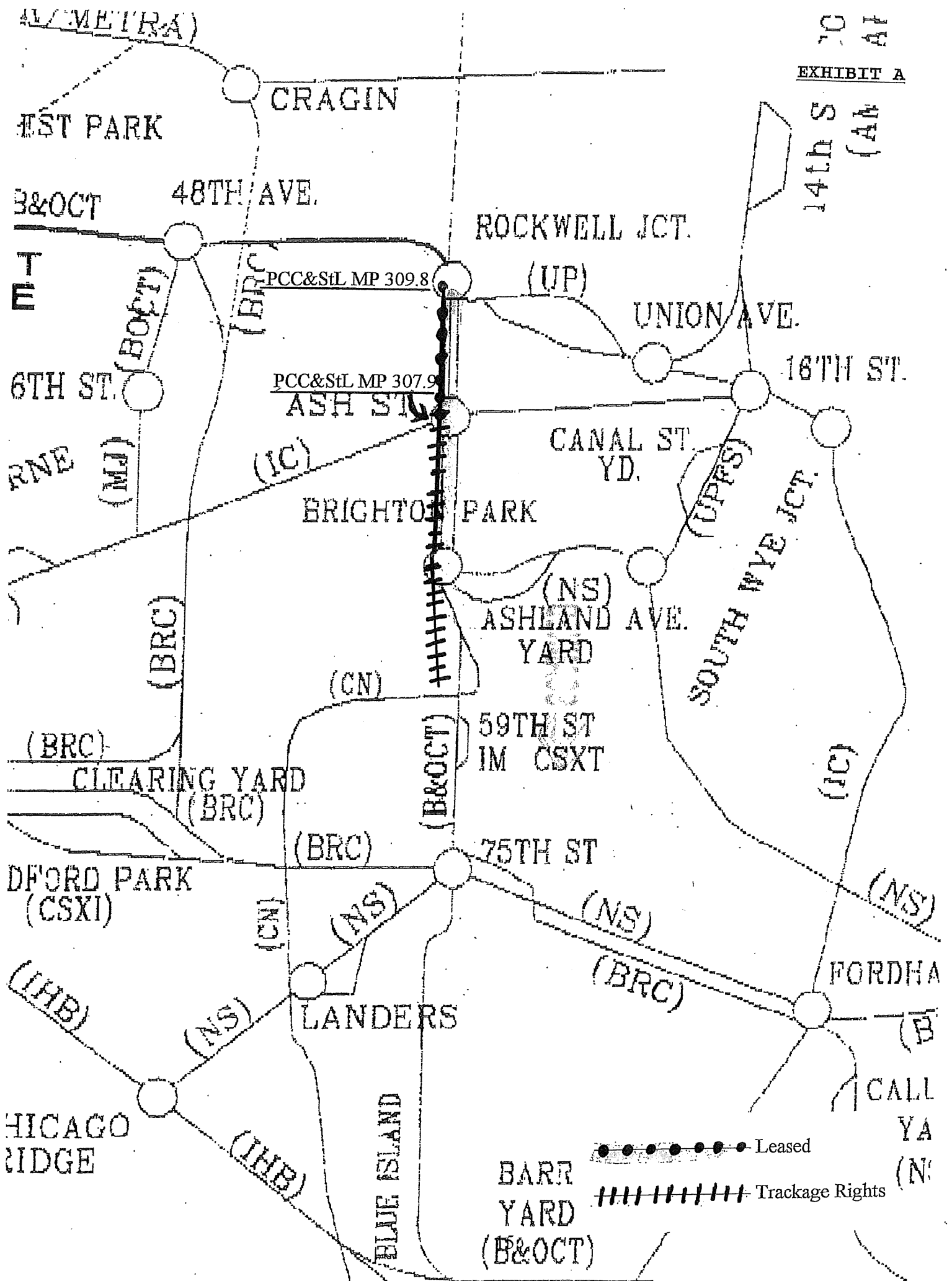
If you have any questions about the Notice that WCLL plans soon to file, please review the applicable regulations or contact me or the Surface Transportation Board, 395 E Street, SW Washington, DC 20423-0001; TEL: (202) 245-0230.

Sincerely,



Robert A. Wimbish
Counsel for Wisconsin Chicago Link Ltd.

Enclosure



Certificate of Publication

49 C.F.R. § 1105.12 – Newspaper Notice

I certify that a “Notice of Intent to Discontinue Service” was published in the form prescribed by the Surface Transportation Board for a notice of exemption strictly to discontinue service. The notice was published one time in *The Herald-News* (February 17, 2016), a newspaper of general circulation in Chicago, Cook County, Illinois, where the subject rail line is located. A copy of the supporting Certificate of Publication follows.

February 24, 2016



Robert A. Wimbish
Attorney for Wisconsin Chicago Link Ltd.

STB DOCKET NO. AB-1238X

WCLL proposes to discontinue rail common carrier service over the Subject Line, which is owned by Norfolk Southern Railway Company, not to abandon it. Accordingly, no environmental and/or historic report will be prepared as part of this proceeding.

Appropriate offers of financial assistance to subsidize WCLL's rail service can be filed with the Board. An original and 10 copies of any pleading pertaining to offers of financial assistance, responding generally to the proposed economic plan, should be filed with the Board with the Board's Section of Administration, Office of Proceedings, 395 E Street, S.W., Washington, DC 20423 [See 49 C.F.R. §§ 1104.1(a) and 1104.3(a)], and one copy must be served on the Board's Section of Public Administration, 1112, 12th St., N.E., Washington, D.C. 20003. For more information, please contact the Board's Office of Public Assistance, Governmental Affairs, and Compliance at 202-245-0230. Copies of any comments or requests for specific Board action should be sent on WCLL's representative: Robert A. Wimbish, Esq., 1000 N. La Grange Road, Suite 100, Westmont, IL 60090, Chicago, IL 60606 (phone: 312-252-1504; fax 312-252-2400).

Published in Daily Herald-February 17, 2016 (4432670)

Paddock Publications, Inc.

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Deer Park, Des Plaines, South Elgin, East Dundee, Elburn, Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Geneva, Gilberts, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Villa, Lake in the Hills, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Mt. Prospect, Mundelein, Palatine, Prospect Heights, Rolling Meadows, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake park, Schaumburg, Sleepy Hollow, St. Charles, Streamwood, Tower Lakes, Vernon Hills, Volo, Wauconda, Wheeling, West Dundee, Wildwood, Sugar Grove, North Aurora

County(ies) of Cook, Kane, Lake, McHenry
and State of Illinois, continuously for more than one year prior to the
date of the first publication of the notice hereinafter referred to and is of
general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 7150, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published February 17, 2016 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY Paula Baetz
Authorized Agent

Control # 4432670

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC

STB DOCKET NO. AB-1238X

WISCONSIN CHICAGO LINK LTD.
- DISCONTINUANCE OF SERVICE EXEMPTION -
IN COOK COUNTY, ILL.

**VERIFIED NOTICE OF EXEMPTION OF WISCONSIN CHICAGO LINK LTD.
PURSUANT TO 49 C.F.R PART 1152, SUBPART F**

**DRAFT FEDERAL REGISTER
NOTICE OF EXEMPTION**

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. AB-1238X]

Wisconsin Chicago Link Ltd. – Discontinuance of Service Exemption – in Cook County, Ill.

Wisconsin Chicago Link Ltd. (WCLL) filed on February 24, 2016, a verified notice of exemption under 49 C.F.R. part 1152 subpart F–Exempt Abandonments and Discontinuances of Service and Trackage Rights to discontinue service over approximately 4 miles of trackage in Cook County, Illinois. The subject trackage over which WCLL seeks discontinuance authority consists of two discrete but contiguous segments. The first segment – extending from approximately milepost 309.8 (at a connection with CSX Transportation, Inc., via the Altenheim Subdivision of the Baltimore and Ohio Chicago Terminal Railroad Company at Ogden Junction near Rockwell Street) to approximately milepost 307.9 (600 feet north of the north bank of the Chicago Sanitary and Ship Canal, near the Ash Street Interlock) – is leased by WCLL from Norfolk Southern Railway Company (“NSR”), the successor to Pennsylvania Lines LLC. The second segment consists of roughly two miles of overhead trackage rights (incidental to the aforementioned line lease) extending south from milepost 307.9, which trackage rights were intended to facilitate “present or future connections” with the lines of other railroads. The line traverses United States Postal Service Zip Codes 60608, 60609, and 60632.

WCLL has certified that: (1) no local traffic has moved over the line for at least 2 years; (2) overhead traffic can be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of

complainant within the 2-year period; and (4) the applicable requirements at 49 C.F.R. § 1105.12 (newspaper publication), and 49 C.F.R. § 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the discontinuance shall be protected under Oregon Short Line Railroad – Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. § 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on April 14, 2016, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues and formal expressions of intent to file an OFA for continued rail service under 49 C.F.R. § 1152.27(c)(2) must be filed by _____, 2016.¹ Petitions to reopen must be filed by _____, 2016, with the Surface Transportation Board, 395 E Street, S.W., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to WCLL's representative: Robert A. Wimbish, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, IL 60606-2832.

If the verified notice contains false or misleading information, the exemption is void ab initio.

¹ Each OFA must be accompanied by the filing fee, which is currently set at \$1,600. See 49 C.F.R. § 1002.2(f)(25). Because this proceeding involves the proposed discontinuance of rail service and not abandonment, trail use/rail banking and public use conditions are not appropriate. Likewise, no environmental or historical documentation is required here under 49 CFR 1105.6(c) and 1105.8(b), respectively.

Board decisions and notices are available on our website at
“WWW.STB.DOT.GOV.”

Decided: _____.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.