



Member of the Board

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

March 3, 2017

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The Honorable Tammy Duckworth
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The Honorable Raja Krishnamoorthi
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The Honorable Mike Quigley
United States House of Representatives
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The Honorable Bill Foster
United States House of Representatives
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The Honorable Darin LaHood
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The Honorable Jan Schakowsky
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The Honorable Bradley S. Schneider
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The Honorable Daniel Lipinski
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The Honorable Bobby Rush
United States House of Representatives
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Dear Members of the Illinois Congressional Delegation:

Thank you for your letter dated February 23, 2017, concerning *The Illinois State Toll Highway Authority—Petition for Declaratory Order*, Docket No. FD 36075. I appreciate receiving your views on this matter.

As you know, on January 17, 2017, the Board instituted a proceeding to consider whether federal law prevents the Illinois State Toll Highway Authority (Tollway) from using eminent domain to acquire easements over property owned by Canadian Pacific Railway (CP). The Tollway seeks the easements for its Elgin-O'Hare Western Access (EOWA) Project. In this proceeding, the Board will also be considering the impacts of the proposed easements on mainline tracks operated by CP and any alleged downstream effects on CP's Bensenville Yard. The Board established a procedural schedule allowing CP and interested parties to reply to the Tollway's petition by February 23rd, and the Tollway and interested parties to respond by March 16th.

Please be assured that the Board appreciates your interest in the EOWA Project and its significance to the regional transportation network. Because this matter is pending before the Board, I cannot comment on the merits of the case. Although the dispute is before the Board, it is my hope that the parties will continue to explore opportunities to resolve the contested issues on their own. The Board strongly favors solutions negotiated between the parties over litigated outcomes.

If you have any further questions or need additional information, please contact Lucille Marvin, Director of the Office of Public Assistance, Governmental Affairs and Compliance at 202-245-0238. Ms. Marvin will also keep your offices apprised of any developments in this proceeding.

Again, thank you for contacting me.

Sincerely,


Ann Begeman
Acting Chairman