



Member of the Board

Surface Transportation Board
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Re: Docket No. FD 35984, Ohio River Partners LLC—Acquisition and Operation Exemption—
Hannibal Development, LLC

Dear Counsel:

By a decision served today, the Board granted your mutual agreement to participate in Board-sponsored mediation in the above-referenced proceeding. I have asked Mr. Brian O'Boyle of Vice Chairman Miller's office and Mr. Rob Plum of the Office of Economics to serve as the mediators in this matter.

Mr. O'Boyle will contact you within five business days to discuss scheduling the meetings related to the mediation. Each party is reminded that at least one person with the authority to bind that party must participate in the mediation and be present at any session at the mediators' request.

In accordance with the Board's rules, the mediation period will run for 30 days, beginning on the date of the first mediation session. The mediation may be terminated prior to the end of this period only if the mediators make such a certification to the Board. If the parties agree, mediation can be extended.

I commend the parties for their interest in attempting to resolve the pending controversy through mediation, and it is my hope that it will be successful. However, should you be unable to resolve this dispute fully during mediation, Mr. O'Boyle and Mr. Plum, and any additional Board staff assisting in the mediation, will be recused from working on any subsequent litigation before the Board involving this proceeding.

Sincerely,

Ann Begeman
Acting Chairman