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June 6, 2019

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
U.S. Surface Transportation Board
395 E Street, SW
Washington, DC 20023

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Public Record

Re: Docket No. FD 36298, *Naval Nuclear Propulsion Program, United States Army Military Surface Deployment and Distribution Command, and Fluor Marine Propulsion, LLC – Petition for Declaratory Order*

Dear Ms. Brown:

In follow up to CP's letter of May 31, 2019 and in response to the Board's May 14, 2019 decision in the above-referenced matter, Delaware and Hudson Railway Company, Inc. d/b/a Canadian Pacific ("CP") is writing to inform the Board that it is agreeable to mediation. CP is concerned, however, that mediation not delay a decision on the merits in the event that a decision is necessary.

Please let me know if you have any questions.

Respectfully Submitted,

/s/ David F. Rifkind

Counsel for Delaware and Hudson Railway
Company, Inc.

cc: Parties of Record