



Member of the Board

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

May 3, 2017

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The Honorable Raja Krishnamoorthi
United States House of Representatives
515 Cannon House Office Building
Washington, DC 20515

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May 4, 2017
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Dear Representative Krishnamoorthi:

Thank you for your letter dated April 11, 2017, concerning *The Illinois State Toll Highway Authority—Petition for Declaratory Order*, Docket No. FD 36075. We appreciate knowing your views, along with those of the Illinois state and local officials who expressed their support for your letter.

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 consider the impacts of the proposed easements on mainline tracks operated by CP and any alleged downstream effects on CP's Bensenville Yard. At this point, the briefing schedule has closed. The Board is actively considering the parties' evidentiary submissions and reviewing comments submitted by other stakeholders, including the U.S. Department of Transportation, the Association of American Railroads, and federal and state elected officials.

Please be assured that the Board appreciates your continued interest in the EOWA Project and its importance to the regional transportation network and the economy of surrounding communities. On March 3, 2017, Acting Chairman Begeman replied to the letter that you submitted along with other members of the Illinois delegation. As the March letter noted, we cannot comment on the merits of the case while the matter is pending before the agency. Although the dispute is before the Board, it is our hope that the parties will continue to explore opportunities to resolve the contested issues on their own.

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 office apprised of any developments in this proceeding.

Again, thank you for contacting us.

Sincerely,

Ann D. Begeman
Acting Chairman

Daniel R. Elliott III
Vice Chairman

Deb Miller
Board Member