

*via electronic filing*

246113  
246114

July 23, 2018

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

ENTERED  
Office of Proceedings  
July 23, 2018  
Part of  
Public Record

**Re: STB Finance Docket No. 36177, Hennepin County Regional Rail  
Authority – Acquisition Exemption – In Hennepin County, Minnesota;  
STB Finance Docket No. 36178, Metropolitan Council – Petition for  
Declaratory Order**

Dear Ms. Brown:

As described in recent filings to the Board, a settlement has apparently been reached among the Metropolitan Council (“Council”), the Hennepin County Regional Railroad Authority (“HCRRA”), and the Twin Cities & Western Railroad Company (“TCW”) regarding certain issues raised in the above-captioned dockets.<sup>1</sup> The HCRRA also informed the Board that it would not oppose a decision by the Board which revokes the HCRRA’s Subtitle IV exemption as to the Kenilworth Corridor effective as of the date of the Council’s acquisition of the underlying property.<sup>2</sup>

The members of the TCW Shippers Coalition were not involved in the settlement discussions among the Council, HCRRA, and TCW. However, given the existence of a settlement and based on representations of the settling parties that rail service will not be adversely affected, the Shippers Coalition hereby withdraws its request for conditions that was included in Comments filed with the Board on June 27, 2018 in Docket No. 36178. The Shippers Coalition also strongly supports revocation of HCRRA’s Subtitle IV exemption as proposed in the cover letter filed by the Council and HCRRA on July 20, 2018. More broadly, although the Shippers Coalition is withdrawing its pending request for conditions, the importance of access to the Twin Cities gateway for Coalition traffic remains unchanged and the members of the Coalition reserve all rights. The Board-authorized trackage rights currently utilized by TCW to reach the gateway are vitally

<sup>1</sup> See, e.g., TCW correspondence (filed July 19, 2018); Council correspondence (filed July 16, 2018); Council and HCRRA notice of settlement (filed July 20, 2018).

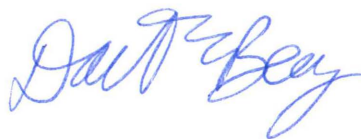
<sup>2</sup> Council and HCRRA cover letter (filed July 20, 2018).

July 23, 2018

Page – 2 –

important to the long-term competitiveness of shippers and businesses throughout southern Minnesota and eastern South Dakota.

Sincerely,



Sandra L. Brown

David E. Benz

*Counsel for Southern Minnesota Beet Sugar  
Cooperative, and on behalf of the TCW Shippers  
Coalition*

cc: all parties on service list (via U.S. mail, postage prepaid)

---