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Public Record

Kathryn D. Kirmayer
General Counsel

March 16, 2017

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423

Re: EP 290 (Sub-No. 4), *Railroad Cost Recovery Procedures – Productivity Adjustment*

Dear Ms. Brown:

In this proceeding, the Surface Transportation Board (“Board”) has sought public comment on calculations based on data supplied by RAILINC Corp. (“Railinc”).

Since the decision seeking comments was first issued on February 14, 2017, Railinc has been reviewing the 2015 Carload Waybill Sample, in order to fully understand the decline in mileages explained in the decision. Although progress has been made, Railinc needs more time to complete its review. Accordingly, I am writing to request that the Board suspend the deadline for comments in this proceeding until such time as Railinc can report to the Board on the results of its review. Counsel for Western Coal Traffic League has been contacted and has indicated that it does not intend to object to Railinc’s request.

Sincerely,

A handwritten signature in blue ink that reads 'Kathryn D. Kirmayer' followed by a stylized '13'.

Kathryn D. Kirmayer
General Counsel
Railinc

cc: E. Allen West