



 GRANTED Office of Proceedings	DECISION ID NO	47206
	DECIDED DATE	9/3/2019
	SERVED DATE:	9/4/2019
	APPROVED	<i>anc di</i> Director
☒ Extended to 2/19/2020.		

CHICAGO DEPARTMENT OF TRANSPORTATION
CITY OF CHICAGO

August 20, 2019

248374

VIA E-FILING

Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

ENTERED
Office of Proceedings
August 22, 2019
Part of
Public Record

Karl Morell
Ball Janik LLP
655 15th Street NW, Suite 225
Washington, DC 20005

Re: BNSF Railway Company--Abandonment Exemption--in Cook County, IL, STB
Docket No. AB-6 (Sub-No. 482X)

Dear Board:

The City of Chicago, an Illinois municipal corporation, acting by and through its Department of Transportation ("**City**"), hereby petitions the Surface Transportation Board ("**Board**") for an order modifying and extending its Decision and Notice of Interim Trail Use or Abandonment ("**NITU**") in the above-referenced matter for an additional 180 days, through and including February 19, 2020.

On January 29, 2013, the City filed a request for issuance of a notice of interim trail use (NITU) and public use condition ("**Petition**") for the line proposed for abandonment in Docket No. AB-6 (Sub-No. 482X), between Station 36+70 (north of the Chicago Sanitary and Ship Canal Bridge) and Station 149+87 (at the end of the track near Western Avenue), referred to herein as the "**Rail Line**."

On April 9, 2013, the Board issued its NITU, as part of STB decision #42859, permitting the City to negotiate with BNSF Railway Company ("**BNSF**") for trail use for the Rail Line. STB granted the most recent extension, to August 23, 2019 as Order #46863, service date March 4, 2019.

FILING FEE WAIVED

30 NORTH LASALLE STREET, SUITE 1100, CHICAGO, ILLINOIS 60602

In the interim, the City has continued active negotiations with BNSF counsel regarding this line (while mutually prioritizing completion of work on the Sangamon Line in Docket No. AB-6-487X). The City also continued other activities in earnest toward potential acquisition of the rail line for trail use including procurement of engineering design services. Previously, on December 12, 2018, the Chicago City Council unanimously passed an ordinance authorizing the acquisition of this corridor and other BNSF properties.

However, the City will still need to secure further funding, complete environmental testing, and conduct preliminary design work in order to pursue a trail project. The City requests additional time to continue these activities.

In support of its request for additional time, the City renews its Petition and its Statement of Willingness to Assume Financial Responsibility.

A copy of this statement is being served on BNSF on the same date it is being served on the Board. By my signature below, I certify service upon all parties of record in this proceeding, by U.S. Mail, postage prepaid, first class, this 20th day of August 2019.

Pursuant to 49 C.F.R. § 1002.2(e)(1), the filing fee for this request is waived.

Respectfully submitted,

CITY OF CHICAGO, an Illinois
municipal corporation

By: Thomas Carney
Thomas Carney
Acting Commissioner of Transportation