



CHICAGO DEPARTMENT OF TRANSPORTATION
CITY OF CHICAGO

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August 20, 2019
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August 20, 2019

VIA E-FILING

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

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

 GRANTED Office of Proceedings	DECISION ID NO. 47205
	DECIDED DATE: 9/3/2019
	SERVED DATE: 9/4/2019
	APPROVED: <i>A. C. Mori</i> Director
☒ Extended to 3/6/2020.	

Re: BNSF Railway Company--Abandonment Exemption--in Cook County, IL, STB
Docket No. AB-6 (Sub-No. 493X)

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 March 6, 2020.

On September 26, 2016, the City filed a request for issuance of a notice of interim trail use (NITU) and public use condition ("**Petition**") for an approximately 0.89-mile rail line (the "**Lumber Street Line**") on BNSF's Lumber District Lead beginning just west of Laflin Street at Engineering Station 118+00 and proceeding east along West Cermak Road to the most easterly point at Engineering Station 157+65 and heading north along the Sangamon Street Lead at Engineering Station 163+50, including both legs of the wye, in Chicago, Cook County, Illinois.

On November 23, 2016, the Board issued its NITU as Decision 45227, permitting the City to negotiate with BNSF Railway Company ("**BNSF**") for trail use for the Lumber Street Line. STB granted the most recent extension, to September 8, 2019, as Decision #46877.

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 complete testing and engineering, conduct other due diligence and secure further funding in order to pursue a trail project. The City requests additional time to continue these activities.

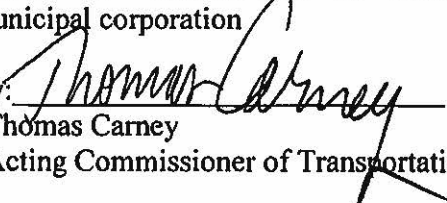
In support of its request for additional time, the City renews its Petition and its Statement of Willingness to Assume Financial Responsibility.

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

Acting Commissioner of Transportation