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January 23, 2017

Surface Transportation Board
395 E Street SW
Washington, D.C. 20423

Re: Finance Docket # 36077

Dear Board:

 GRANTED Office of Proceedings	DECISION ID NO.: <u>45659</u>
	DECIDED DATE: <u>1/25/17</u>
	SERVICE DATE: <u>1/26/2017</u>
	APPROVED: <u>Paetolo Campbell</u> Director
	☐

Over the past month the Railroad and SMART have been conferring upon a potential settlement to resolve the issues presented by the pending Declaratory Order proceeding FD 30677.

The parties are desirous that the Board hold the proceeding in abeyance until February 24, 2017 to facilitate further settlement discussions. The parties would report to the Board a report upon the status of the settlement proceedings no later than February 17, 2017. Of course, if settlement is finalized prior to that time we would promptly notify the Board.

It is requested jointly by the NCRA and NWPCo that the Board concur in the foregoing request. The undersigned has been authorized by the attorneys for SMART to indicate that it concurs in this request.

Yours very truly,



Christopher J. Neary
Attorney for North Coast Railroad Authority

CJN/cm

cc: Douglas Bosco, Esq.
Kevin M. Sheys, Esq.; Edward J. Fishman, Esq.; Justin J. Marks, Esq.
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