



Office of
Proceedings

DECISION ID NO.: 46787

DECIDED DATE: 2/1/2019

SERVICE DATE: 2/1/2019

APPROVED: *Quic Tri*

Acting Director

☒ Parties to submit
status report by
2/25/2019.

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ENTERED

Office of Proceedings

January 29, 2019

Part of

Public Record

January 29, 2019

The Honorable Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-00001

Re: The Illinois State Toll Highway Authority
Petition for Declaratory Order - STB Docket FD 36075

Dear Ms. Brown:

This letter responds to the Board's Order of December 3, 2018 seeking a status report from the parties in the above-reference matter by December 28, 2018. However, on December 21, 2018, the Board issued a news release indicating that no filings would be accepted and tolling all filing deadlines pending reopening of the STB. Now that the STB has resumed operations and pursuant to the January 28, 2019 Decision in Docket No. EP 571, the parties hereby submit their joint status report.

The Illinois State Toll Highway Authority and Soo Line Railroad Company d/b/a Canadian Pacific file this status report jointly. In their most recent November 30, 2018 status report, the parties advised the Board that they were independently discussing a settlement and asked the Board to allow them to continue their discussions before participating in Board-sponsored mediation. The parties also indicated they believed they had made progress toward settlement of the matter, including executing a letter of intent which establishes the framework for a final agreement. The parties are continuing to work toward a final definitive agreement and associated collateral agreements and seek an additional 30-day period to do so.

Accordingly, the parties agree that any Board-sponsored mediation, if necessary or appropriate, be scheduled to begin no earlier than March 4, 2019 and no later than April 8, 2019, unless otherwise requested by the parties.

Respectfully submitted,

The Illinois State Toll Highway Authority
By: Kwame Raoul,
Attorney General, State of Illinois

By: *Robert T. Lane*
Robert T. Lane
Acting General Counsel

Soo Line Railroad Company d/b/a
Canadian Pacific

By: *David F. Rifkind*
David F. Rifkind
Counsel