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Proceedings

DECISION ID NO.: 42068
DECIDED DATE: 12/27/11
SERVICE DATE: 12/28/11
APPROVED: Rachel D Campbell
Director



231392

CHICAGO DEPARTMENT OF TRANSPORTATION

CITY OF CHICAGO

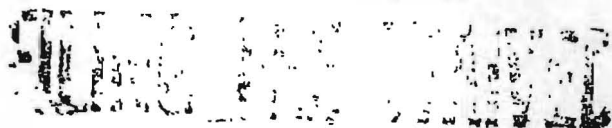
December 2, 2011

VIA E-FILING

Ms. Cynthia Brown
Chief, Section of Administration
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Michael J. Barron, Jr.
Fletcher & Sippel LLC
29 North Wacker Drive, Suite 920
Chicago, IL 60606-2832

Part of
Public Record



Re: Illinois Central Railroad Company--Abandonment Exemption--In Cook County, IL, STB
Docket No. AB-43 (Sub-No. 184X)

Dear Ms. Brown:

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 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 May 30, 2012.

On October 15, 2008, the City filed a petition for a Public Use Condition as well as a Certificate or Notice of Interim Trail Use ("Petition"), rather than an outright abandonment authorization, for approximately 3,205 feet of rail line beginning at the point of clearance at Station 26+58 (Halsted Street) and extending northeasterly approximately 3,205 feet to the end of the track at Station 58+63 (Cermak Road).

On December 17, 2008, the Board issued its NITU, authorizing a 180-day period for the City to negotiate an interim trail use/rail banking agreement with Illinois Central Railroad Company ("IC"). The initial negotiating period under the NITU expired on June 15, 2009. By multiple decisions, the most recent served June 3, 2011; the Board extended the NITU negotiating period to December 2, 2011. The City continues to pursue this trail project, and needs additional time

to secure project financing, complete the trail engineering plan and conclude negotiations with IC. Because there are multiple railroad tracks and operators in this corridor we will be requesting, under separate cover, clarification of which tracks in the named corridor are actually included in this docket.

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 IC on the same date it is being served on the Board. By my signature below, I certify service upon Illinois Central Railroad Company, c/o Michael J. Barron, Jr., Fletcher & Sippel LLC, 29 N. Wacker Drive, Suite 920, Chicago, Illinois 60606-2832, by U.S. Mail, postage prepaid, first class, this 29th day of November, 2011.

2nd December

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: 

Gabe Klein

Commissioner of Transportation

SH