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November 11, 2016

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VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W., Room 1034
Washington, DC 20423-0001

ENTERED
Office of Proceedings
November 14, 2016
Part of
Public Record

Re: **Docket No. FD 35918**
City of Appleton -- Petition for Declaratory Order

Dear Ms. Brown:

Wisconsin Central Ltd. ("WCL") requests an additional 60-day extension, to January 13, 2017, to file a reply as previously directed by the Board in the above-captioned proceeding. WCL and the City of Appleton (the "City") have continued to negotiate an arrangement that would resolve the matters raised by the City's pending declaratory order petition. The City has a staff meeting on November 17 to refine remaining questions and develop a draft final agreement to send to WCL. Consideration of the agreement is on the agenda for the City's Finance Committee meeting on December 13. The requested extension would provide the parties time to complete these arrangements and, in turn, allow voluntary dismissal of this proceeding.

Counsel for the City and for Union Pacific Railroad Company have indicated that they have no objection to the requested extension.

Please feel free to contact me if you have any questions regarding this filing.
Thank you for your assistance on this matter.

 GRANTED Office of Proceedings	DECISION ID NO.: <u>45564</u>
	DECIDED DATE: <u>11-15-16</u>
	SERVICE DATE: <u>11/15/16</u>
	APPROVED: <u>[Signature]</u> Acting Director
	☒ extended to <u>1/13/17</u>

cc: James P. Walsh, Esq., City of Appleton
Jeremy M. Berman, Esq., UP

Respectfully submitted,

[Signature]
Thomas J. Litwiler
Attorney for Wisconsin Central Ltd.