



Surface Transportation Board
Washington, D.C. 20423-0001
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Office of the General Counsel

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Meeting under Section 5, STB Reauthorization Act August 30, 2019
Part of
May 30, 2019 Public Record

Present: Members Begeman, Fuchs, and Oberman
Staff Jessica Caine, Rachel Campbell, Ellen Erichsen, Amanda Gorski,
Theodore Hunt, Craig Keats, Evelyn Kitay, Barbara Miller, Lisa Novins,
Valerie Quinn, Vicki Rutson, Michael Small, Scott Zimmerman

Topic: Finance Docket No. 35087 (Sub-No. 8), Canadian National Railway
Company and Grand Trunk Corporation – Control – EJ&E West Company

Summary of the Matters Discussed, Prepared by General Counsel Craig Keats:

At this meeting, staff briefed Board Members on a petition filed by the Village of Barrington (Barrington) asking the Board to reopen its 2008 decision authorizing Canadian National Railway (CN) to acquire the former “EJ&E” rail line around Chicago (the Line). Barrington argues that certain infrastructure changes (including but not limited to CN’s plans to add double-track to a section of the Line) and CN’s statements concerning certain rail traffic forecasts on the Line warrant reopening and a directive that CN contribute funding for construction of a grade separation at the U.S. 14 crossing in Barrington.

Staff and Board Members discussed the following issues:

1. Prior Board and federal appellate court decisions in this proceeding.
2. The Board’s standards for reopening a proceeding.
3. Barrington’s arguments for reopening the proceeding and CN’s response.
4. Possible options to address Barrington’s petition.