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December 20, 2002

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Mr. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, NW
Washington, D.C. 20423

Re: Midwest Generation, LLC -- Exemption from 49 U.S.C. § 10901 for
Construction in Will County, Illinois, Finance Docket No. 34060; and
Midwest Generation, LLC -- Petition for Line Crossing Authority
Under 49 U.S.C. § 10901(d), Finance Docket No. 34060 (Sub-No.1)

Dear Mr. Williams:

In accordance with Ordering Paragraph No. 5 of the Decision served October 4, 2002 in the above-referenced proceedings, and as a follow-up to our status letter dated November 18, 2002, this is to advise the Board that Midwest Generation, LLC and Illinois Central Railroad Company ("IC") are in the process of negotiation about, and have produced a draft contract to resolve, the matters at issue between them. However, especially given the upcoming holidays, Midwest Generation and IC may require some additional time to resolve those matters. Accordingly, we will provide the Board with another report by January 31, 2003 with respect to the status of this matter and whether it has been resolved.

ENTERED
Office of Proceedings

DEC 23 2002

**Part of
Public Record**

Very truly yours,

Michael F. McBride

Michael F. McBride
John M. Collins

Attorneys for Midwest Generation, LLC

cc : All Parties of Record