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AUG 7 2007  
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MANAGEMENT  
STB

August 6, 2007

**VIA OVERNIGHT COURIER**

Honorable Vernon A. Williams  
Surface Transportation Board  
395 E. Street, S.W.  
Washington, D.C. 20423

ENTERED  
Office of Proceedings

AUG - 7 2007

Part of  
Public Record

**Re: Finance Docket No. 35045 - Amendment To Trackage Rights Agreement between Duluth, Missabe and Iron Range Railway Company and Duluth, Winnipeg and Pacific Railway Company**

219949

**Finance Docket No. 35046 - Amendment To Trackage Rights Agreement between Duluth, Winnipeg and Pacific Railway Company and Duluth, Missabe and Iron Range Railway Company**

219950

**Finance Docket No. 35047 - Trackage Rights Agreement between Duluth, Missabe and Iron Range Railway Company and Wisconsin Central Ltd.**

219951

**Finance Docket No. 34048 - Trackage Rights Agreement between Duluth, Winnipeg and Pacific Railway Company and Wisconsin Central Ltd.**

219952

**Finance Docket No. 35049 - Trackage Rights Agreement between Wisconsin Central Ltd. and Duluth, Missabe and Iron Range Railway Company**

219953

**Finance Docket No. 35050 - Trackage Rights Agreement between Wisconsin Central Ltd. and Duluth, Winnipeg and Pacific Railway Company**

219954

Dear Secretary Williams:

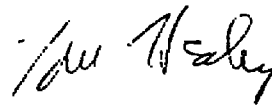
Enclosed for filing in the above-captioned proceeding are an original and ten copies of a Motion to Hold Proceeding in Abeyance. A disk containing the caption summary is enclosed.

Honorable Vernon A. Williams  
August 6, 2007  
p. 2

I have included an extra copy of this transmittal letter and request that you date stamp this to show receipt of this filing and return it to me in the envelope provided.

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tom Healey", written in a cursive style.

Thomas J. Healey

cc: Dan Elliott

Enclosures

BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423

\* \* \* \* \*

STB Finance Docket No. 35045

TRACKAGE RIGHTS AGREEMENT  
Between  
DULUTH, MISSABE AND IRON RANGE RAILWAY COMPANY  
And  
DULUTH, WINNIPEG AND PACIFIC RAILWAY COMPANY

\* \* \* \* \*

STB Finance Docket No. 35046

TRACKAGE RIGHTS AGREEMENT  
Between  
DULUTH, WINNIPEG AND PACIFIC RAILWAY COMPANY  
And  
DULUTH, MISSABE AND IRON RANGE RAILWAY COMPANY

\* \* \* \* \*

STB Finance Docket No. 35047

TRACKAGE RIGHTS AGREEMENT  
Between  
DULUTH, MISSABE AND IRON RANGE RAILWAY COMPANY  
And  
WISCONSIN CENTRAL LTD.

\* \* \* \* \*

STB Finance Docket No. 35048

TRACKAGE RIGHTS AGREEMENT  
Between  
DULUTH, WINNIPEG & PACIFIC RAILWAY COMPANY  
And  
WISCONSIN CENTRAL LTD.

STB Finance Docket No. 35049

TRACKAGE RIGHTS AGREEMENT

Between

WISCONSIN CENTRAL LTD.

And

DULUTH, MISSABE AND IRON RANGE RAILWAY COMPANY

\* \* \* \* \*

STB Finance Docket No. 35050

TRACKAGE RIGHTS AGREEMENT

Between

WISCONSIN CENTRAL LTD.

And

DULUTH, WINNIPEG AND PACIFIC RAILWAY COMPANY

**MOTION TO HOLD PROCEEDING IN ABEYANCE**

Respectfully submitted,

Thomas J. Healey  
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Tel: (708) 332-4381  
Fax: (708) 332-4361

Date: August 6, 2007

BEFORE THE  
SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 35045

TRACKAGE RIGHTS AGREEMENT  
Between  
DULUTH, MISSABE AND IRON RANGE RAILWAY COMPANY  
And  
DULUTH, WINNIPEG AND PACIFIC RAILWAY COMPANY

\* \* \* \* \*

STB Finance Docket No. 35046

TRACKAGE RIGHTS AGREEMENT  
Between  
DULUTH, WINNIPEG AND PACIFIC RAILWAY COMPANY  
And  
DULUTH, MISSABE AND IRON RANGE RAILWAY COMPANY

\* \* \* \* \*

STB Finance Docket No. 35047

TRACKAGE RIGHTS AGREEMENT  
Between  
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And  
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\* \* \* \* \*

STB Finance Docket No. 35048

TRACKAGE RIGHTS AGREEMENT  
Between  
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STB Finance Docket No. 35049

TRACKAGE RIGHTS AGREEMENT

Between

WISCONSIN CENTRAL LTD.

And

DULUTH, MISSABE AND IRON RANGE RAILWAY COMPANY

\* \* \* \* \*

STB Finance Docket No. 35050

TRACKAGE RIGHTS AGREEMENT

Between

WISCONSIN CENTRAL LTD.

And

DULUTH, WINNIPEG AND PACIFIC RAILWAY COMPANY

**MOTION TO HOLD PROCEEDING IN ABEYANCE**

COMES NOW Wisconsin Central Ltd., Duluth, Winnipeg and Pacific Railway Company, and Duluth, Missabe and Iron Range Railway Company (collectively "CN"), and request that the Surface Transportation Board ("STB") hold in abeyance for a period of sixty (60) days any further proceedings on the Petitions to Revoke Exemptions (collectively "Petitions") filed by United Transportation Union ("UTU") in the six referenced dockets. CN and UTU have agreed to attempt to amicably resolve the issues raised in UTU's Petitions, in lieu of seeking agency resolution at this time. UTU's counsel has reviewed this Motion and has granted the undersigned counsel authority to indicate UTU's concurrence with same.

In furtherance of this Motion, CN states as follows:

1. On June 14, 2007, CN filed Notices of Exemption governing six separate trackage rights agreements among several rail carriers owned and controlled by Canadian National Railway Company. Concurrently, CN filed a Motion for Protective Order in each docket. The Motions for Protective Order were granted by orders dated June 28, 2007, and each of the

exemptions became effective on July 14, 2007.

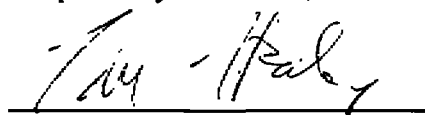
2. On July 23, 2007, UTU filed the Petitions, seeking to have the six exemptions revoked on the allegation that the sole purpose of the exemptions was to circumvent existing collective bargaining agreements.

3. Subsequent to the filing of the Petitions, CN and UTU have engaged in discussions regarding the implementation of the authority granted in the exemptions, and believe that the parties might resolve UTU's concerns through negotiation. Therefore, CN requests that the STB hold consideration of UTU's Petitions in abeyance for a period of sixty (60) days while the parties attempt to achieve a negotiated resolution of the issues raised in the Petitions.

4. Counsel for UTU has reviewed this Motion and has granted the undersigned counsel authority to indicate UTU's concurrence with same.

WHEREFORE, Wisconsin Central Ltd., Duluth, Winnipeg and Pacific Railway Company, and Duluth, Missabe and Iron Range Railway Company respectfully request that the STB hold consideration of UTU's Petitions in abeyance for a period of sixty (60) days while CN and UTU attempt to negotiate a resolution of UTU's concerns.

Respectfully submitted,

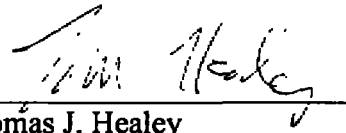


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Counsel - Regulatory  
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Dated: August 6, 2007

**CERTIFICATE OF SERVICE**

I, Thomas J. Healey, hereby certify that on this 6<sup>th</sup> day of August, 2007, copies of the foregoing Motion To Hold Proceeding In Abeyance have been served by first class mail, postage prepaid, or by more expeditious means of delivery upon all parties of record to this proceeding identified on the Surface Transportation Board's website.

A handwritten signature in black ink, appearing to read "Tom Healey", is written over a horizontal line.

Thomas J. Healey  
Attorney for  
Wisconsin Central Ltd.  
Duluth, Winnipeg and Pacific Railway  
Company  
Duluth, Missabe and Iron Range Railway  
Company