



Surface Transportation Board
Washington, D.C. 20423-0001

309451

Office of the General Counsel

Meeting under Section 5, STB Reauthorization Act

October 24, 2019

Present: Members Begeman, Fuchs, and Oberman
Staff Rachel Campbell, Anika Cooper, Allison Davis, Ellen Erichsen,
Amanda Gorski, Craig Keats, Lisa Novins, Frank O'Connor, Scott
Zimmerman

Topic: Docket No. FD 35068, Soo Line Railroad Company D/B/A Canadian
Pacific Ry.—Acquisition and Operation Exemption—BNSF Ry.

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

At this meeting, staff briefed Board Members on the petition filed by New Century Ag (NCA) to reopen, or in the alternative, revoke a 2007 acquisition and operation exemption that authorized Canadian Pacific (CP) to acquire BNSF Railway Company's (BNSF) ownership interest in the Line at issue. NCA argues that changed circumstances regarding BNSF's access to the Line warrant relief from the Board. Staff and Board Members discussed the Board's 2007 decision granting the exemption petition, service on the Line, and options related to the proceeding.

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