



Office of
Proceedings

DECISION ID NO.: 46572
DECIDED DATE: 8-22-18
SERVICE DATE: 8/22/18
APPROVED: Amy C. Zichem
Acting Director
☒ extended to 2/24/19



~~CHICAGO~~ DEPARTMENT OF TRANSPORTATION
CITY OF CHICAGO

August 13, 2018

246208

VIA E-FILING

Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Karl Morcell
Ball Janik LLP
655 15th Street NW, Suite 225
Washington, DC 20005

ENTERED
Office of Proceedings
August 13, 2018
Part of
Public Record

Re: BNSF Railway Company--Abandonment Exemption--in Cook County, IL, STB
Docket No. AB-6 (Sub-No. 482X)

Dear Board:

The City of Chicago, an Illinois municipal corporation, acting by and through its Department of Transportation ("City"), hereby petitions the Surface Transportation Board ("Board") for an order modifying and extending its Decision and Notice of Interim Trail Use or Abandonment ("NITU") in the above-referenced matter for an additional 180 days, through and including February 24, 2019.

On January 29, 2013, the City filed a request for issuance of a notice of interim trail use (NITU) and public use condition ("Petition") for the line proposed for abandonment in Docket No. AB-6 (Sub-No. 482X), between Station 36+70 (north of the Chicago Sanitary and Ship Canal Bridge) and Station 149+87 (at the end of the track near Western Avenue), referred to herein as the "Rail Line."

On April 9, 2013, the Board issued its NITU, as part of STB decision #42859, permitting the City to negotiate with BNSF Railway Company ("BNSF") for trail use for the Rail Line. Since that date, BNSF has reiterated the City's interest in pursuing railbanking of the corridor as part of its own filings for extensions of the consummation deadline, including the one resulting in STB decision #44311.

FILING FEE WAIVED

In a filing on March 3, 2017, the City petitioned the STB to further extend the NITU negotiating period. STB granted the most recent extension to August 28, 2018 as Order #46304.

In the interim, the City has continued discussions with BNSF regarding this line (while mutually prioritizing completion of work on the Sangamon Line in Docket No. AB-6-487X). The City has also continued activities in earnest toward potential acquisition of the rail line for trail use, including "BNSF-Little Village Paseo Feasibility Study," and Phase I Environmental Site Assessments, and securing grant funds for Phase II environmental tests.

However, the City will still need to secure further funding, complete environmental testing, and conduct preliminary design work in order to pursue a trail project. The City requests additional time to continue these activities.

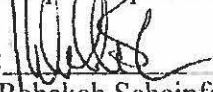
In support of its request for additional time, the City renews its Petition and its Statement of Willingness to Assume Financial Responsibility.

A copy of this statement is being served on BNSF on the same date it is being served on the Board. By my signature below, I certify service upon all parties of record in this proceeding, by U.S. Mail, postage prepaid, first class, this 13th day of August 2018.

Pursuant to 49 C.F.R. § 1002.2(c)(1), the filing fee for this request is waived.

Respectfully submitted,

CITY OF CHICAGO, an Illinois
municipal corporation

By: 
Rebekah Scheinfeld
Commissioner of Transportation