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|  GRANTED Office of Proceedings | DECISION ID NO.: <u>42929</u> |
| | DECIDED DATE: <u>2/7/13</u> |
| | SERVICE DATE: <u>2/8/13</u> |
| | APPROVED: <u>Rachel D Campbell</u> Director |
| | <input checked="" type="checkbox"/> Parties shall file a status report by 4/3/13. |

BEFORE THE
SURFACE TRANSPORTATION BOARD

233767
ENTERED
Office of Proceedings
February 6, 2013
Part of
Public Record

Docket No. NOR 42134

NATIONAL RAILROAD PASSENGER CORPORATION –
SECTION 213 INVESTIGATION OF SUBSTANDARD
PERFORMANCE ON RAIL LINES OF CN

**JOINT MOTION FOR STAY AND
TO HOLD PROCEEDING IN ABEYANCE**

National Railroad Passenger Corporation (“Amtrak”) and Grand Trunk Western Railroad Company and Illinois Central Railroad Company (collectively “CN”) jointly and respectfully move for the Surface Transportation Board (the “Board”) to hold the above-captioned proceeding in abeyance, and to stay all further proceedings or other actions in the matter, until April 2, 2013.

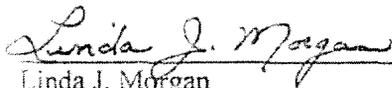
Amtrak and CN have recently restarted productive discussions regarding the issues raised by Amtrak’s Petition in this proceeding, and this stay will allow the parties sufficient opportunity to continue these discussions and potentially reach a settlement.

The parties’ request that the Board temporarily hold this proceeding in abeyance and stay further processing of the case is consistent with Board practice in prior cases. *See, e.g., Tex. Mun. Power Agency v. Burlington N. & S.F. Ry.*, STB Docket No. NOR 42056 (STB served Dec. 7, 2012); *Escanaba & L.S. R.R. – Abandonment Exemption – In Ontonagon & Houghton Counties, Mich.*, Docket No. AB 415 (Sub-No. 2X) (STB served July 21, 2010); *US Magnesium, L.L.C. v. Union Pac. R.R.*, STB Docket No. 42115 (STB served Mar. 19, 2010). Granting the

parties' request is reasonable and consistent with the Board's policy of facilitating private-sector negotiation and resolution of disputes, and it will not prejudice any party.

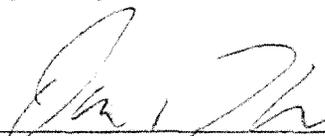
Therefore, Amtrak and CN jointly request that the Board hold the above-captioned proceeding in abeyance, and to stay all further proceedings or other actions in the matter, until April 2, 2013.

Respectfully submitted,



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February 6, 2013