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SERVICE DATE – DECEMBER 17, 2009

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 42106

AMEROPAN OIL CORPORATION—PETITION FOR DECLARATORY ORDER—  
REASONABLENESS OF DEMURRAGE CHARGES

Decided: December 17, 2009

On March 19, 2008, Ameropan Oil Corporation (AOC) filed a petition for declaratory order to resolve a dispute over demurrage charges assessed by Illinois Central Railroad Company (IC), as referred to the Board by the United States District Court for the Northern District of Illinois, on March 13, 2008, in Illinois Central Railroad Company v. Ameropan Oil Corporation, No. 1:07-CV-03833.

IC requested that the Board mediate this dispute and hold this matter in abeyance, a request to which AOC agreed. By decision served on July 22, 2008, the Board provided for non-binding mediation and indicated that it would designate a staff member to serve as mediator. It also held the proceeding in abeyance while the parties pursued a mediated agreement. By several decisions, the mediation period was extended, and the procedural schedule was held in abeyance.

On December 9, 2009, AOC filed a letter seeking to withdraw its petition for declaratory order. AOC states that, as a result of the effective mediation conducted by the Board, all matters involved in AOC's petition and in the related court case have been settled. Thus, the request to withdraw the petition for declaratory order will be granted.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. AOC's request to withdraw its petition for declaratory order is granted.
2. This decision is effective on the date of its service.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.