

42723
DO

SERVICE DATE – OCTOBER 11, 2012

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. FD 35661¹

GRAND TRUNK WESTERN RAILROAD COMPANY—ACQUISITION OF OPERATING
EASEMENT—CSX TRANSPORTATION, INC.

Docket No. FD 35522²

CSX TRANSPORTATION, INC.—ACQUISITION OF OPERATING EASEMENT—GRAND
TRUNK WESTERN RAILROAD COMPANY

Decision No. 3

Decided: October 11, 2012

NOTICE TO THE PARTIES:

Under the procedural schedules established in decisions served on September 12, 2012 (September 12 Decisions), any person wishing to participate as a Party of Record in these proceedings was to have filed a notice of intent to participate by September 26, 2012.

In both cases, the only entity (other than the applicant or petitioner itself) seeking to participate as a Party of Record is the other party to the overall easement swap described in the September 12 decisions. Thus, in both dockets, the Parties of Record are:

Louis E. Gitomer
Law Offices of Louis E. Gitomer, LLC
600 Baltimore Avenue, Suite 301
Towson, MD 21204-4022
(representing CSX Transportation, Inc.)

¹ These proceedings are not consolidated; they are being considered together for administrative purposes.

² Docket No. FD 35522 embraces Baltimore & Ohio Chicago Terminal Railroad Co.—Trackage Rights Exemption—CSX Transportation, Inc., FD 35522 (Sub-No. 1) and Chicago, Central & Pacific Railroad Co., Elgin, Joliet & Eastern Railroad Co., Illinois Central Railroad Co., and Wisconsin Central Ltd.—Trackage Rights Exemption—CSX Transportation, Inc., FD 35522 (Sub-No. 2).

David A. Hirsh
Harkins Cunningham LLP
1700 K Street, N.W., Suite 400
Washington, DC 20006-3804
(representing Grand Trunk Western Railroad Company)

Each Party of Record must by October 22, 2012, serve a copy of all filings submitted so far in these proceedings on the other, to the extent they have not already done so, and certify to the Board that such service has been accomplished.

Because the Board allows only one official representative per party, the following persons will be designated as Non-Parties in both dockets and will receive copies of Board decisions, orders, and notices but not copies of official filings:

Theodore K. Kalick
Canadian National Railway Company
Suite 500 North Building
601 Pennsylvania Avenue, N.W.
Washington, DC 20004
(representing Grand Trunk Western Railroad Company)

Thomas J. Healey
CN
17641 South Ashland Avenue
Homewood, IL 60430-1339
(representing Grand Trunk Western Railroad Company)

Peter J. Shultz
CSX Transportation, Inc.
500 Water Street J-150
Jacksonville, FL 32202

Any document filed in these proceedings must be filed either via the Board's e-filing format or in the traditional paper format. Any person e-filing a document should attach a document and otherwise comply with the instructions found on the Board's website at "www.stb.dot.gov" at the "E-FILING" link. Any person filing a document in the traditional paper format should send to the Board an original and 10 paper copies of the document (and also an electronic version). Every filing made after the service date of this Notice must have its own certificate of service indicating that all Parties of Record have been served with a copy of the filing.

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