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March 18, 2016

240326

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W., Room 1034
Washington, DC 20423-0001

 GRANTED Office of Proceedings	DECISION ID NO.: <u>45715</u>
	DECIDED DATE: <u>3-21-2016</u>
	SERVICE DATE: <u>3/22/2016</u>
	APPROVED: <u>Joseph H. Nettles</u> <i>Acting Director</i>
	<input checked="" type="checkbox"/> <u>Extended 60 days</u> <u>until 5-16-2016</u>

ENTERED
Office of Proceedings
March 18, 2016
Part of
Public Record

Re: **Docket No. FD 35918**
City of Appleton -- Petition for Declaratory Order

Dear Ms. Brown:

Wisconsin Central Ltd. ("WCL") seeks an additional 60-day extension, to May 16, 2016, to file a reply as directed by the Board in its decision served on June 29, 2015 and a series of prior extension decisions most recently served on February 19, 2016 in the above-captioned proceeding. While WCL and the City of Appleton are close to resolving the matters raised by the City's pending declaratory order petition, an unexpected complication regarding funding requirements has arisen that the parties are now working to address. WCL is seeking a 60-day, rather than a 30-day, extension in order to accommodate those efforts and avoid further serial extensions. The requested extension would provide the parties time to finalize the pending arrangements and, in turn, allow voluntary dismissal of this proceeding.

Counsel for the City and for Union Pacific Railroad Company have indicated that they have no objection to the requested extension.

Please feel free to contact me if you have any questions regarding this filing. Thank you for your assistance on this matter.

Respectfully submitted,


Thomas J. Litwiler
Attorney for Wisconsin Central Ltd.

TJL:tl

cc: James P. Walsh, Esq., City of Appleton
Jeremy M. Berman, Esq., UP