

37226
SEC

SERVICE DATE – AUGUST 10, 2006

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 42080

MINNESOTA NORTHERN RAILROAD, INC.
v.
CANADIAN NATIONAL RAILWAY COMPANY

Decided: August 9, 2006

In a decision served on March 18, 2005, the Board ordered that a complaint filed by Minnesota Northern Railroad, Inc. (MNN), against Canadian National Railway Company (CN) be held in abeyance. The dispute, which led to the filing of the complaint, concerned which party would bear the cost of restoring the switch at Warroad, MN, to connect a CN line with an MNN line. For reasons set forth in that decision, the Board held that both parties bore some responsibility and, based on this finding, ordered the parties to negotiate a reasonable arrangement for the reinstallation of the interchange facilities at Warroad.

Since the March 2005 decision, the Board has not received word from the parties on the progress of their negotiations. Because it is possible that nothing remains to be resolved and that this proceeding could be discontinued, a status report from the parties would be helpful. The parties are therefore directed to file a letter within 30 days updating the Board on whether any necessary negotiations have been completed or on the status of any continuing negotiations.

It is ordered:

1. Within 30 days of the service date of this decision (by September 11, 2006), MNN and CN are directed to file a status report as described in this decision.

2. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary