

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 35087¹

CANADIAN NATIONAL RAILWAY COMPANY AND GRAND TRUNK
CORPORATION—CONTROL—EJ&E WEST COMPANY

Decision No. 12

Decided: June 25, 2008

On May 8, 2008, the Illinois Department of Transportation (IDOT) filed a motion to compel discovery from Canadian National Railway Company (CNR) and Grand Trunk Corporation (GTC), collectively referred to as applicants, seeking information on the cost of maintaining a segment of railroad track known as the St. Charles Airline in Chicago, IL. In accordance with 49 CFR 1104.13, applicants' reply to IDOT's motion was due by May 28, 2008. Extensions for time to reply to IDOT's motion were granted in decisions served on May 28, 2008 and June 11, 2008. The latest extension expires on June 25, 2008.

Applicants state that they are continuing to work with IDOT to resolve questions and concerns regarding the discovery request and have requested a 1-month extension to file their reply. However, applicants state that IDOT has not informed applicants as to whether it would consent to this extension. Accordingly, applicants request an initial 7-day extension to await a decision by IDOT as to whether it would consent to an extension and, if not, to allow sufficient time for applicants to prepare and file a response to the motion.

¹ This decision also embraces Elgin, Joliet and Eastern Railway Company—Corporate Family Exemption—EJ&E West Company, STB Finance Docket No. 35087 (Sub-No. 1); Chicago, Central & Pacific Railroad Company—Trackage Rights Exemption—EJ&E West Company, STB Finance Docket No. 35087 (Sub-No. 2); Grand Trunk Western Railroad Incorporated—Trackage Rights Exemption—EJ&E West Company, STB Finance Docket No. 35087 (Sub-No. 3); Illinois Central Railroad Company—Trackage Rights Exemption—EJ&E West Company, STB Finance Docket No. 35087 (Sub-No. 4); Wisconsin Central Ltd.—Trackage Rights Exemption—EJ&E West Company, STB Finance Docket No. 35087 (Sub-No. 5); EJ&E West Company—Trackage Rights Exemption—Chicago, Central & Pacific Railroad Company, STB Finance Docket No. 35087 (Sub-No. 6); and EJ&E West Company—Trackage Rights Exemption—Illinois Central Railroad Company, STB Finance Docket No. 35087 (Sub-No. 7).

Applicants' request for additional time is reasonable and will be granted. Applicants' reply to IDOT's motion to compel will be due by July 2, 2008. If, by July 2, 2008, applicants require more time to respond to IDOT's motion, the Board expects applicants to file a request for an extension with IDOT's consent.

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

It is ordered:

1. Applicants' request for an extension of time is granted.
2. Applicants' reply to IDOT's motion to compel is due by July 2, 2008.
3. This decision is effective on the service date.

By the Board, Anne K. Quinlan, Acting Secretary.

Anne K. Quinlan
Acting Secretary