



GRANTED

Office of Proceedings

DECISION ID NO.: 43702
DECIDED DATE: 3/26/14
SERVICE DATE: 3/27/14
APPROVED: Reckel Campbell
Director

NITU only - extended to 9/30/14
March 14, 2014



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235647

Ms. Cynthia Brown
Chief, Section of Administration
Surface Transportation Board
395 E Street, SW
Washington, DC 20024

ENTERED
Office of Proceedings
March 18, 2014
Part of
Public Record

**RE: Union Pacific Railroad Company
Abandonment of St Charles, IL Lead
STB Docket No. AB-33 (Sub-No. 284X)
Petition for Interim Trail Use**

Dear Chief Brown:

On July 9th, 2010, the City of St Charles, IL, the County of Kane, Forest Preserve District of Kane County, and the St Charles Park District jointly filed a request for Public Use Condition and a request for Interim Trail Use Condition (NITU) for approximately 3.17 miles of railroad between milepost 35.13 and milepost 38.3 near St Charles, IL. By order dated September 21, 2011, the Board granted the request to implement interim trail use negotiations as specifically set forth in the order, for a period of 180 days commencing from September 21, 2011, and ending on March 21, 2012. This request has been extended and updated from time to time since 2012.

The City of St Charles, IL wishes to continue to work with local partner jurisdictions to compile specific information in efforts to satisfy our negotiating needs, and has been in direct contact with Union Pacific; however, we do not believe that the parties will be able to finalize negotiations by the end date of the order. Therefore, the City respectfully requests the Board to grant a 180 day extension until September 30, 2014, or such time so indicated by the Board.

Enclosed please find the original and ten (10) copies of this letter. Also, it is my understanding that the filing fee of \$450.00 is waived for Government Agencies requesting extension of NITU negotiations as to STB Docket No. AB-33 (Sub-No. 284X) Union Pacific Railroad Company. Please time and date stamp a copy of this letter and return it with the self-addressed stamped envelope.

FILING FEE WAIVED

RAYMOND P. ROGINA Mayor

MARK KOENEN, P.E. City Administrator

We are also sending a copy to Union Pacific Railroad Company, by US Mail, postage prepaid, first class, on this 14th day of March 2014.

Thank you for your consideration of this request, and please contact me should you have any questions or concerns.

Very Truly Yours,

A handwritten signature in cursive script that reads "Peter Suhr".

Peter Suhr
Interim Public Works Director, City of St Charles, IL

CC: Mack Shumate, General Attorney
Union Pacific Railroad
101 North Wacker Drive, Suite 1920
Chicago, IL 60606

Peter Suhr, Interim Director of Public Works- City of St Charles
Holly Cabel, Director- St Charles Park District
Monica Meyers, Director- Kane County Forest Preserve
Carl Schoedel, Director- Kane County Division of Transportation
James Harrel, UPRR

BEFORE THE
SURFACE TRANSPORTATION BOARD

235680
ENTERED

FINANCE DOCKET NO. 32760, SUB-FILE 47

Office of Proceedings
March 25, 2014
Part of
Public Record

IN THE MATTER OF ARBITRATION BETWEEN UNION PACIFIC RAILROAD
COMPANY AND THE BROTHERHOOD OF LOCOMOTIVE ENGINEERS & TRAINMEN

(Arbitration Review)

MOTION FOR EXTENSION OF TIME AND
LEAVE TO FILE BRIEF IN EXCESS OF 30 PAGES

To: Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
Washington, DC 20423-0001

From: Clifford A. Godiner
Thompson Coburn LLP
One US Bank Plaza
St. Louis, MO 63101

On behalf of Union Pacific Railroad Company

 GRANTED	DECISION ID NO.: <u>43718</u>
	DECIDED DATE: <u>3/26/14</u>
	SERVICE DATE: <u>3/27/14</u>
	APPROVED: <u>Rachel Campbell</u> Director
Office of Proceedings	<input type="checkbox"/>

Union Pacific Railroad ("Union Pacific"), pursuant to 49 C.F.R. 1104.7, respectfully requests an extension until April 23, 2014, for submitting its Brief in opposition to the Petition for Review of Arbitration Award in the above-referenced matter. Union Pacific also requests leave to file a Brief in Excess of 30 Pages in order to attach such exhibits as are reasonably necessary for the Board to consider in deciding this matter.

As grounds for the request for an extension, Union Pacific states that its counsel has preexisting commitments warranting an extension until April 23, 2014. Counsel for BLET consents to Union Pacific's Motion for Extension of Time.

Date: March 24, 2014

Respectfully submitted,

THOMPSON COBURN LLP

/s/Clifford A. Godiner

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Attorneys for Union Pacific Railroad Company

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion for Extension of Time and Leave to File Brief in Excess of 30 Pages has been sent via electronic and First Class Mail, postage prepaid, this 24th day of March, 2014 to:

Michael P. Persoon
mpersoon@dsgchicago.com
Despres, Schwartz & Geoghegan, Ltd.
77 W. Washington Street, Suite 711
Chicago, IL 60602

/s/Clifford A. Godiner
Clifford A. Godiner