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September 8, 2016

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20024

Re: **Docket No. FD 36059**
Ozinga Bros., Inc. – Continuance in Control Exemption –
Chicago Port Railroad Company

Dear Ms. Brown:

On the afternoon of August 26, 2016 the Surface Transportation Board (the “Board”) received the notice of exemption filing of Ozinga Bros., Inc. (“Ozinga”) in the above-referenced class exemption proceeding, which, based upon its website, the Board for some reason deemed as filed the following Monday, August 29, 2016. The purpose of this letter is to establish that the subject control “transaction” qualifies for the class exemption Ozinga has invoked. Specifically, Ozinga hereby clarifies that its control of the Chicago Port Railroad Company (“CPRR”) and Mokena Illinois Railroad (“MIRR”) – (1) does not involve interconnecting railroads; (2) is not part of a series of anticipated transactions that would connect CPRR and MIRR; and (3) does not involve a class I railroad. As set forth in the previously-filed notice of exemption, CPRR and MIRR are the only railroads in the Ozinga “corporate family.”

If you have any questions regarding this filing, please feel free to contact me.
Thank you for your assistance on this matter.

Respectfully submitted,



Robert A. Wimbish
Attorney for Ozinga Bros. Inc.

RAW/ekf

cc: Barry N. Voorn; J.R. Wydra
All parties of record