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May 16, 2016

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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

ENTERED
Office of Proceedings
May 16, 2016
Part of
Public Record

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

Dear Ms. Brown:

Wisconsin Central Ltd. ("WCL") requests an additional 60-day extension, to July 15, 2016, to file a reply as previously directed by the Board in the above-captioned proceeding. WCL and the City of Appleton (the "City") are negotiating an arrangement that would resolve the matters raised by the City's pending declaratory order petition, but they have not yet concluded such ongoing efforts. Out of an abundance of caution, WCL is seeking a 60-day extension of the existing deadline in order to minimize additional such requests. However, WCL believes that, as things now stand, a final resolution of this matter could be reached in the interim. 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.

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