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THOMAS F. MCFARLAND

December 18, 2008

By e-filing

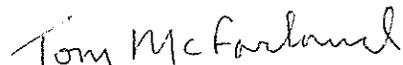
Anne K. Quinlan, Esq.
Acting Secretary
Surface Transportation Board
395 E Street, S.W., Suite 1149
Washington, DC 20024

Re: Docket No. AB-43 (Sub-No. 184X), *Illinois Central Railroad Company --
Abandonment Exemption -- in Cook County, IL*

Dear Ms. Quinlan:

Hereby transmitted is a Petition Under 49 C.F.R. § 1152.27(c)(1)(i)(C) To Toll The
10-Day Period For Submitting Offers Of Financial Assistance, for filing with the Board in the
above referenced matter.

Very truly yours,



Thomas F. McFarland
*Attorney for Petitioner,
Chicago Port Railroad Company*

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BEFORE THE
SURFACE TRANSPORTATION BOARD

ILLINOIS CENTRAL RAILROAD) DOCKET NO. AB-43
COMPANY -- ABANDONMENT) (SUB-NO. 184X)
EXEMPTION -- IN COOK COUNTY, IL)

**PETITION UNDER 49 C.F.R. § 1152.27(c)(1)(i)(C)
TO TOLL THE 10-DAY PERIOD FOR SUBMITTING
OFFERS OF FINANCIAL ASSISTANCE**

CHICAGO PORT RAILROAD COMPANY
11701 South Torrence Avenue
P.O. Box 17390
Chicago, IL 60617

Petitioner

By: THOMAS F. McFARLAND
THOMAS F. McFARLAND, P.C.
208 South LaSalle Street, Suite 1890
Chicago, IL 60604-1112
(312) 236-0204
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Attorney for Petitioner

DATE FILED: December 18, 2008

BEFORE THE
SURFACE TRANSPORTATION BOARD

ILLINOIS CENTRAL RAILROAD) DOCKET NO. AB-43
COMPANY -- ABANDONMENT) (SUB-NO. 184X)
EXEMPTION -- IN COOK COUNTY, IL)

**PETITION UNDER 49 C.F.R. § 1152.27(c)(1)(i)(C)
TO TOLL THE 10-DAY PERIOD FOR SUBMITTING
OFFERS OF FINANCIAL ASSISTANCE**

Pursuant to 49 C.F.R. § 1152.27(c)(1)(i)(C), CHICAGO PORT RAILROAD COMPANY (CPC) hereby petitions for an order tolling, for a period of 30 days, the 10-day period for filing an offer of financial assistance (OFA) in regard to the rail line involved in the above proceeding. I am authorized by counsel for Illinois Central Railroad Company (IC) to state that IC concurs with this Petition.

On December 17, 2008, the Board served a decision that granted a Petition filed by IC for abandonment of a 3,205-foot rail line in Chicago, IL (the subject rail line). Ordering paragraph 8 on page 6 of that decision required that any OFA for the subject rail line be filed by December 24, 2008. There was no explanation for the 7-day period for filing that OFA compared to a 10-day period provided for in 49 C.F.R. § 1152.27(b)(2).

It is provided in 49 C.F.R. § 1152.27(c)(1)(i)(C) that the Board will entertain petitions to toll that 10-day period where (1) a petitioner for exemption of abandonment has failed to provide a potential offeror with the information required under 49 C.F.R. § 1152.27(a); and (2) such information is not contained in the Petition for Exemption.

That is the situation here. Attached hereto as Appendix 1 is a copy of CPC's request for information under 49 C.F.R. § 1152.27(a), as sent to IC on October 22, 2008. The only

information provided in response to that request has been identification of the ages and weights of the rail in the subject rail line by station reference (letter dated November 25, 2008, copy attached as Appendix 2), and track and land maps that do not contain any information about the source of IC's title or right to use the land in the right-of-way in the subject rail line (letter dated December 9, 2008, copy attached as Appendix 3). In both instances, CPC pointed out the shortcomings of the information furnished; the fact that it is a very small part of the information requested; and that the regulation requires that all such information be furnished "promptly" on request (letters dated December 1, 2008 and December 15, 2008, copies attached as Appendices 4 and 5, respectively).

In view of IC's failure to have furnished the required information promptly, and in the absence of such information in IC's Petition for Exemption, CPC hereby petitions for an order tolling the time for filing an OFA for 30 days.

Respectfully submitted,

CHICAGO PORT RAILROAD COMPANY
11701 South Torrence Avenue
P.O. Box 17390
Chicago, IL 60617

Petitioner

Thomas F. McFarland

By: THOMAS F. McFARLAND
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Attorney for Petitioner

DATE FILED: December 18, 2008

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THOMAS F. MCFARLAND

October 22, 2008

By e-mail to mbarron@fletcher-sippel.com

Michael J. Barron, Jr., Esq.
Fletcher & Sippel, LLC
29 North Wacker Drive
Suite 920
Chicago, IL 60606-2832

Re: Docket No. AB-43 (Sub-No. 184X), *Illinois Central Railroad Company -
Abandonment Exemption - in Cook County, IL*

Dear Michael:

Chicago Port Railroad Company (CPRC) is a party considering an offer of financial assistance to continue existing rail service over the rail line involved in the above proceeding, within the meaning of 49 C.F.R. § 1152.27(a).

In accordance with the requirements of 49 C.F.R. § 1152.27(a)(1)(i)-(3), CANADIAN NATIONAL RAILWAY COMPANY (CN) is hereby requested to provide the following:

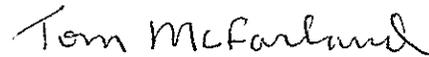
- (1) its estimate of the minimum purchase price for the rail line; and
- (2) supporting data for that purchase price, i.e.:
 - (a) its evidence of marketable fee title to the land in the right-of-way; and
 - (b) its appraisal of the fair market value for nonrail use of the land in the right-of-way for which it has marketable fee title; and
 - (c) its valuation of the track materials in the line, including removal cost and cost of transporting removed materials to point of sale or storage for relay use; and
- (3) its most recent report on the physical condition of the line.

THOMAS F. MCFARLAND

Michael J. Barron, Jr., Esq.
October 22, 2008
Page 2

As required by 49 C.F.R. § 1152.27(a), CN is requested to provide the above information "promptly".

Very truly yours,



Thomas F. McFarland
*Attorney for Chicago Port
Railroad Company*

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cc: Anne K. Quinlan, Esq., *by e-filing at stb.dot.gov*
Thomas Healey, Esq., *by e-mail to tom.healey@cn.ca*
Mr. Bruce Betts, *by e-mail to brucebetts@ozinga.com*
Mr. Joel Fink, *by e-mail to finkerinv@aol.com*
Mr. Thomas G. Byrne, *by fax to 312-744-3958*

NOV 26 2008

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
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McFARLAND, P.C.

Phone: (312) 252-1500
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MICHAEL J. BARRON, JR.
(312) 252-1511
mbarron@fletcher-sippel.com

November 25, 2008

VIA FIRST-CLASS MAIL

11342
Mr. Tom McFarland
Thomas F. McFarland, P.C.
208 South LaSalle Street
Suite 1890
Chicago, Illinois 60604-1112

Re: **Docket No. AB-43 (Sub-No. 184X)**

Dear Tom:

Illinois Central Railroad Company ("IC") has asked me to provide the following information to you with regard to the physical condition of the line that IC seeks to abandon in the referenced docket:

- Sta. 26+58 to Sta. 33+68 CWR is RE 11025 OH INLAND USA 1925;
- Sta. 33+68 to Sta. 44+60 Jtd Rail is a combo of ARA A OH 9020 ILLINOIS 1919/1922 and ARA 9020 OH INLAND USA 1923. All rail is buried in the ground;
- Sta. 44+60 to Sta. 48+15 CWR is a combo of 112 28 RE CC ILLINOIS USA 1947 and 115 25 RE CC ILLINOIS 1966/1968.
- Sta. 48+15 to Sta. 58+63 is buried within the limits of Grove Street all the way to Allied Metal point of switch. Plans for Grove Street called out 115# CWR (but do not have an age).

Please call me if you have any questions.

Respectfully submitted,


Michael J. Barron, Jr.

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McFARLAND, P.C.

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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MICHAEL J. BARRON, JR.
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mbarron@fletcher-sippel.com

December 9, 2008

VIA FIRST-CLASS MAIL

Mr. Tom McFarland
Thomas F. McFarland, P.C.
208 South LaSalle Street
Suite 1890
Chicago, Illinois 60604-1112

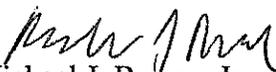
Re: **Docket No. AB-43 (Sub-No. 184X)**

Dear Tom:

Enclosed are copies of the original valuation (track and land) maps of the Chicago and Alton Railroad covering track at issue in this proceeding.

Please call me if you have any questions.

Respectfully submitted,


Michael J. Barron, Jr.

MJB: arw

Enclosures.

LAW OFFICE
THOMAS F. MCFARLAND, P.C.
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FAX (312) 201-9695
mcfarland@aol.com

THOMAS F. MCFARLAND

December 1, 2008

By e-mail to mbarron@fletcher-sippel.com

Michael J. Barron, Jr., Esq.
Fletcher & Sippel, LLC
29 North Wacker Drive
Suite 920
Chicago, IL 60606-2832

Re: Docket No. AB-43 (Sub-No. 184X), *Illinois Central Railroad Company -
Abandonment Exemption - in Cook County, IL*

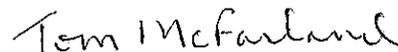
Dear Michael:

Thanks for your letter to me of November 25 that provided ages and weights of rail in the rail line involved in the above proceeding.

As a means of identifying the several segments of rail line referred to in your letter, please provide a copy of the station maps or valuation maps that encompass the involved rail line.

The information furnished by means of your letter is a very small part of the information requested in my letter to you of October 22. I trust that the remaining information will be furnished "promptly," as directed in 49 C.F.R. § 1152.27(a).

Very truly yours,



Thomas F. McFarland
*Attorney for Chicago Port
Railroad Company*

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cc: Mr. Bruce Betts, *by e-mail to brucebetts@chicagoportrailroad.com,*
(w/copy of Mr. Barron's letter)

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THOMAS F. MCFARLAND

December 15, 2008

By e-mail to mbarron@fletcher-sippel.com

Michael J. Barron, Jr., Esq.
Fletcher & Sippel, LLC
29 North Wacker Drive
Suite 920
Chicago, IL 60606-2832

Re: Docket No. AB-43 (Sub-No. 184X), *Illinois Central Railroad Company -
Abandonment Exemption - in Cook County, IL*

Dear Mike:

Thanks for sending the track and land maps of the subject rail line with your letter to me of December 9. Regrettably, the maps do not have a deed index, which would have been helpful in establishing marketable title.

I note that little of the information requested in my letter to you of October 22 has been furnished, notwithstanding that the applicable regulation requires that such information be furnished "promptly".

Very truly yours,



Thomas F. McFarland
*Attorney for Chicago Port
Railroad Company*

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cc: Mr. Bruce Betts, *by e-mail to brucebetts@chicagoportrailroad.com*

CERTIFICATE OF SERVICE

I hereby certify that on December 18, 2008, I served the foregoing document, Petition Under 49 C.F.R. § 1152.27(c)(1)(i)(C) To Toll The 10-Day Period For Submitting Offers Of Financial Assistance, on Michael J. Barron, Jr., Esq., Fletcher & Sippel, LLC, 29 North Wacker Drive, Suite 920, Chicago, IL 60606-2832, by e-mail to *mbarron@fletcher-sippel.com*, and by first-class, U.S. mail, postage prepaid.

Thomas F. McFarland

Thomas F. McFarland