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January 23, 2009

PUBLIC VERSION

VIA ELECTRONIC FILING

Ms. Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Re. **Finance Docket No. 35187**
Grand Elk Railroad, L.L.C. -- Lease and Operation
Exemption -- Norfolk Southern Railway Company

Dear Secretary Quinlan:

By letter dated and filed November 26, 2008, Marquette Rail, LLC ("MQT") notified the Board that MQT intended to participate in the above-captioned docket. Since that time, MQT has had a number of discussions with Grand Elk Railroad, L.L.C. ("GER") and its parent company and is pleased to report that the parties have reached a mutually satisfactory agreement. A copy of that agreement, designated as "Highly Confidential," is attached for filing under seal at the Board pursuant to the protective order entered in this proceeding on December 30, 2008.

Consequently, MQT now fully supports the Notice of Exemption in this proceeding and urges the Board to allow the Notice to become effective without any delay. GER's proposed upgrades of the line to be leased from Norfolk Southern Railway Company will not only improve rail service to the shippers located on that line but will also make rail service more competitive in the region. MQT and GER have agreed to work closely together to ensure that the upgrades and improved service on the GER leased line also redound to the benefit of MQT and the shippers located on MQT's rail lines.

The proposed transaction will improve rail service in the region and will be of benefit to the ailing Michigan economy.

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I certify that a copy of the public version of this letter has been served by first class mail, postage prepaid, on all parties of record in this proceeding.

Respectfully submitted,



Myles L. Tobin
Attorney for Marquette Rail, I.I.C

MLT: arw

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Daniel R. Elliott, III, Esq.
Mr. Greg Powell
Hon. Raymond E. Basham
Mr. James C. Epolito