

COVINGTON & BURLING LLP

1201 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 20004-2401
TEL 202 662 6000
FAX 202 662 6291
WWW.COV.COM

BEIJING
BRUSSELS
LONDON
NEW YORK
SAN DIEGO
SAN FRANCISCO
SILICON VALLEY
WASHINGTON

226657
MAR 18 2010
MICHAEL L ROSENTHAL
TEL 202 662.5448
FAX 202 778 5448
MROSENTHAL@COV.COM

March 18, 2010

BY HAND

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

ENTERED
Office of Proceedings

MAR 18 2010

Part of
Public Record

Re: STB Docket No. 42117, *Cargill, Inc., et al. v. Aberdeen & Rockfish Railroad Co., et al.*

Dear Ms. Brown:

In its March 17, 2010 decision in the referenced matter, the Board stated that it expected all defendants to file a reply to Complainants' petition for mediation. Counsel for defendant Elgin, Joliet & Eastern Railway Corporation and defendant Baltimore & Ohio Chicago Terminal Railroad Company have authorized the undersigned to represent that each defendant concurs with the position expressed in the AAR Defendants' Reply to Petition for Mediation, filed February 24, 2010.

Thank you for your attention to this matter.

Sincerely,



Michael L. Rosenthal
Counsel for Association of
American Railroads and
Railinc, Corp.

cc: Parties of Record
Theodore K. Kalick, Esq.
John P. Patelli, Esq.