

227265



SIDLEY AUSTIN LLP  
1501 K STREET, N.W.  
WASHINGTON D C 20005  
(202) 736 8000  
(202) 736 8711 FAX

thynes@sidley.com  
(202) 736 8198

BEIJING  
BRUSSELS  
CHICAGO  
DALLAS  
FRANKFURT  
GENEVA  
HONG KONG  
LONDON  
LOS ANGELES

NEW YORK  
PALO ALTO  
SAN FRANCISCO  
SHANGHAI  
SINGAPORE  
SYDNEY  
TOKYO  
WASHINGTON, D.C

FOUNDED 1866

June 10, 2010

**By Electronic Filing**

Rachel D. Campbell, Director  
Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W.  
Washington, D.C. 20423

ENTERED  
Office of Proceedings  
JUN 10 2010  
Part of  
Public Record

Re: STB Docket No. NOR 42117, *Cargill, Inc. et al. v. Aberdeen & Rockfish R.R. Co. et al.*

Dear Ms. Campbell:

We are counsel to Canadian Pacific Railway Company ("CPR") in the above-captioned proceeding. We are writing in response to a point in the Board's Decision served on June 8, 2010 ("Decision"). Specifically, at page 2 of the Decision, the Board referred to the fact that the Iowa, Chicago, and Eastern Railroad Corporation ("IC&E") did not submit a reply to the complainants' petition for mediation. IC&E did not reply to that petition because IC&E no longer exists.

Pursuant to the Verified Notice of Exemption filed on November 26, 2008 in STB Finance Docket No. 35202, *Canadian Pac. Ry. Co., Soo Line R. Co., and Dakota, Minnesota and Eastern R. Corp. - Intracorporate Family Transaction - Iowa, Chicago, and Eastern R. Corp.* (which became effective on December 26, 2008), IC&E merged with and into its parent, Dakota, Minnesota, and Eastern Railroad Corporation ("DM&E"). Pursuant to the control authority authorized by the Board in STB Finance Docket No. 35081, *Canadian Pac. Ry. Co., et al. - Control - Dakota, Minnesota and Eastern R. Corp.* (served October 31, 2008), DM&E is a wholly-owned indirect subsidiary of CPR.

If you have questions, please contact the undersigned counsel.

Sincerely,

Terence M. Hynes

cc: Parties of Record