

**Surface Transportation Board Finds That "Midwest Generation's " Proposal to Build Rail Line to Its Utility Plant in Illinois Meets Transportation Statutory Standards**

Surface Transportation Board (Board) Chairman Linda J. Morgan announced today that the Board has issued a decision finding that a proposal by Midwest Generation, LLC (Midwest), an electric power utility, to construct a railroad line in Will County, Illinois, meets the statutory standards required by the ICC Termination Act. The 4,007-foot line would connect Midwest's Joliet Generating Station to nearby track owned and operated by the Union Pacific Railroad Company (UP). The line would cross track owned by the Illinois Central Railroad Company (IC).

Midwest's plant currently is served by IC. Midwest's plant burns coal that moves via UP from the Powder River Basin of Wyoming and Montana to a junction with IC that is only a few hundred yards from the plant. IC then completes the movement into the plant. The construction, which IC opposes, would give Midwest access to the UP line directly as well as via IC.

Midwest's proposal remains subject to ongoing environmental review, and the Board will not issue a final decision on the proposal until that process is completed. As the proposed line into the plant would cross IC's existing line, by separate request Midwest is seeking authority to cross the IC line. Construction therefore must also await a subsequent Board decision that will (1) determine whether the crossing would unreasonably interfere with the operation of IC's track, and (2) set operational conditions that would govern the crossing and the compensation that Midwest must pay IC for such crossings, unless the parties can agree on these terms.

The Board issued its decision today in the case entitled *Midwest Generation, LLC--Exemption from 49 U.S.C. 10901--For Construction in Will County, IL*, STB Finance Docket No. 34060. A printed copy of the decision is available for a fee by contacting **D~ 2 D~ Legal Copy Service, Suite 405, 1925 K Street, N.W., Washington, DC 20006, telephone (202) 293-7776**, or via [da2dalegal@earthlink.net](mailto:da2dalegal@earthlink.net). The decision also is available for viewing and downloading via the Board's website at <http://www.stb.dot.gov>.

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