

**SURFACE TRANSPORTATION BOARD DENIES "BURLINGTON NORTHERN SANTA FE" RAIL LINE ABANDONMENT
IN CHICAGO**

Surface Transportation Board (Board) Chairman Linda J. Morgan announced today that the Board has denied a request by The Burlington Northern and Santa Fe Railway Company (BNSF) to abandon 2.38 miles of track within the city limits of Chicago, Illinois. Four local businesses and the United Transportation Union-Illinois Legislative Board opposed the abandonment.

The Board ruled against BNSF because two shippers using the line and two other businesses located near it challenged BNSF's assertion that it was losing money serving the line. These protests raised substantial questions about BNSF's case, and the Board held that BNSF's petition for an exemption to abandon the line lacked sufficient information to rebut the protests.

In particular, the Board noted that the shippers were located on only the first half of the line (a 1.25-mile segment for which the Illinois Department of Transportation appears willing to fund rehabilitation) and that BNSF's petition did not provide enough information for the Board to identify the costs attributable to providing service over that portion of the line so as to determine whether BNSF was losing money on that portion. The Board disallowed a belated attempt by BNSF to supplement its petition (and to argue that the Board lacked jurisdiction over the line) because, the Board held, entertaining such additional evidence and argument, some of which was new, would require giving the protestants an opportunity to reply, and that doing so at that late point in the proceeding would preclude the Board from deciding the case within the time required by the applicable statute. The Board stated that BNSF could file a new exemption petition or a formal application and that, if it did so, BNSF should include revenue and cost evidence for the 1.25-mile segment at issue.

The Board's decision in *The Burlington Northern and Santa Fe Railway Company--Abandonment of Chicago Area Trackage in Cook County, IL*, STB Docket No. AB-6 (Sub-No. 382X), was issued on September 21, 1999. The text of the decision is available on the Board's website at www.stb.dot.gov.

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