



March 9, 2017

VIA E-MAIL

Mr. Tom Stone
[REDACTED]

RE: 17-FOIA-057 Trackage Contracts

Dear Mr. Stone:

We are in receipt of your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.*

I. Background

On February 23, 2017, we received your request for any and all CP Rail d/b/a Canadian Pacific, Soo Line and/or Milwaukee Road that allows said railroad to use any and all Metra trackage.

On February 24, 2017 we emailed you explaining that your request as written was vague, overbroad and would unduly burden the departments tasked with obtaining those requested records. You narrowed your request to a contract between Metra and Canadian Pacific and if that didn't exist you were looking for an agreement between Soo Line or Milwaukee Road which were predecessor railroads prior to Canadian Pacific Railroad ("**Request**"). Your Request is granted in part and denied in part.

II. Responsive Documents

In response to your Request, Metra is providing you with the following documents:

- Supplemental Agreement between the Commuter Rail Division of the Regional Transportation Authority ("Metra") and Soo Line Railroad Company, d/b/a CP Rail System dated May 27, 1993; and
- Amendment Agreement between the Commuter Rail Division of the Regional Transportation Authority ("Metra") and the Soo Line Railroad Company dated April 1, 2003.

("Responsive Documents").

III. Partial Denial

While FOIA requires public bodies to provide access to public records generally, FOIA also authorizes units of government to withhold certain information. Therefore, Attorney Thomas Stuebner has determined that the following portions of the Responsive Document are exempt from disclosure under certain provisions of FOIA:

1. The personal financial information of the parties mentioned in the Responsive Document are being redacted because they are exempt from disclosure under Section 7(1)(b) of FOIA,

which exempts “private information.” “Personal financial information,” is specifically mentioned within the definition of “private information” found in Section 2(c-5) of FOIA.

IV. Right of Review

You have the right to have the denial of your Request reviewed by the Public Access Counselor (“PAC”) of the Illinois Attorney General’s Office. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this denial letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this denial letter when filing a Request for Review with the PAC.

You also have the right to seek judicial review of your denial by filing a lawsuit in the circuit court. 5 ILCS 140/11.

If I can be of further assistance to you, please do not hesitate to contact me.

Sincerely,



Sonsere Hatch
Freedom of Information Officer
FOIA@metrarr.com

FOIA Hotline #312-663-36