



March 16, 2017

**VIA E-MAIL**

Mr. Tom Stone  
[REDACTED]

RE: 17-FOIA-067 Metra and WSOR 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 contracts between Metra and Wisconsin and Southern Railroad and its subsidiaries that allows said railroad to use and all Metra trackage (“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:

- Trackage Agreement between CMC Real Estate Corporation and Wisconsin and Calumet Railroad Company, Inc. and Wisconsin River Rail Transit Commission dated September 10, 1986;
- Letter Agreement between Metra and Wisconsin & Calumet Railroad Company dated January 18, 1991;
- Letter Agreement between Metra and Wisconsin & Calumet Railroad dated April 28, 1993;
- Letter Agreement between Metra and Wisconsin & Calumet Railroad dated May 11, 1994;
- Letter Agreement between Metra and Wisconsin & Southern Railroad Company dated December 8, 1994;
- Letter Agreement between Metra and Wisconsin & Southern Railroad Company dated March 13, 1996;
- Letter Agreement between Metra and Wisconsin & Southern Railroad Company dated August 30, 1996;
- Amendment to the Trackage Agreement between Metra and Wisconsin and Calumet Railroad Company Inc. dated September 10, 1986;
- Letter Agreement between Metra and Wisconsin & Southern Railroad Company dated April 4, 2014;
- Letter Agreement between Metra and Wisconsin & Southern Railroad Company dated June 16, 2014;
- Letter Agreement between Metra and Wisconsin & Southern Railroad Company dated July 16, 2014;

- Letter Agreement between Metra and Wisconsin & Southern Railroad Company dated September 11, 2014;
- Letter Agreement between Metra and Wisconsin & Southern Railroad Company dated November 13, 2014;
- Letter Agreement between Metra and Wisconsin & Southern Railroad Company dated December 19, 2014;
- Letter Agreement between Metra and Wisconsin & Southern Railroad Company dated April 17, 2015;
- Letter Agreement between Metra and Wisconsin & Southern Railroad Company dated November 6, 2015;
- Letter Agreement between Metra and Wisconsin & Southern Railroad Company dated December 14, 2015;
- Letter Agreement between Metra and Wisconsin & Southern Railroad Company dated October 31, 2016; and
- Letter Agreement between Metra and Wisconsin & Southern Railroad Company dated December 14, 2016 (**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. Section 7(1)(s) of FOIA authorizes units of government to withhold “[a]ny and all proprietary information and records related to the operation of an intergovernmental risk management association or self-insurance pool or jointly self-administered health and accident cooperative or pool Insurance or self-insurance (including any intergovernmental risk management association or self- insurance pool) claims, loss or risk management information, records, data, advice or communications.” 5 ILCS 140/7(1)(s). Accordingly, per Attorney Thomas Stuebner, all information regarding insurance within the Responsive Documents have been redacted.

### **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](mailto: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,

A handwritten signature in blue ink, appearing to read "S Hatch".

Sonsere Hatch  
Freedom of Information Officer  
[FOIA@metrarr.com](mailto:FOIA@metrarr.com)  
FOIA Hotline #312-663-3642

Attachments