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ENTERED  
Office of Proceedings  
September 30, 2016  
Part of  
Public Record

BEFORE THE  
SURFACE TRANSPORTATION BOARD

STB FINANCE DOCKET NO. 36074



WRL, LLC  
—ACQUISITION EXEMPTION—  
CITY OF TACOMA, DEPARTMENT OF PUBLIC WORKS

VERIFIED NOTICE OF EXEMPTION PURSUANT TO 49 C.F.R. § 1150.41, ET SEQ.

WRL, LLC (“WRL”), a Washington limited liability company and Class III carrier, hereby files this Verified Notice of Exemption pursuant to the class exemption at 49 C.F.R. § 1150.41, et seq., to acquire a line of railroad from City of Tacoma, Department of Public Works dba Tacoma Rail (“Tacoma Rail”) in Lewis and Thurston Counties, WA.

In support of this Verified Notice of Exemption, WRL submits the following information as required by 49 C.F.R. § 1150.43:

(a) Full name and address of applicant.

WRL, LLC  
232 SE Oak St.  
Portland, OR 97214

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(b) Applicant's Representatives.

James H. M. Savage  
22 Rockingham Court  
Germantown, MD 20874  
(908) 361-7097  
*jsavagelaw@aim.com*  
Counsel for WRL, LLC

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(c) Statement that an agreement has been reached or details about when an agreement will be reached.

WRL and Tacoma Rail expect to enter into Acquisition Agreement on or about October 4, 2016.

**(d) Operator of the property.**

Western Washington Railroad, LLC (“WWRR”) will continue to be the operator of the rail line pursuant to an exemption filed with the STB on July 13, 2015 under Finance Docket No. 35921.

**(e) Summary of Proposed Transaction.**

This exemption involves the acquisition by WRL of certain rail property owned by Tacoma Rail which is being operated by WWRR under the lease agreement referenced in (d) above.

**(1) The name and address of the railroad transferring operating interests in the subject Property:**

City of Tacoma, Department of Public Works dba Tacoma Rail  
2601 SR 509 North Frontage Road  
Tacoma, WA 98421

**(2) Proposed time schedule for consummation**

The parties intend to consummate the transaction immediately after the effective date of this Notice.

**(3) Mileposts of the subject property**

WRL will acquire the trackage owned by Tacoma Rail between Mileposts 33C and 67.6.

**(4) Total route miles being acquired**

Approximately 34.6 miles.

**(f) A map of the area to be served**

A map is attached as Exhibit A.

**(g) Certificate of Compliance with the provisions of 49 C.F.R. § 1150.43(g).**

Attached as Exhibit B is a certificate affirming that WRL’s projected revenues as a result of the transaction will not result in the creation of a Class II or Class I rail carrier so as to require processing under 49 C.F.R. § 1150.45. The projected annual revenues of WRL

from existing operations and new operations as a result of this transaction will not exceed \$5 million.

(h) Interchange commitments.

The sale agreement between WRL and Tacoma Rail does not contain any provision that prohibits, restricts, or would otherwise limit future interchange of traffic with any third-party carrier.

Other Information and Supporting Materials.

A caption summary, as required by 49 C.F.R. § 1150.34, is attached as Exhibit C to this notice. Pursuant to 49 C.F.R. § 1105.6(c)(2)(i), the proposed transaction is exempt from environmental review because the action proposed herein will not exceed any of the thresholds established in 49 C.F.R. § 1105.7(e)(4) or (5).

In addition, the transaction is exempt from historic review under 49 C.F.R. § 1105.8(b)(1), because WRL's acquisition of the Line is for the purpose of continued rail operations. Further STB approval would be required to abandon any service, and there are no plans to dispose or alter properties subject to STB jurisdiction that are 50 years or older. This action will not significantly affect the quality of the human environment or energy conservation.

Respectfully submitted,



James H. M. Savage  
22 Rockingham Court  
Germantown, MD 20874  
(908) 361-7097  
jsavagelaw@aim.com  
Counsel for WRL, LLC

Dated: September 30, 2016

**VERIFICATION**

I, Paul Didelius, declare under penalty of perjury that I am the owner of WRL, LLC, that I have read the foregoing Notice of Exemption Notice, know the facts asserted therein, and that the foregoing is true and correct. Further, I verify that I am qualified and authorized to file this Notice.



Paul Didelius  
Owner, WRL, LLC

Subscribed and sworn to before me this 29 day of September, 2016



Notary Public

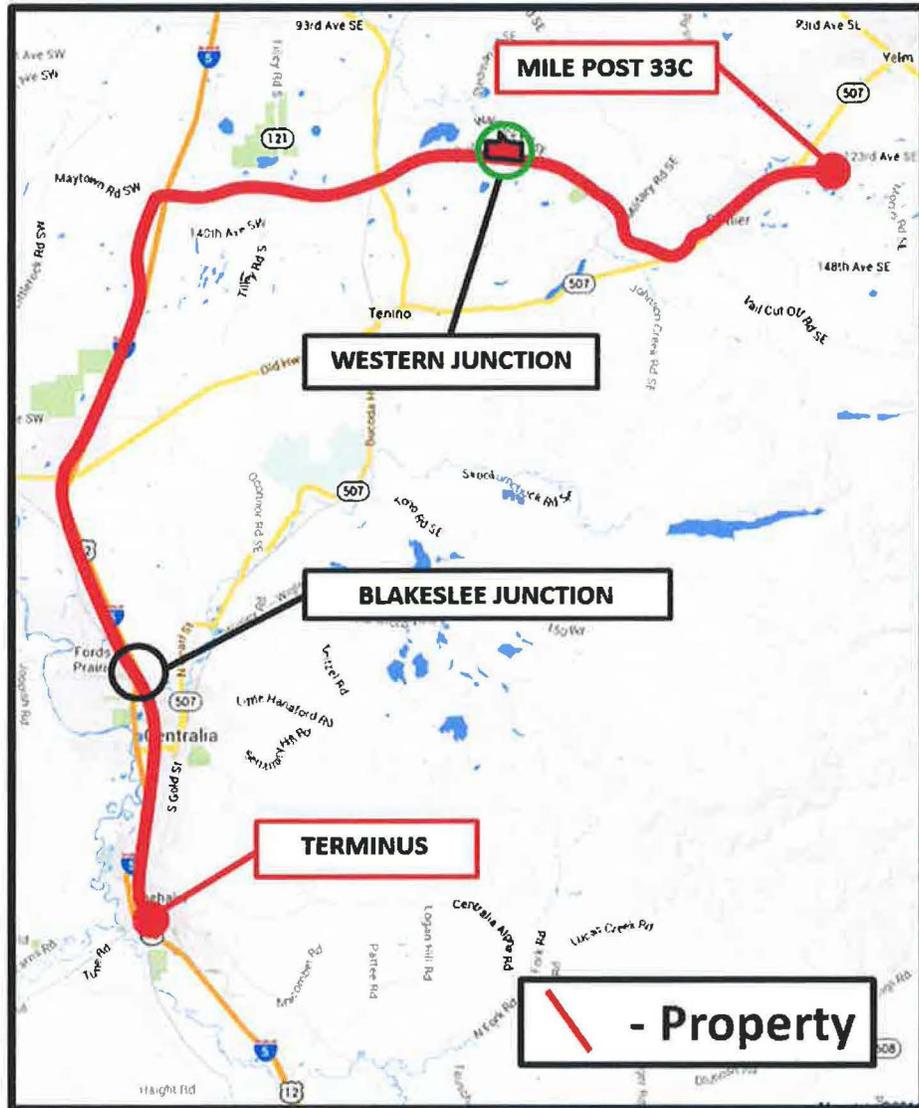
My Commission expires:

August 09, 2019



# Exhibit B – Property Depiction

A MAP



# EXHIBIT B

## Certification of Compliance

I, Paul Didelius, certify that WRL's projected annual revenues will not as a consequence of this transaction result in WRL becoming a Class II or Class I rail carrier so as to require processing of the foregoing notice of exemption under 49 C.F.R. § 1150.35, and that WRL's projected annual revenue for the lines to be operated pursuant to this notice does not exceed \$5 million dollars.

A handwritten signature in black ink, appearing to read "P. Didelius", written over a horizontal line.

Paul Didelius  
Owner, WRL, LLC

Dated: \_\_\_\_\_, 2016

**SURFACE TRANSPORTATION BOARD**

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**NOTICE OF EXEMPTION**

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**STB Finance Docket No. 36074**

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**WRL, LLC  
—ACQUISITION EXEMPTION—  
CITY OF TACOMA, DEPARTMENT OF PUBLIC WORKS**

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WRL, LLC (“WRL”), a Class III, has filed a Notice of Exemption, pursuant to 49 C.F.R. Section 1150.41 et seq., to acquire a rail line of the City of Tacoma, Department of Public Works dba Tacoma Rail (“Tacoma Rail”), between Milepost 33C and Milepost 67.6 in Lewis and Thurston Counties, Washington.

Comments must be filed with the Board and served on James H. M. Savage, Esq. 22 Rockingham Court, Germantown, MD 20874

This Notice is filed under 49 C.F.R. § 1150.41, et seq. If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. §10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

Dated:

By the Board,