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FLETCHER & SIPPEN LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

ENTERED
Office of Proceedings
February 7, 2014
Part of
Public Record

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

February 6, 2014

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W., Room 1034
Washington, DC 20423-0001

Re: **Finance Docket No. 35751**
Iowa Interstate Railroad, Ltd. -- Acquisition
Exemption -- Line of BNSF Railway Company

Dear Ms. Brown:

On January 14, 2014, the Surface Transportation Board issued a decision in the above-captioned proceeding granting the petition of Iowa Interstate Railroad, Ltd. ("IAIS") to acquire BNSF Railway Company's 0.75-mile rail line in Council Bluffs, Iowa known as the Bartlett Line. Ordering paragraph 1(a) of the decision requires that IAIS serve a copy of the decision on all shippers on the line.

I hereby certify that on February 6, 2014, a copy of the Board's decision was served by overnight delivery on all shippers on the line, under cover of the attached transmittal letters.

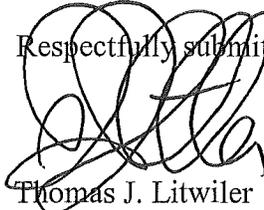
Due to counsel's oversight, service was not completed by January 21, 2014, as specified in the Board's decision. Pursuant to 49 C.F.R. § 1117.1, IAIS seeks waiver of ordering paragraph 1(a) of the Board's January 14, 2014 decision as necessary to permit IAIS's late service and to allow acceptance of this certification. IAIS does not believe that the two shippers on the Bartlett Line have been prejudiced by the delay in service, and IAIS has specifically noted the delay in the transmittal letters to the shippers. One of the shippers, Bartlett Grain Company, L.P., was a party to this proceeding and was represented by counsel, and a copy of this letter is being provided to that counsel.

FLETCHER & SIPPEL LLC

Ms. Cynthia T. Brown
February 6, 2014
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If you have any questions regarding this certification or the request for waiver, please feel free to contact me. Thank you for your assistance on this matter. Kind regards.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'TJL', written over the text 'Respectfully submitted,'.

Thomas J. Litwiler
Attorney for Iowa Interstate Railroad, Ltd.

TJL:tl

Attachments

cc: Thomas W. Wilcox, Esq.

COPY

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February 6, 2014

VIA FEDERAL EXPRESS

Mr. Joe Griffith
General Manager
Bartlett Grain Company, L.P.
4900 Main Street, Suite 1200
Kansas City, MO 64112

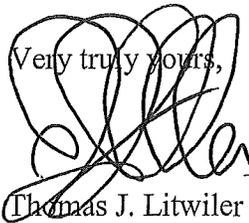
Re: **Finance Docket No. 35751**
Iowa Interstate Railroad, Ltd. -- Acquisition
Exemption -- Line of BNSF Railway Company

Dear Mr. Griffith:

On January 14, 2014, the Surface Transportation Board issued a decision in the above-captioned proceeding granting the petition of Iowa Interstate Railroad, Ltd. ("IAIS") to acquire BNSF Railway Company's 0.75-mile rail line in Council Bluffs, Iowa known as the Bartlett Line. Ordering paragraph 1(a) of the decision requires that IAIS serve a copy of the decision on all shippers on the line. Accordingly, a copy of the Board's decision is enclosed for your reference.

Note that, due to counsel's error, this decision is being sent to you after the January 21, 2014 service date specified by the STB. This delay is being disclosed to the STB.

Please feel free to contact me should you have any questions regarding this matter. Kind regards.

Very truly yours,


Thomas J. Litwiler
Attorney for Iowa Interstate Railroad, Ltd.

TJL:tl

Enclosure

cc: Thomas W. Wilcox, Esq.

COPY

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February 6, 2014

VIA FEDERAL EXPRESS

Mr. J. William Lemons
Chairman and Chief Executive Officer
Western Engineering Company
1149 West Highway 44
P.O. Box 350
Harlan, IA 51537

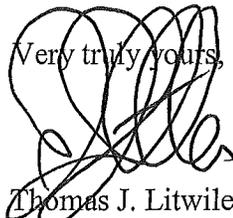
Re: **Finance Docket No. 35751**
Iowa Interstate Railroad, Ltd. -- Acquisition
Exemption -- Line of BNSF Railway Company

Dear Mr. Lemons:

On January 14, 2014, the Surface Transportation Board issued a decision in the above-captioned proceeding granting the petition of Iowa Interstate Railroad, Ltd. ("IAIS") to acquire BNSF Railway Company's 0.75-mile rail line in Council Bluffs, Iowa known as the Bartlett Line. Ordering paragraph 1(a) of the decision requires that IAIS serve a copy of the decision on all shippers on the line. Accordingly, a copy of the Board's decision is enclosed for your reference.

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Please feel free to contact me should you have any questions regarding this matter. Kind regards.

Very truly yours,


Thomas J. Litwiler
Attorney for Iowa Interstate Railroad, Ltd.

TJL:tl

Enclosure