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SERVICE DATE – MAY 3, 2010

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. FD 35359

PACIFIC RIM RAILWAY COMPANY, INC.—ACQUISITION AND OPERATION
EXEMPTION—CITY OF KEOKUK, IOWA

Decided: May 3, 2010

On March 8, 2010, Pacific Rim Railway Company (PRIM), a noncarrier, filed a verified notice of exemption under 49 C.F.R. § 1150.31 to acquire from the City of Keokuk, Iowa and to operate approximately 2,894 feet of railroad trackage (.544-mile) consisting of a 2,194 foot-long railroad bridge over the Mississippi River, commonly known as the Keokuk Municipal Bridge, approximately 600 feet of land and track at the approach to the bridge at Hamilton, Ill., and approximately 100 feet of land and track at the approach to the bridge at Keokuk. Notice of the exemption was served and published in the Federal Register on March 24, 2010 (75 Fed. Reg. 14,243).

On April 6, 2010, Keokuk Junction Railway Co. (KJRY) filed a motion to reject or revoke PRIM's notice of exemption on grounds that the notice contained false and/or misleading statements. PRIM replied on April 7, 2010. On April 13, 2010, KJRY also filed a supplemental petition to revoke. By letter filed on April 26, 2010, PRIM has requested leave to withdraw its notice of exemption without prejudice to refile a new notice at a later time.

PRIM's request for withdrawal is reasonable and will be granted. Because PRIM's request for withdrawal is being granted, KJRY's motion and petition for revocation/rejection will be dismissed as moot.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. PRIM's request for withdrawal is granted and the proceeding is dismissed without prejudice.
2. KJRY's request for rejection/revocation is dismissed as moot.

3. This decision is effective on its date of service.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.