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SEC

SERVICE DATE – OCTOBER 3, 2008

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 34936

PORT OF MOSES LAKE—CONSTRUCTION EXEMPTION—MOSES LAKE,
WASHINGTON

STB Finance Docket No. 34936 (Sub-No. 1)

PORT OF MOSES LAKE—ACQUISITION EXEMPTION—MOSES LAKE, WASHINGTON

Decided: October 2, 2008

By petition filed on August 28, 2008, the Port of Moses Lake (Port) seeks an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10901 in STB Finance Docket No. 34936 to construct rail lines in Moses Lake, WA, between Wheeler and Parker Horn (Segment 1) and between Columbia Basin Railroad Company, Inc. (CBRW) trackage and the east side of the Grant County International Airport (Segment 2). In the same petition, the Port seeks an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10901 in STB Finance Docket No. 34936 (Sub-No. 1) to acquire a segment of rail line from CBRW that runs approximately from Parker Horn near Stratford Road to near the Grant County International Airport (Segment 3), which would connect Segments 1 and 2. The Port plans to rehabilitate and upgrade this line segment, including the upgrade of two signalized grade crossings. The Port estimates the total mileage of its construction and acquisition proposals to be approximately 11.5 to 12.0 miles in length.

The Port is a noncarrier municipality of the State of Washington that is chartered for economic development. According to the Port, these transactions will serve the purposes of allowing trains to bypass downtown Moses Lake and providing rail service to lands designated for industrial development, which will enhance opportunities for economic development and attract new rail-dependent business to the area.

CBRW intends to file separately a verified notice of exemption to operate the rail lines subject to the instant petition filed by the Port. When filed, the operation exemption transaction will be docketed as STB Finance Docket No. 34936 (Sub-No. 2).

The petition for exemption raises issues that require consideration by the Board. By this decision, the Board is instituting a proceeding under 49 U.S.C. 10502(b).

It is ordered:

1. Under 49 U.S.C. 10502(b), a proceeding is instituted.
2. This decision is effective on its date of service.

By the Board, Anne K. Quinlan, Acting Secretary.

Anne K. Quinlan
Acting Secretary