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SERVICE DATE - JUNE 9, 2000

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-68 (Sub-No. 3X)

LAKE SUPERIOR & ISHPEMING RAILROAD COMPANY--ABANDONMENT
EXEMPTION--IN MARQUETTE COUNTY, MI

Decided: June 6, 2000

A decision served on May 11, 1999, authorized Lake Superior & Ishpeming Railroad Company (LS&I), to abandon a 3.54-mile line of railroad located wholly within the city and county of Marquette, MI, extending from milepost 50.23, near the Highway 41/Hampton Street intersection, to milepost 53.77, near the Hawley Street crossing. The May 11, 1999 decision stated that, if consummation has not been effected by LS&I's filing of a notice of consummation by May 11, 2000, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire. Under 49 CFR 1152.29(e)(2), a railroad may, for good cause shown, file a request for an extension of time to file a notice of consummation in abandonment proceedings.

On May 24, 2000, LS&I filed an extension request for the filing of its notice of consummation. LS&I states that the extension is necessary because the involved track in this proceeding has not yet been torn up due to legal disputes regarding reversionary interests in the right-of-way. LS&I further states that the parties are close to working out their dispute, making it likely that the subject track will be removed some time this summer.

LS&I has shown good cause to extend the time to consummate the abandonment and for filing a notice of consummation in this proceeding. Accordingly, the request will be granted.¹

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

It is ordered:

1. LS&I's request for an extension of time to exercise the abandonment authority is granted.
2. The authority to abandon must be exercised on or before November 7, 2000.

¹ LS&I did not specify the length of the extension sought. A 180-day extension will be granted.

3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary