



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



KEITH CREAUGH  
DIRECTOR

September 11, 2013

234835

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

 SURFACE TRANSPORTATION BOARD OFFICE OF PROCEEDINGS	DECISION ID NO.: <u>43352</u>
	DECIDED DATE: <u>9/24/13</u>
	SERVICE DATE: <u>9/24/13</u>
	APPROVED: <u>Rachel O'Connell</u> Director
	<input checked="" type="checkbox"/> NITV extended to <u>3/10/14 per consent.</u>

ENTERED  
Office of Proceedings  
September 18, 2013  
Part of Public  
Record

SUBJECT: Escanaba & Lake Superior Railroad Company – Abandonment Exemption – in Ontonagon and Houghton Counties, Michigan, STB Docket No. AB-415 (Sub-No. 2X)

Dear Ms. Brown:

The Michigan Department of Natural Resources (DNR) hereby respectfully requests a 180-day extension of the railbanking period provided by your Decision of September 27, 2010. The DNR and the Escanaba & Lake Superior Railroad Company have reestablished negotiations for trail use over the 42.93-mile rail line between milepost 408.02 at Ontonagon and milepost 365.09 at Sidnaw, in Ontonagon and Houghton Counties, MI. By decision served on April 14, 2011, the STB established an expiration date for trail use negotiation of June 26, 2011.

Should you require further information regarding this request, please contact Mr. Roger Storm, DNR Trailway Acquisition Specialist, at 517-335-3258; or by writing to P.O. Box 30448, Lansing, MI 48909-7948; or you may contact me.

Sincerely,

James Radabaugh  
State Trails Coordinator  
517-373-1276

- cc: Mr. John Larkin, Escanaba & Lake Superior Railroad Co.
- Mr. Keith G. O'Brien, Baker & Miller PLLC
- Ms. Stacy Hughey, DNR
- Mr. Ron Olson, DNR
- Mr. Roger Storm, DNR

234815  
ENTERED

Office of Proceedings  
September 13, 2013  
Part of Public  
Record

**BAKER & MILLER PLLC**

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September 13, 2013

**BY E-FILING**

Cynthia T. Brown  
Chief of the Section of Administration, Office of Proceedings  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

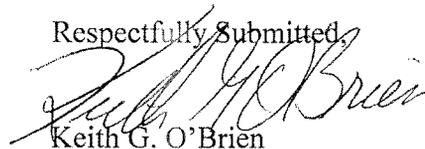
RE: STB Docket No. AB-415 (Sub-No. 2X)  
*Escanaba & Lake Superior Railroad Company — Line in Ontonagon and  
Houghton Counties, MI,*  
**Notice of Interim Trail Use Extension Request**

Dear Ms. Brown:

The Escanaba & Lake Superior Railroad Company ("ELS") has received a copy of a request by the Michigan Department of Natural Resources ("DNR") for a 180 day extension of the rail banking negotiation period provided by the Board's decision of September 27, 2010 which was forwarded by DNR for filing on September 11, 2013. It is noted that DNR previously submitted its statement of willingness to assume financial responsibility for the involved right-of-way ("ROW"), and acknowledged that use of the ROW is subject to possible reconstruction and reactivation of the line for rail service by its statement that was entered in the record on May 12, 2010. ELS has not consummated the authorized abandonment to date and since it is very much interested in progressing constructive discussion with DNR which was recently reestablished, ELS respectfully requests that the negotiating period under the Notice of Interim Trail Use ("NITU") be extended for 180 days to March 10, 2014.

If there are any questions concerning this request please contact me.

Respectfully Submitted,



Keith G. O'Brien

Attorney for Escanaba & Lake Superior Railroad Company

cc: All parties of record