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SEC

SERVICE DATE – DECEMBER 16, 2008

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 35171

ASHBRO, INC.—PETITION FOR DECLARATORY ORDER—WILSON SPUR TRACK IN  
DENHAM SPRINGS, LA

Decided: December 15, 2008

On August 1, 2008, Ashbro, Inc. (Ashbro) filed a petition for declaratory order, asking that the Board terminate Illinois Central Railroad Company's (IC) use and access to the portion of the Wilson Spur that crosses Ashbro's property. Ashbro also asks for a determination that the shippers and/or property owners adjacent to the line have no right to use the portion of the Wilson Spur located on Ashbro's property.

On December 8, 2008, Ashbro filed a letter requesting that the Board hold this proceeding temporarily in abeyance while it negotiates with Bercen, Inc., one of the adjacent property owners, and IC to resolve this matter. According to Ashbro, IC consents to this request.

The request is reasonable and consistent with the Board's preference for private-sector negotiation and resolution of disputes. Therefore, the request will be granted and this proceeding will be held in abeyance to give the parties' time to negotiate a resolution of the issues raised by Ashbro. Ashbro will be directed to file a report with the Board on the status of negotiations by February 17, 2009.

This action will no significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding will be held in abeyance pending further order of the Board.
2. Ashbro is directed to file a report with the Board on the status of negotiations by February 17, 2009.

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

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

Anne K. Quinlan  
Acting Secretary