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SERVICE DATE – JANUARY 5, 2005

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-33 (Sub-No. 218X)

UNION PACIFIC RAILROAD COMPANY–ABANDONMENT  
EXEMPTION–IN KOOTENAI COUNTY, ID

Decided: January 4, 2005

Union Pacific Railroad Company (UP) filed a notice of exemption under 49 CFR 1152 Subpart F–Exempt Abandonments and Discontinuances of Service and Trackage Rights to abandon a 5.25-mile line of railroad known as the Coeur d’Alene Industrial Lead from milepost 2.25 near Feeley Spur to milepost 7.50 near Gibbs, in Kootenai County, ID. Notice of the exemption was served and published in the Federal Register on December 16, 2004 (69 FR 75379-80). The notice stated that the exemption would become effective on January 15, 2005, unless stayed by the Board or a formal expression of intent to file an offer of financial assistance (OFA) under 49 U.S.C. 10904 and 49 CFR 1152.27(c)(2) was filed by December 27, 2004. On December 22, 2004, Pan American Railway, Inc. (PARI) filed a formal expression of intent to file an OFA to purchase the entire line. This filing automatically stayed the effective date of the exemption until January 25, 2005.

In its notice of intent, PARI states that, by letter dated November 30, 2004, it had requested that UP provide it with the information prescribed in 49 CFR 1152.27(a), including the minimum purchase price required to acquire the line, UP’s most recent reports on the physical condition of the line, UP’s estimate of the net liquidation of the line, and supporting data. PARI states that UP has advised PARI that the required information will not be available until the middle of January 2005, at the earliest. Therefore, PARI requests, pursuant to under 49 CFR 1152.27(c)(ii)(C), that the 30-day time period for filing an OFA<sup>1</sup> be tolled until 10 days after UP provides the necessary information. Because the offeror needs additional time to obtain necessary information from UP, the request of PARI will be granted. As a result, an OFA will be due 10 days after PARI’s receipt of the required information, and the effective date of the exemption will be extended until 20 days after PARI’s receipt of the required information.<sup>2</sup>

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<sup>1</sup> Under 49 CFR 1152.27(c)(2)(ii)(B), OFAs are due 30 days after publication of the notice of exemption in the Federal Register.

<sup>2</sup> Because these extensions are not date specific, UP is directed to notify the Board when it has  
(continued...)

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

It is ordered:

1. The time period for PARI to file an OFA is tolled until 10 days after PARI's receipt of the required information, and the effective date of the exemption is further postponed until 20 days after PARI's receipt of the required information.
2. This decision is effective on its service date.

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

Vernon A. Williams  
Secretary

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<sup>2</sup>(...continued)  
furnished the requested information to PARI so that the due date for filing OFAs and the effective date of the exemption can be determined for the record.