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SEC

SERVICE DATE – LATE RELEASE JANUARY 12, 2006

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 34795

ROQUETTE AMERICA RAILWAY, INC.  
— CONSTRUCTION EXEMPTION —  
IN KEOKUK, IA

Decided: January 12, 2006

On November 29, 2005, Roquette America Railway, Inc. (Roquette), filed a petition for an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10901 to construct a line of railroad in Keokuk, IA. Keokuk Junction Railway Co. (KJRY) filed a reply in opposition on December 19, 2005. The reply, in part, argues that Roquette's petition should be dismissed.

KJRY's request that the petition be dismissed goes to the question of whether Roquette requires Board authorization for the proposed construction. Roquette will be given 10 days from the service date of this decision to submit a response to the request.

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

It is ordered:

1. Roquette may respond to KJRY's December 19 pleading on or before January 23, 2006.
2. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary