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SERVICE DATE – JUNE 6, 2007

DO

FR-4915-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-1011X]

Northern Lines Railway, LCC–Discontinuance of Service Exemption–in Stearns County,
MN

Northern Lines Railway, LCC (NLR)¹ has filed a verified notice of exemption under 49 CFR 1152 Subpart F–Exempt Abandonments and Discontinuances of Service to discontinue service over a 0.77-mile line of railroad between milepost 16.21 and milepost 16.98, near Cold Spring, in Stearns County, MN.² The line traverses United States Postal Service Zip Code 56320.

NLR has certified that: (1) no local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line to be rerouted; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board or with any U.S. District Court or has been decided in

¹ NLR was authorized to lease and operate the line in Northern Lines Railway, LLC–Lease and Operation Exemption–The Burlington Northern and Santa Fe Railway Company, STB Finance Docket No. 34627 (STB served Jan. 6, 2005).

² BNSF Railway Company (BNSF) was authorized to abandon the above-described line in BNSF Railway Company–Abandonment Exemption–in Stearns County, MN, STB Docket No. AB-6 (Sub-No. 455X) (STB served May 7, 2007). While BNSF was authorized to abandon its rail line located between milepost 16.21 and milepost 17.00, NLR’s lease only extended to milepost 16.98, explaining the 0.02-mile difference in mileages sought by BNSF and NLR.

favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.12 (newspaper publication) and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the discontinuance of service shall be protected under Oregon Short Line R. Co.–Abandonment–Goshen, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on July 6, 2007, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues and formal expressions of intent to file an OFA for continued rail service under 49 CFR 1152.27(c)(2),³ must be filed by June 18, 2007.⁴ Petitions to reopen must be filed by June 26, 2007, with: Surface Transportation Board, 395 E Street, S.W., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to NLR's representative: Karl Morell, Ball Janik LLP, 1455 F Street, N.W., Suite 225, Washington, DC 20005.

³ Each OFA must be accompanied by the filing fee, which currently is set at \$1,300. See 49 CFR 1002.2(f)(25).

⁴ Because this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use conditions are not appropriate. Likewise, no environmental or historical documentation is required here under 49 CFR 1105.6(c) and 1105.8(b), respectively.

If the verified notice contains false or misleading information, the exemption is void ab initio.

Board decisions and notices are available on our website at “WWW.STB.DOT.GOV.”

Decided: May 30, 2007.

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

Vernon A. Williams

Secretary