

38987  
SEC

SERVICE DATE – APRIL 29, 2008

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 35121

BURLINGTON SHORTLINE RAILROAD, INC., D/B/A BURLINGTON JUNCTION  
RAILWAY – ACQUISITION AND OPERATION EXEMPTION –  
BNSF RAILWAY COMPANY

Decided: April 29, 2008

By motion filed on April 21, 2008, the Burlington Shortline Railroad, Inc., d/b/a the Burlington Junction Railway (BJR), requests that the Board allow it to withdraw its notice of exemption filed on March 18, 2008, and that the agency vacate its housekeeping stay entered on April 16, 2008. BJR states that its March 18, 2008 notice might have inadvertently misled the Board and other interested parties as to the nature and extent of the transaction and that it is concurrently filing a new notice in STB Finance Docket No. 35136, Burlington Shortline Railroad, Inc. D/B/A Burlington Junction Railway – Lease and Operation Exemption – BNSF Railway Company.

BJR's motion will be granted. BJR will be allowed to withdraw its notice. This proceeding will be discontinued, and the housekeeping stay will be vacated as moot.

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

It is ordered:

1. BJR's request to withdraw its notice of exemption in this proceeding is granted, and this proceeding is discontinued.
2. The housekeeping stay entered on April 16, 2008, is vacated as moot.
3. This decision is effective on its service date.

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

Anne K. Quinlan  
Acting Secretary