

37713  
DO

SERVICE DATE – JANUARY 26, 2007

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-6 (Sub-No. 432X)

BNSF RAILWAY COMPANY—ABANDONMENT EXEMPTION—IN WALSH  
COUNTY, ND

Decided: January 25, 2007

BNSF Railway Company (BNSF) filed a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments to abandon a 7.12-mile line of railroad between milepost 144.21, at Grafton, and milepost 137.09, near Voss, in Walsh County, ND. Notice of the exemption was served and published in the Federal Register on January 26, 2006 (71 FR 4397-98). The notice stated that, if consummation has not been effected by BNSF's filing of a notice of consummation by January 26, 2007, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.<sup>1</sup>

Under 49 CFR 1152.29(e)(2), a railroad may, for good cause shown, file a request for an extension of time to file a notice of consummation in abandonment proceedings. On January 16, 2007, BNSF filed a request to extend the deadline for filing its notice of consummation until January 26, 2008. BNSF states that scheduling difficulties with its salvagers have led to a delay in the completion of necessary salvage activities. BNSF has shown good cause to extend the time to consummate the abandonment and for filing a notice of consummation in this proceeding. Accordingly, the request will be granted.

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

It is ordered:

1. BNSF's request for an extension of time to exercise the abandonment authority is granted.
2. The authority to abandon must be exercised, and the notice of consummation of the abandonment must be filed, on or before January 26, 2008.

---

<sup>1</sup> By decision served on February 24, 2006, the proceeding was reopened, and the exemption was made subject to several environmental conditions, which remain in effect.

3. This decision is effective on its service date.

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

Vernon A. Williams  
Secretary