

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**FINANCE DOCKET NO. 35822**

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ENTERED  
Office of Proceedings  
June 5, 2014  
Part of  
Public Record

**OAKLAND GLOBAL RAIL ENTERPRISE, LLC – OPERATING EXEMPTION – A  
LINE OF RAILROAD OWNED BY UNION PACIFIC RAILROAD COMPANY AND  
THE BURLINGTON NORTHERN SANTA FE RAILWAY COMPANY**

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**PETITION OF OAKLAND GLOBAL RAIL ENTERPRISE, LLC TO WITHDRAW  
VERIFIED NOTICE OF EXEMPTION**

In accordance with the provisions of 49 C.F.R. Part 1117, Oakland Global Rail Enterprise, LLC (“OGRE”), submits this petition to withdraw, without prejudice, the Verified Notice of Exemption (“Notice of Exemption”) it filed in this docket pursuant to 49 C.F.R. § 1150.31. In support of this Petition, OGRE states as follows:

On May 2, 2014, OGRE filed its Notice of Exemption in order to be able to operate as a common carrier over lines of railroad owned by the Union Pacific Railroad Company (“UP”) and BNSF Railway Company (“BNSF”). All of the involved track is located within the Port of Oakland (“Port”) for which there were no milepost designations.

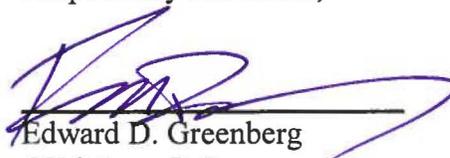
Prior to the filing of the Notice of Exemption, OGRE had not been a rail carrier, as that term is defined in 49 U.S.C. § 10102(5). The Board subsequently published a notice of this filing in the May 16, 2014 edition of the Federal Register and the exemption became effective on June 2, 2014.

OGRE has more recently been advised that there has been a misunderstanding concerning the nature of the operations that it will be conducting for UP and BNSF. Although OGRE had believed that its activities would be those of a rail common carrier, UP and BNSF have advised

that is not the case. Instead, they have entered into an agreement by which OGRE would only be providing certain contract switching services along the involved trackage.

Accordingly, as OGRE will not be operating as a railroad on the tracks of UP and BNSF, it now requests leave to withdraw the Notice of Exemption without prejudice to its ability to seek such authorization at such time as it may determine to provide common carrier service by rail.<sup>1</sup>

Respectfully submitted,



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Dated: June 5, 2014

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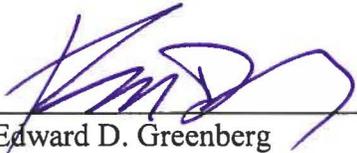
<sup>1</sup> In that regard, OGRE does intend to become a common carrier by railroad in the future in order to provide such services to various shippers in the Port facility over track owned by the Port and the City of Oakland. Prior to doing so, OGRE will submit an appropriate Verified Notice of Exemption.

**CERTIFICATE OF SERVICE**

I hereby certify this 5<sup>th</sup> day of June, 2014, that I have caused the foregoing  
Petition of Oakland Global Rail Enterprise, LLC to Withdraw Verified Notice of  
Exemption to be served on the following counsel for the parties:

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