

BAKER & MILLER PLLC

ATTORNEYS and COUNSELLORS
2401 PENNSYLVANIA AVENUE, NW
SUITE 300
WASHINGTON, DC 20037

TELEPHONE: (202) 663-7820
FACSIMILE: (202) 663-7849

ROBERT A. WIMBISH

(202) 663-7824 (Direct Dial)
E-Mail: rwimbish@bakerandmiller.com

February 26, 2013

233845

BY HAND DELIVERY

Cynthia T. Brown, Chief
Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington DC 20423-0001

ENTERED
Office of Proceedings
February 26, 2013
Part of
Public Record

Re: *West Michigan Railroad Co. – Abandonment Exemption – In Van Buren County, MI, STB Docket No. AB-1107X*

Dear Ms. Brown:

I am writing on behalf of the West Michigan Railroad Co. (“WMI”) in connection with the above-captioned abandonment proceeding. In response to recent filings in this matter, WMI states as follows:

1. Great Lakes Locomotive LLC (“GLL”) has given notice of its intent to file an offer of financial assistance (“OFA”) to acquire the entire line that WMI has slated for abandonment, and, in so doing, GLL has requested that the abandonment’s effective date be tolled for thirty days (until March 27) in order that GLL may obtain certain specified valuation information concerning the subject rail line prior to filing its intended OFA. WMI does not object to GLL’s tolling request.
2. The Friends of the Kal-Haven Trail and the Van Buren County Board of Park Trustees jointly have requested the issuance of a 180-day public use condition (“PUC”) to postpone any disposition of the targeted right-of-way and trail-related structures such as bridges and culverts. They also have requested that the Board issue a Notice of Interim Trail Use (“NITU”) so that trails use negotiations may proceed with WMI during the overlapping 180-day PUC period. WMI does not object to the requested PUC, and it is amenable during that time frame to the negotiation of an interim trails use arrangement. WMI notes that, in agreeing to undertake trails use negotiations, it is not obligated to reach a final agreement permitting interim trail use.

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Please let me know if you have any questions concerning this filing.

Sincerely,

A handwritten signature in black ink that reads "R. A. Wimbish". The signature is written in a cursive style with a large, stylized initial "R".

Robert A. Wimbish
Attorney for West Michigan Railroad Co.

cc: All parties of record
J. Michael Carr
Daniel A. LaKemper