

FLETCHER & SIPPEL LLC

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July 7, 2015

238757

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-001

ENTERED
Office of Proceedings
July 7, 2015
Part of
Public Record

Re: STB Docket No. AB-314 (Sub-No. 7X)
Chicago, Central & Pacific Railroad Company – Abandonment
Exemption – In Pottawattamie County, Iowa, and Douglas County, Nebraska

Dear Ms. Brown:

Chicago, Central & Pacific Railroad Company (“CCP”) hereby notifies the Board that it has delivered to the Omaha Bridge and Terminal Railway, LLC (“OBTR”) the information that OBTR has requested in connection with its plan to prepare and file of an offer of financial assistance (“OFA”) in the above-captioned abandonment proceeding. Specifically, CCP has confirmed that a package containing the following items was delivered to Christopher T. Chappellear, OBTR’s president, on July 6, 2015: (1) valuation maps for the pertinent line segment (i.e., the portion of the line that OBTR has confirmed would be the subject of its OFA); (2) corresponding deeds for the right-of-way; and (3) the most recent bridge inspection report for the bridge spanning the Missouri River (the latter item designated as confidential pursuant to the Board’s recently-issued protective order). As reflected in the copy of the transmittal letter to OBTR appended hereto, CCP previously had clarified (in a manner satisfactory to OBTR) the location of milepost 511.20, the eastern terminus of the line segment that OBTR has indicated would be the subject of its OFA.

CCP submits this letter filing in compliance with the notification requirements set forth at Ordering Paragraph 1 of the Director’s Order issued in this proceeding on May 29, 2015 (the “May 29 DO”). CCP understands, by virtue of its compliance with the requirements of the May 29 DO, that tolling of this abandonment proceeding will end ten days following OBTR’s receipt of the subject information, presumably requiring that OBTR tender its OFA by no later than July 16, 2015.

If there are any questions about this matter, please contact me directly, either by telephone: 312-252-1504, or by e-mail: rwimbish@fletcher-sippel.com.

Respectfully submitted,



Robert A. Wimbish

Enclosure

cc: All Parties of Record
Thomas J. Healey

FLETCHER & SIPPEN LLC

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July 2, 2015

VIA FEDEX

Christopher T. Chappellear
President, Omaha Bridge and Terminal Railway, LLC
14408 Cedar Circle
Omaha, NE 68144

Re: STB Docket No. AB-314 (Sub-No. 7X)
Chicago, Central & Pacific Railroad Company – Abandonment
Exemption – In Pottawattamie County, Iowa, and Douglas County, Nebraska

Dear Mr. Chappellear:

I am writing to you on behalf of Chicago, Central & Pacific Railroad Company (“CCP”) in connection with the above-captioned rail line abandonment proceeding. Previously, you informed the Surface Transportation Board (the “Board”) and CCP that Omaha Bridge and Terminal Railway, LLC (“OBTR”) intends to pursue acquisition of a portion of the rail line that is the subject of this proceeding, including CCP’s bridge spanning the Missouri River, by way of the Board’s offer of financial assistance (“OFA”) procedures. CCP filed on May 26, 2015, with your consent, a reply (the “Reply”) to OBTR’s notice of intent filing, in which CCP informed the Board that, through our discussions, the parties had narrowed the scope of the property OBTR would target in its OFA to the roughly 1.54 miles of railroad line extending from milepost 511.20 in Council Bluffs, Iowa, to milepost 514.80 in Omaha, Nebraska, including the bridge. Also, as is reflected in CCP’s Reply, CCP had agreed with you to limit document production associated with the OFA to the following:

- valuation maps for the pertinent line segment;
- corresponding deeds for the right-of-way;
- the most recent bridge report for the bridge spanning the Missouri River; and
- clarification of the location of milepost 511.20 (either by way of a map or suitable geographic point of reference).

I have already supplied you with what you have confirmed to me is satisfactory information concerning the location of milepost 511.20. Enclosed, in fulfillment of CCP’s remaining informational obligations, you will find the valuation maps, deeds and most recent bridge report.

FLETCHER & SIPPEL LLC

Mr. Christopher T. Chappellear
July 2, 2015
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Please note that the documents included with this letter constitute all of the responsive information that CCP has in its possession. Also, please keep in mind that the entirety of the enclosed bridge report is designated as "confidential," and is being supplied to you in light of our recent receipt of the Undertaking form you have executed on behalf of OBTR pursuant to the Protective Order that the Board recently issued in this proceeding at CCP's request. Any of the information from the bridge report that you intend to include in any filings to the STB must be tendered under seal. If you have any questions about this, please contact me.

Finally, once you have received the enclosed materials, OBTR will have 10 days to file its OFA with the Board. I will track this package, and once I have confirmed that it has been delivered, CCP will alert the Board that it has complied with its commitment (and requirement) to supply OBTR with the agreed-upon documents. Such notice to the Board will facilitate termination of the OFA tolling period.

As always, if you have any questions about this matter, please contact me directly, either by telephone: 312-252-1504, or by e-mail: rwimbish@fletcher-sippel.com.

Sincerely,



Robert A. Wimbish

Enclosures

cc (without enclosures): Thomas J. Healey