

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**STB DOCKET NO. AB-1068 (Sub-No. 2X)**

**MISSOURI CENTRAL RAILROAD COMPANY  
– DISCONTINUANCE OF TRackage RIGHTS EXEMPTION –  
IN CASS AND JACKSON COUNTIES, MISSOURI**

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**STB DOCKET NO. AB-1070 (Sub-No. 2X)**

**CENTRAL MIDLAND RAILWAY COMPANY  
– DISCONTINUANCE OF TRackage RIGHTS EXEMPTION –  
IN CASS AND JACKSON COUNTIES, MISSOURI**

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**VERIFIED NOTICE OF EXEMPTION**

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Sandra L. Brown  
David E. Benz  
Thompson Hine LLP  
1919 M Street, N.W., Suite 700  
Washington, DC 20036  
202.263.4101 (phone)  
202.331.8330 (fax)  
**Counsel for Missouri Central Railroad Company**

Lon Van Gemert, Chief Executive Officer  
Central Midland Railway Company  
c/o Progressive Rail Incorporated  
21778 Highview Avenue  
Lakeville, MN 55044  
952.469.0323 (phone)  
**Representative of Central Midland Railway  
Company**

November 18, 2013

FEE RECEIVED  
November 18, 2013  
SURFACE  
TRANSPORTATION BOARD

235087  
235088  
ENTERED  
Office of Proceedings  
November 18, 2013  
Part of  
Public Record

FILED  
November 18, 2013  
SURFACE  
TRANSPORTATION BOARD

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**STB DOCKET NO. AB-1068 (Sub-No. 2X)**

**MISSOURI CENTRAL RAILROAD COMPANY  
– DISCONTINUANCE OF TRACKAGE RIGHTS EXEMPTION –  
IN CASS AND JACKSON COUNTIES, MISSOURI**

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**STB DOCKET NO. AB-1070 (Sub-No. 2X)**

**CENTRAL MIDLAND RAILWAY COMPANY  
– DISCONTINUANCE OF TRACKAGE RIGHTS EXEMPTION –  
IN CASS AND JACKSON COUNTIES, MISSOURI**

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**VERIFIED NOTICE OF EXEMPTION**

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The Missouri Central Railroad Company (“MCRR”) and Central Midland Railway Company (“CMR”) hereby submit this joint Verified Notice of Exemption (“Notice”) pursuant to 49 USC § 10502 and 49 CFR § 1152.50 for the discontinuance of trackage rights over a rail line (“Line”) owned by the Union Pacific Railroad Company (“UP”) between Pleasant Hill, MO (at milepost 263.5) and Leeds Junction, MO (at milepost 288.3). This Notice is filed to replace both a Notice of Exemption filed by MCRR on October 17, 2013 and an Amended Notice of Exemption filed by MCRR on October 30, 2013.

In support of the Notice, MCRR and CMR respectfully provide the following information to the Surface Transportation Board (“Board” or “STB”) in accordance with 49 CFR § 1152.50(d)(2):

**I. Proposed consummation date.**

The proposed consummation date is January 7, 2014, which is at least 50 days after the filing of this Notice, as required by § 1152.50(d)(2).

**II. Certification required by 49 CFR § 1152.50(b).**

As the attached certifications by MCRR President Robert Neff and CMR CEO Lon Van Gemert confirm, neither MCRR nor CMR have originated traffic, terminated traffic, or moved overhead traffic on the Line for at least two years, and no complaint is pending with the Board or a U.S. District Court or has been decided in favor of a complainant concerning cessation of service over the Line within the last two years. See Exhibits A and B.

**III. Information required in 49 CFR §§ 1152.22(a)(1) through (4), (7), (8), and (e)(4).**

**(a)(1) – exact name of applicants**

Missouri Central Railroad Company (“MCRR”)

Central Midland Railway Company (“CMR”)

**(a)(2) – whether applicants are common carriers by railroad subject to 49 USC Subtitle IV, chapter 105**

MCRR and CMR are both common carriers by railroad subject to 49 USC Subtitle IV, chapter 105.

**(a)(3) – relief sought**

MCRR and CMR seek to use the class exemption described in 49 CFR § 1152.50 in order to discontinue trackage rights on a rail line owned by Union Pacific Railroad Company between Pleasant Hill, MO (milepost 263.5) and Leeds Junction, MO (milepost 288.3). MCRR obtained its trackage rights as part of the transaction involved in STB Docket 33508, Missouri Central

Railroad Company – Acquisition and Operation Exemption – Lines of Union Pacific Railroad Company.

CMR similarly seeks to use the class exemption described in 49 CFR § 1152.50 in order to discontinue trackage rights on the same rail line owned by Union Pacific Railroad Company between Pleasant Hill, MO (milepost 263.5) and Leeds Junction, MO (milepost 288.3). CMR mentioned these trackage rights in an operation exemption proceeding in STB Docket No.

33988, Central Midland Railway Company – Operation Exemption – Missouri Central Railroad Company.

Neither MCRR nor CMR have ever utilized these trackage rights. No local or overhead traffic has operated on the Line for at least two years.

**(a)(4) – detailed map**

A map is attached at Exhibit C to this Notice.

**(a)(7) – name, title, and address of applicants’ representatives**

<p><u>for MCRR:</u> Sandra L. Brown Thompson Hine LLP 1919 M St. NW, Suite 700 Washington, DC 20036</p> <p><i>Attorney for Missouri Central Railroad Company</i></p>	<p><u>for CMR:</u> Lon Van Gemert Central Midland Railway Company c/o Progressive Rail Incorporated 21778 Highview Avenue Lakeville, MN 55044</p> <p><i>Chief Executive Officer of Central Midland Railway Company</i></p>
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**(a)(8) – list of ZIP codes traversed by the rail line**

The Line traverses the following United States Postal Service ZIP codes in Missouri:

- 64080 in Cass County
- 64034 in Cass and Jackson Counties
- 64082 in Jackson County
- 64081 in Jackson County

64138 in Jackson County  
64133 in Jackson County  
64129 in Jackson County

**(e)(4) – whether the property is appropriate for other public purposes**

MCRR and CMR are only discontinuing trackage rights on the Line, which is owned and operated by the Union Pacific Railroad Company. Therefore, the Line is not currently available for other public purposes. In the event that UP seeks to abandon the Line, the issue of public use will be addressed in that proceeding.

**IV. The level of labor protection.**

The interests of railroad employees who may be adversely affected by the proposed discontinuance of trackage rights will be adequately protected by the labor protective conditions in Oregon Short Line Railroad et al. – Abandonment – Goshen Branch, 360 ICC 91 (1979).

**V. Certificate that the notice requirements of §§ 1152.50(d)(1) and 1105.11 have been met.**

Certification regarding the 10-day notice requirement of § 1152.50(d)(1) is attached at Exhibit D hereto, and a copy of the notice is at Exhibit E. No certification regarding § 1105.11 is required because (1) under § 1105.6(c)(6), there is no environmental report, as MCRR and CMR are only discontinuing trackage rights and the Line continues to be owned and operated by UP; and (2) under §§ 1105.8(a) and (b), there is no historic report, as MCRR and CMR are not leasing, transferring, or selling any part of the Line, and any abandonment would require separate Board approval.

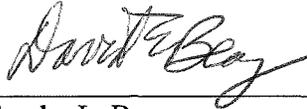
**VI. Certificate that the notice requirement of § 1105.12 has been met.**

Certification regarding the newspaper notice requirement of § 1105.12 is attached at Exhibit F hereto, and the newspaper notices are at Exhibit G.

**VII. Conclusion.**

For the foregoing reasons, MCRR and CMR state that the proposed discontinuances of trackage rights over the Line are exempt from the prior approval requirements of 49 USC § 10903 pursuant to the class exemption set forth in 49 CFR § 1152.50, and they request that the Board issue the appropriate notices.

Respectfully submitted,



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Sandra L. Brown  
David E. Benz  
Thompson Hine LLP  
1919 M Street, NW, Suite 700  
Washington, DC 20036  
202.263.4101 (phone)  
202.331.8330 (fax)  
**Counsel for Missouri Central Railroad Company**



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Lon Van Gemert, Chief Executive Officer  
Central Midland Railway Company  
c/o Progressive Rail Incorporated  
21778 Highview Avenue  
Lakeville, MN 55044  
952.469.0323 (phone)  
**Representative for Central Midland Railway Company**

November 18, 2013

# **Exhibit A**

**Exhibit A**

**CERTIFICATION AND VERIFICATION  
REQUIRED BY 49 CFR § 1152.50(b)**

I, Robert K. Neff, President of Missouri Central Railroad Company, declare under penalty of perjury that (1) MCRR seeks to discontinue its trackage rights on the Union Pacific Railroad Company rail line between milepost 263.5 in Pleasant Hill, MO and milepost 288.3 in Leeds Junction, MO; (2) MCRR has not moved any local or overhead traffic over the line for at least two years; (3) overhead traffic, if there were any, could be rerouted over other lines; and (4) no formal complaint filed by a user of rail service on the line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the line is pending before the Surface Transportation Board or any U.S. District Court or has been decided in favor of the complainant within the two-year period.

Further, I declare under penalty of perjury that I have read the foregoing Notice of Exemption in STB Docket No. AB-1068 (Sub-No. 2X) and that its assertions are true and correct to the best of my knowledge, information, and belief. I certify that I am qualified and authorized to file this Notice of Exemption.

Robert K. Neff  
Robert K. Neff

10/30/13  
Date

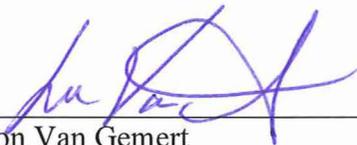
# **Exhibit B**

**Exhibit B**

**CERTIFICATION AND VERIFICATION  
REQUIRED BY 49 CFR § 1152.50(b)**

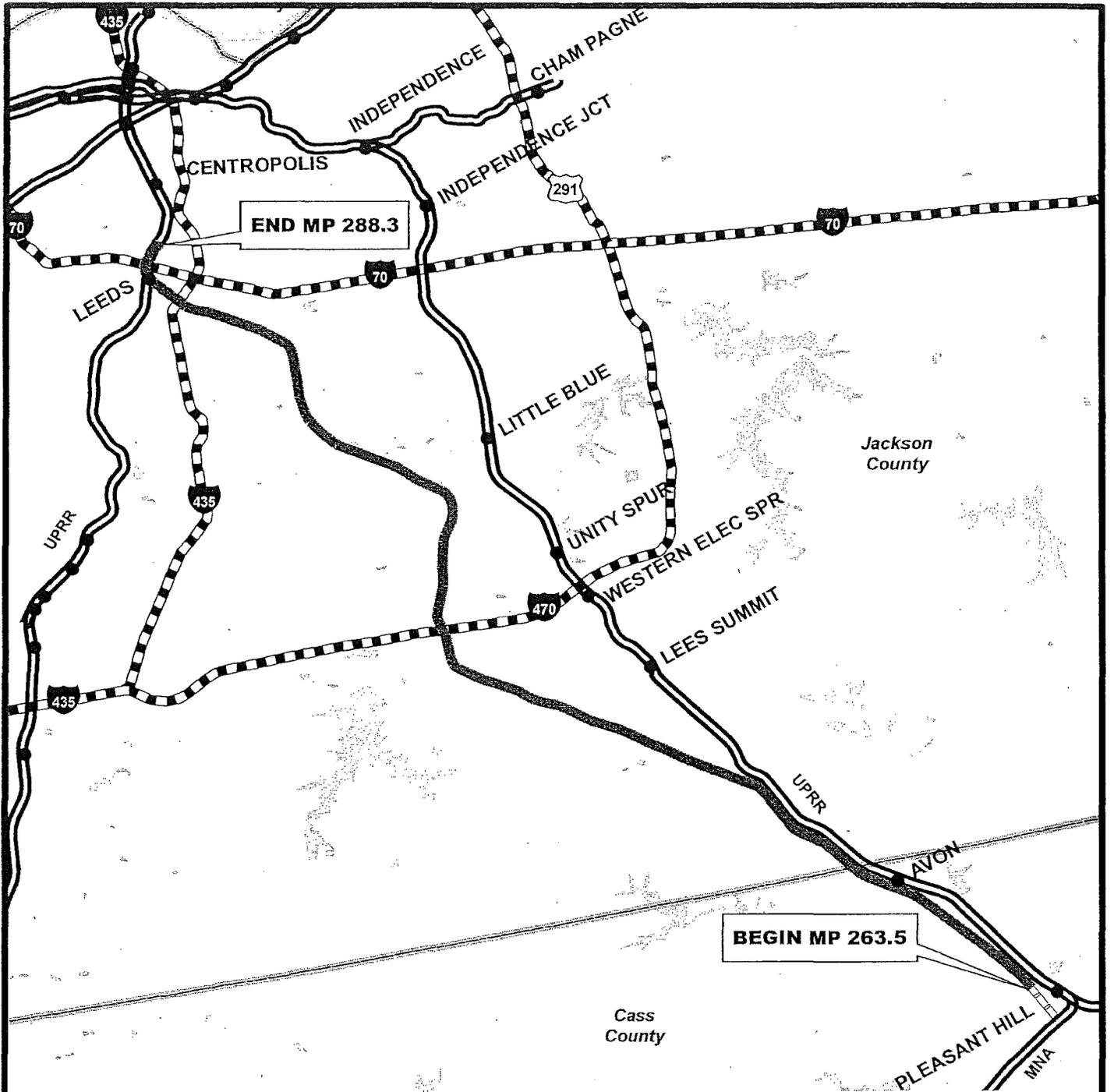
I, Lon Van Gemert, am the Chief Executive Officer for the Central Midland Railway (“CMR”), and I declare, under penalty of perjury that (1) CMR seeks to discontinue its trackage rights on the Union Pacific Railroad Company rail line between milepost 263.5 in Pleasant Hill, MO and milepost 288.3 in Leeds Junction, MO; (2) CMR has not moved any local or overhead traffic over the line for at least two years; (3) overhead traffic, if there were any, could be rerouted over other lines; and (4) no formal complaint filed by a user of rail service on the line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the line is pending before the Surface Transportation Board or any U.S. District Court or has been decided in favor of the complainant within the two-year period.

Further, I declare under penalty of perjury that I have read the foregoing Notice of Exemption in STB Docket No. AB-1070 (Sub-No. 2X) and that its assertions are true and correct to the best of my knowledge, information, and belief. I certify that I am qualified and authorized to file this Notice of Exemption.

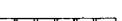
  
\_\_\_\_\_  
Lon Van Gemert

  
\_\_\_\_\_  
Date

# **Exhibit C**



**Legend**

-  MCRR and CMR rights to be discontinued
-  OTHER MCRR TRACK
-  OTHER LINES (UPRR, MNA, ETC.)
-  PRINCIPAL HIGHWAYS

CENTRAL MIDLAND RAILWAY COMPANY  
 STB Docket No. AB-1070 (Sub-No. 2X)

MISSOURI CENTRAL RAILROAD COMPANY  
 STB Docket No. AB-1068 (Sub-No. 2X)

Trackage rights over Union Pacific Railroad Company  
 MP 263.5 to MP 288.3  
 total of 24.8 miles in Cass and Jackson Counties, MO



# **Exhibit D**

**Exhibit D**

**CERTIFICATION  
REQUIRED BY 49 CFR § 1152.50(d)(2)**

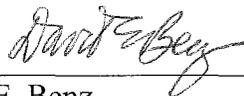
As required by 49 CFR § 1152.50(d)(1), the undersigned hereby certifies that on November 7, 2013 (at least 10 days prior to filing this Notice of Exemption), written notice was provided to the following entities regarding the intent of Missouri Central Railroad Company and Central Midland Railway Company to use the Notice of Exemption procedure to discontinue trackage rights on the Union Pacific Railroad Company rail line between milepost 263.5 in Pleasant Hill, MO and milepost 288.3 in Leeds Junction, MO. A copy of the notice is attached as Exhibit E.

Public Service Commission  
Governor Office Building  
200 Madison Street  
Jefferson City, MO 65102

Recreation Resources Assistance Division  
National Park Service  
1201 Eye Street NW, 9th floor  
Washington, DC 20005

Chief Tom Tidwell  
United States Forest Service  
Department of Agriculture  
1400 Independence Avenue, SW  
Washington, DC 20250

Railroads for National Defense Program  
Surface Deployment and Distribution Command  
Transportation Engineering Agency  
Department of Defense  
1 Soldier Way  
Scott AFB, IL 62225



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David E. Benz  
*Attorney for Missouri Central Railroad Company*

November 18, 2013

# **Exhibit E**

November 7, 2013

Via Federal Express

Public Service Commission  
Governor Office Building  
200 Madison Street, P.O. Box 360  
Jefferson City, MO 65102

Recreation Resources Assistance Division  
National Park Service  
1201 Eye Street NW, 9th floor  
Washington, DC 20005

Chief Tom Tidwell  
United States Forest Service  
Department of Agriculture  
1400 Independence Avenue, SW  
Washington, DC 20250

Railroads for National Defense Program  
Surface Deployment and Distribution Command  
Transportation Engineering Agency  
Department of Defense  
1 Soldier Way  
Scott AFB, IL 62225

**Re: STB Docket No. AB-1068 (Sub-No. 2X), Missouri Central Railroad Company –  
Discontinuance of Trackage Rights Exemption – in Cass and Jackson Counties,  
Missouri; STB Docket No. AB-1070 (Sub-No. 2X), Central Midland Railway  
Company – Discontinuance of Trackage Rights Exemption – in Cass and Jackson  
Counties, Missouri**

To Whom It May Concern:

The Missouri Central Railroad Company (“MCRR”) and Central Midland Railway Company (“CMR”) give notice that on or about November 18, 2013, they intend to file with the Surface Transportation Board (“STB”), 395 E St. SW, Washington, DC 20423, notices of exemption under 49 CFR 1152 (Subpart F—Exempt Abandonments) permitting MCRR and CMR to discontinue trackage rights over an approximately 24.8 mile line of railroad owned and operated by Union Pacific Railroad Company between railroad milepost 263.5, near Pleasant Hill, MO, and railroad milepost 288.3, near Leeds Junction, MO. Notice is being provided to you pursuant to 49 CFR § 1152.50(d)(1).

The rail line over which MCRR and CMR propose to cease trackage rights (the “Line”) is currently owned and operated by Union Pacific Railroad Company. The Line traverses through United States Postal Service ZIP Codes 64080 in Cass County, 64034 in Cass and Jackson Counties, and 64082, 64081, 64138, 64133, and 64129 in Jackson County. The discontinuance of trackage rights proceeding will be docketed at the STB as No. AB-1068 (Sub-No. 2X) for MCRR and No. AB-1070 (Sub-No. 2X) for CMR.

A map is attached. Based on information in our possession, the Line does not contain federally granted rights-of-way. Any documentation in the railroad’s possession will be made available promptly to those requesting it.

November 7, 2013

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Please contact me if you have any questions.

Yours very truly,



Sandra L. Brown  
David E. Benz  
Thompson Hine LLP  
1919 M Street NW, Suite 700  
Washington, D.C. 20036  
(202) 263-4101 (telephone)  
(202) 331-8330 (facsimile)

*Attorneys for Missouri Central Railroad Company*

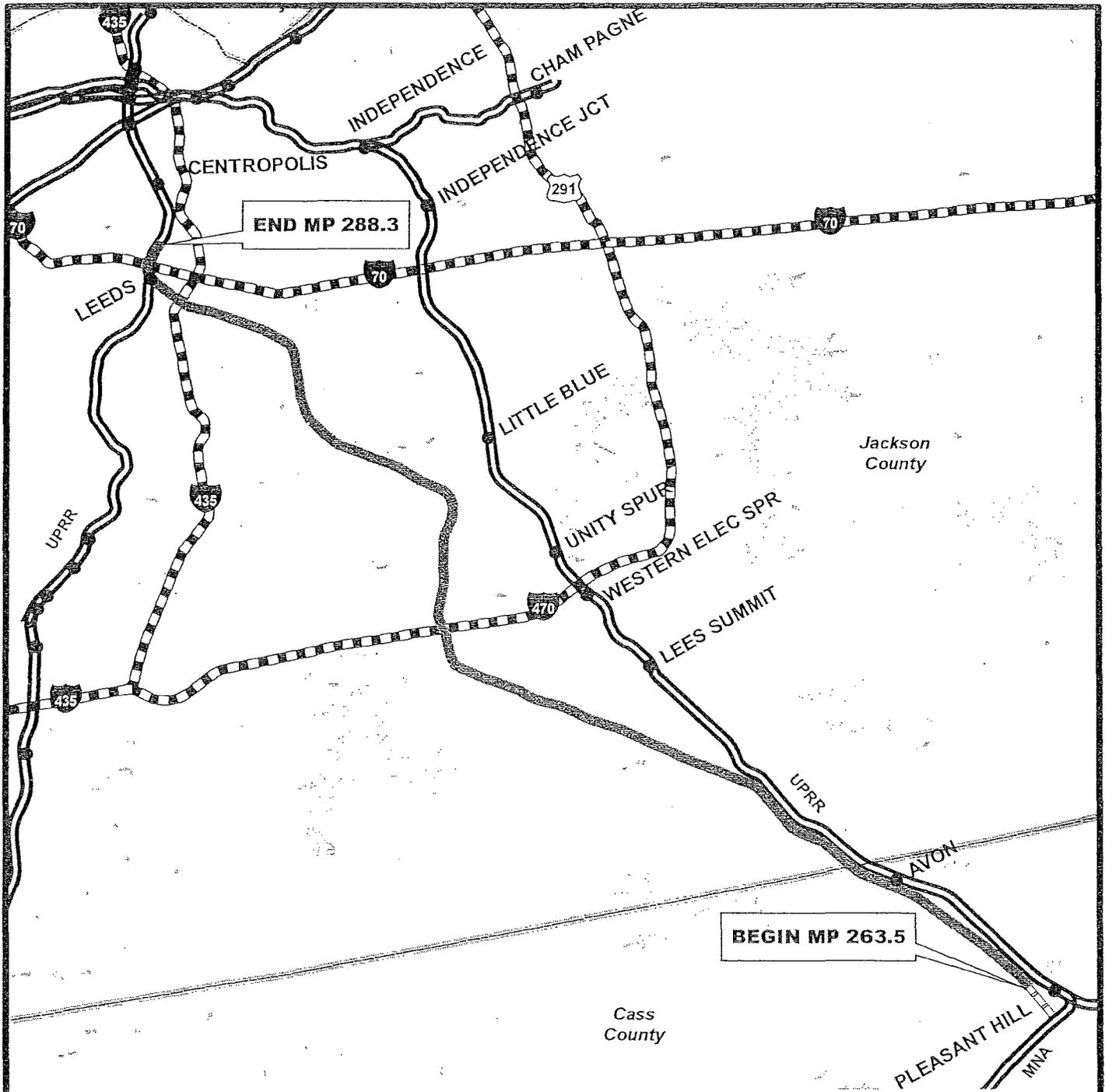


Lon Van Gemert, Chief Executive Officer  
Central Midland Railway Company  
c/o Progressive Rail Incorporated  
21778 Highview Avenue  
Lakeville, MN 55044  
952.469.0323 (telephone)

*Representative of Central Midland Railway Company*

enclosure (map)

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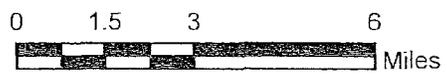
**Legend**

-  MCRR and CMR rights to be discontinued
-  OTHER MCRR TRACK
-  OTHER LINES (UPRR, MNA, ETC.)
-  PRINCIPAL HIGHWAYS

CENTRAL MIDLAND RAILWAY COMPANY  
STB Docket No. AB-1070 (Sub-No. 2X)

MISSOURI CENTRAL RAILROAD COMPANY  
STB Docket No. AB-1068 (Sub-No. 2X)

Trackage rights over Union Pacific Railroad Company  
MP 263.5 to MP 288.3  
total of 24.8 miles in Cass and Jackson Counties, MO



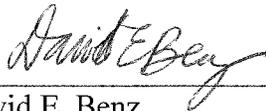
# **Exhibit F**

**Exhibit F**

**CERTIFICATION  
REQUIRED BY 49 CFR § 1105.12**

As required by 49 CFR § 1105.12, the undersigned hereby certifies that a "Notice of Intent to Discontinue Rail Service" was published in the form prescribed by the Board's regulations at the appendix to 49 CFR § 1105.12 for a Notice of Exemption. The Notice of Intent was published one time in a major newspaper in each county in which the subject rail line is located, as described below. A copy of the newspaper Notices of Intent and the respective Affidavits of Publication are attached at Exhibit G.

<b>county</b>	<b>newspaper</b>	<b>publish date</b>
Cass	Cass County Democrat-Missourian	November 15, 2013
Jackson	Independence Examiner	November 13, 2013



\_\_\_\_\_  
David E. Benz

*Attorney for Missouri Central Railroad Company*

November 18, 2013

# **Exhibit G**

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI) }  
County of Jackson) } SS.

I, **KATHERINE M. JONES.**, being duly sworn according to law, state that I am the LEGAL CLERK and agent of THE EXAMINER, a daily newspaper of general circulation in the County of Jackson, State of Missouri, where located; which newspaper has been admitted to the Post Office as a periodical class matter in the City of Independence, Missouri, the city of publication; which newspaper has been published regularly and consecutively for a period of three years and has a list of bona fide subscribers, voluntarily engaged as such who have paid or agreed to pay a stated price for a subscription for a definite period of time, and that such newspaper has complied with the provisions of Section 493.050, Revised Statutes of Missouri 2000, and Section 59.310, Revised Statutes of Missouri 2000. The affixed notice appeared in said newspaper in the following issues:

Commencing on November 13, 2013

and ending on November 13, 2013, being the issues of:  
November 13, 2013

being Volume 109 Numbers: 126

Signed *Kath M Jones*  
Legal Clerk, Katherine M. Jones

Subscribed and sworn to before me on this 13th day of  
November, 2013.

*Dolores M McMurray*  
Notary Public,

My commission expires 01-13-2016.



Publishing Fee: \_\_\_\_\_

Received payment \_\_\_\_\_ per \_\_\_\_\_

**NOTICE OF INTENT TO  
DISCONTINUE RAIL SERVICE**

Missouri Central Railroad Company ("MCRR") and Central Midland Railway Company ("CMRC") give notice that on or about November 18, 2013, they intend to file with the Surface Transportation Board ("Board"), Washington, DC 20423, notices of exemption under 49 CFR 1152 Subpart F-Exempt Abandonments permitting MCRR and CMRC to discontinue trackage rights over an approximately 24.8 mile line of railroad between railroad milepost 263.5 near Pleasant Hill, MO, and railroad milepost 288.3, near Leeds Junction, MO. This rail line traverses through United States Postal Service ZIP Code 64080 in Cass County, United States Postal Service ZIP Code 64034 in Cass and Jackson Counties, and United States Postal Service ZIP Codes 64082, 64081, 64138, 64133, and 64129 in Jackson County. The proceedings will be docketed as No. AB-1068 (Sub-No. 2X) for MCRR and No. AB-1070 (Sub-No. 2X) for CMRC.

The proposed discontinuances are not subject to the Board's environmental and historic reporting requirements. [ See 49 CFR 1105.6(c) and 1105.8(b) ] Interested parties may make inquiries regarding environmental matters by writing to the Office of Environmental Analysis, Surface Transportation Board, Washington, DC 20423 or by calling that office at (202) 245-0295.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Public use conditions and rail banking/trails use are not available in proceedings involving only discontinuance and not an abandonment. An original and 10 copies of any pleading that raises matters other than environmental issues (such as offers of financial assistance) must be filed directly with the Board's Section of Administration, Office of Proceedings, 395 E Street, SW., Washington, DC 20423-0001 [ See 49 CFR 1104.1(a) and 1104.3(a) ], and one copy must be served on applicants' representatives [ See 49 CFR 1104.12(a) ]. Questions regarding offers of financial assistance, public use, or trails use may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238 or (866) 254-1792. Assistance for the hearing impaired is available through the Federal Information Relay Service ("FIRS") at (800) 877-8339. Copies of any comments or requests for conditions should be served on applicants' representatives: Sandra L. Brown, Thompson Hine LLP, Suite 700, 1919 M Street NW, Washington, DC 20036; Telephone: (202) 263-4101. Lon Van Gemert, Chief Executive Officer, Central Midland Railway, c/o Progressive Rail Incorporated, 21778 Highview Avenue, Lakeville, MN 55044; Telephone: (952) 469-0323.

November 13, 2013

**AFFIDAVIT OF PUBLICATION**

(Space above for recording information)

STATE OF MISSOURI  
COUNTY OF CASS ss.

I, Janis Anslinger, being duly sworn according to law, state that I am the Classified Ad Manager of the Cass County Democrat-Missourian, a weekly newspaper of general circulation in the County of Cass, State of Missouri, where located; which newspaper has been admitted to the Post Office as periodical class matter in the City of Harrisonville, Missouri, the city of publication; which newspaper has been published regularly and consecutively for a period of three years and has a list of bonafide subscribers, voluntarily engaged as such who have paid or agreed to pay a stated price for a subscription for a definite period of time, and that such newspaper has complied with the provisions of Section 493.050, Revised Statutes of Missouri 2000, and Section 59.310, Revised Statutes of Missouri 2000. The affixed notice appeared in said newspaper in the following consecutive issues:

- 1<sup>st</sup> Insertion: Vol. 134 No. 5, 15 day of NOV 2013.
- 2<sup>nd</sup> Insertion: Vol. \_\_\_\_\_ No. \_\_\_\_\_, \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.
- 3<sup>rd</sup> Insertion: Vol. \_\_\_\_\_ No. \_\_\_\_\_, \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.
- 4<sup>th</sup> Insertion: Vol. \_\_\_\_\_ No. \_\_\_\_\_, \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.
- 5<sup>th</sup> Insertion: Vol. \_\_\_\_\_ No. \_\_\_\_\_, \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

*Janis Anslinger*  
Janis Anslinger, Classified Ad Manager

Subscribed and sworn to before me on this 15 day of NOV, 2013  
*Julie M. Hicks*



JULIE M. HICKS  
My Commission Expires  
June 12, 2017  
Cass County  
Commission #13727108

**NOTICE OF INTENT TO DISCONTINUE RAIL SERVICE**  
Missouri Central Railroad Company ("MCRR") and Central Midland Railway Company ("CMRC") give notice that on or about November 18, 2013, they intend to file with the Surface Transportation Board ("Board"), Washington, DC 20423, notices of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments permitting MCRR and CMRC to discontinue trackage rights over an approximately 24.8 mile line of railroad between railroad milepost 263.5 near Pleasant Hill, MO, and railroad milepost 288.3, near Leeds Junction, MO. This rail line traverses through United States Postal Service ZIP Code 64080 in Cass County, United States Postal Service ZIP Code 64034 in Cass and Jackson Counties, and United States Postal Service ZIP Codes 64082, 64081, 64138, 64133, and 64129 in Jackson County. The proceedings will be docketed as No. AB-1068 (Sub-No. 2X) for MCRR and No. AB-1070 (Sub-No. 2X) for CMRC.

The proposed discontinuances are not subject to the Board's environmental and historic reporting requirements. [ See 49 CFR 1105.6(c) and 1105.8(b) ] Interested parties may make inquiries regarding environmental matters by writing to the Office of Environmental Analysis, Surface Transportation Board, Washington, DC 20423 or by calling that office at (202) 245-0295.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Public use conditions and rail banking/trails use are not available in proceedings involving only discontinuance and not an abandonment. An original and 10 copies of any pleading that raises matters other than environmental issues (such as offers of financial assistance) must be filed directly with the Board's Section of Administration, Office of Proceedings, 395 E Street, SW, Washington, DC 20423-0001 [ See 49 CFR 1104.1(a) and 1104.3(a) ], and one copy must be served on applicants' representatives [ See 49 CFR 1104.12(a) ]. Questions regarding offers of financial assistance, public use, or trails use may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238 or (866) 254-1792. Assistance for the hearing impaired is available through the Federal Information Relay Service ("FIRS") at (800) 877-8339. Copies of any comments or requests for conditions should be served on applicants' representatives: Sandra L. Brown, Thompson Hine LLP, Suite 700, 1919 M Street NW, Washington, DC 20036; Telephone: (202) 263-4101. Lon Van Gemert, Chief Executive Officer, Central Midland Railway, c/o Progressive Rail Incorporated, 21778 Highview Avenue, Lakeville, MN 55044; Telephone: (952) 469-0323.