

LAW OFFICE  
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THOMAS F MCFARLAND

October 21, 2015

By UPS overnight mail

239404

**PUBLIC VERSION**

Ms. Cynthia T. Brown, Chief  
Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20024

ENTERED  
Office of Proceedings  
October 22, 2015  
Part of  
Public Record

Re: Finance Docket No. 35972, *West Belt Railway LLC -- Lease and Operation Exemption Including Interchange Commitment -- Terminal Railroad Association of St. Louis*

Dear Ms. Brown:

Hereby transmitted is the original and 10 copies of a Verified Notice Of Exemption Under 49 C.F.R. § 1150.31 for filing with the Board in the above referenced matter.

Also enclosed is the filing fee of \$1,900.

Very truly yours,

Thomas F. McFarland  
*Attorney for Applicant*

*TMcF:kl:enc:\1706\ltrSTBI*

FEE RECEIVED  
October 22, 2015  
SURFACE  
TRANSPORTATION BOARD

FILED  
October 22, 2015  
SURFACE  
TRANSPORTATION BOARD

PUBLIC VERSION

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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WEST BELT RAILWAY LLC -- LEASE )  
AND OPERATION EXEMPTION ) FINANCE DOCKET  
INCLUDING INTERCHANGE ) NO. 35972  
COMMITMENT -- TERMINAL )  
RAILROAD ASSOCIATION OF ST. )  
LOUIS )

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**VERIFIED NOTICE OF EXEMPTION  
UNDER 49 C.F.R. § 1150.31**

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WEST BELT RAILWAY LLC  
One Arsenal Street  
St. Louis, MO 63118

Applicant

THOMAS F. McFARLAND  
THOMAS F. McFARLAND, P.C.  
208 South LaSalle Street, Suite 1890  
Chicago, IL 60604-1112  
(312) 236-0204 (ph)  
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mcfarland@aol.com

Attorney for Applicant

Date Filed: October 22, 2015

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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WEST BELT RAILWAY LLC -- LEASE	)	
AND OPERATION EXEMPTION	)	FINANCE DOCKET
INCLUDING INTERCHANGE	)	NO. 35972
COMMITMENT -- TERMINAL	)	
RAILROAD ASSOCIATION OF ST.	)	
LOUIS	)	

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**VERIFIED NOTICE OF EXEMPTION  
UNDER 49 C.F.R. § 1150.31**

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Pursuant to 49 C.F.R. § 1150.31 *et seq.*, WEST BELT RAILWAY LLC (WBRY), a noncarrier, hereby provides notice of its class exemption from 49 U.S.C. § 10901 for its lease from TERMINAL RAILROAD ASSOCIATION OF ST. LOUIS (TRRA) and operation of a rail line commonly known as the West Belt Industry Lead (WBIL) from Adelaide Avenue (approximately at Milepost 1.07) to the end of track at approximately Milepost 9.54, and a rail line commonly known as the Central Belt Industrial Lead (CBIL) from its point of connection to the WBIL at approximately Milepost 9.54 to the end of track, a total distance of approximately 9.66 miles, all as located in the City of St. Louis, St. Louis County, Missouri (“The Rail Line”). The Rail Line is depicted on a map that is attached to this Notice as Appendix 1.

This Notice of Exemption is related to Finance Docket No. 35973 in which SteelRiver Infrastructure Fund North America LP; SteelRiver Devco Holdings LLC; and SR Transportation Holdings LLC are concurrently filing a Notice of Exemption under 49 C.F.R. § 1180.2(d)(2) for their continuance in control of WBRY when WBRY becomes a rail carrier.

**INFORMATION REQUIRED BY 49 C.F.R. § 1150.33**

*(a) The full name and address of the applicant;*

Applicant is West Belt Railway LLC, One Arsenal Street, St. Louis, MO 63118.

*b) The name, address, and telephone number of the representative of the applicant who should receive correspondence;*

Applicant's representative is Thomas F. McFarland, Thomas F. McFarland, P.C. 208 South LaSalle Street, Suite 1890, Chicago, IL 60604-1112, ph (312) 236-0204, fax (312) 201-9695, mcfarland@aol.com.

*(c) A statement that an agreement has been reached or details about when an agreement will be reached;*

An agreement has been reached for WBRY to lease the Rail Line from TRRA and to operate it.

*(d) The operator of the property;*

The operator of the property will be WBRY.

*(e) A brief summary of the proposed transaction, including:*

*(1) The name and address of the railroad transferring the subject operating authority,*

The entity leasing the Rail Line to WBRY is TRRA, 415 South 18<sup>th</sup> Street, Suite 200, St. Louis, MO 63103.

*(2) The proposed time schedule for consummation of the transaction,*

The transaction will be consummated no sooner than 30 days after filing of this notice with the Board.

*(3) The mile-posts of the subject property, including any branch lines, and*

The WBIL extends from Adelaide Avenue (approximately at Milepost 1.07) to the end of track at approximately Milepost 9.54, and the CBIL extends from its point of

connection to the WBIL at approximately Milepost 9.54 to the end of track, a total distance of approximately 9.66 miles, all as located in the City of St. Louis, St. Louis County, Missouri.

*(4) The total route miles being acquired;*

A total of approximately 9.66 miles of rail line will be leased and operated.

*(f) A map that clearly indicates the area to be served, including origins, termini, stations, cities, counties, and States; and*

The required map is attached as Appendix 1.

*(g) A certificate that applicant's projected revenues do not exceed those that would qualify it as a Class III carrier.*

Attached to this notice as Appendix 2 is a verification that WBRY's projected revenues do not exceed those that would qualify it as a Class III rail carrier..

*(h) Transactions imposing interchange commitments. (1) If a proposed acquisition or operation of a rail line or change of operators involves a provision or agreement that may limit future interchange with a third-party connecting carrier, whether by outright prohibition, per-car penalty, adjustment in the purchase price or rental, positive economic inducement, or other means ("interchange commitment"), the following additional information must be provided:*

(1) WBRY hereby certifies that the proposed lease and operation involves a provision in the Lease Agreement that may limit future interchange with a third party connecting carrier (interchange commitment).

*(i) The existence of that provision or agreement and identification of the affected interchange points;*

The affected interchange point is Rock Island Junction in the City of St. Louis, St. Louis County, Missouri.

*(ii) A confidential, complete version of the document(s) containing or addressing that provision or agreement, which may be filed with the Board under 49 CFR 1104.14(a) and*





### **ENVIRONMENTAL AND HISTORIC CONSIDERATIONS**

Pursuant to 49 C.F.R. § 1105.6(c)(2), no environmental documentation or report is required for the proposed transaction. Pursuant to 49 C.F.R. § 1105.8(b)(2), no historic documentation or report is required for the proposed transaction.

### **LABOR PROTECTION**

Pursuant to 49 U.S.C. § 10901(c), no labor protection is required for the proposed transaction.

### **CAPTION SUMMARY**

Attached to this notice as Appendix 4 is a caption summary required by 49 C.F.R. § 1150.34.

### **LAND GRANT RIGHT-OF-WAY**

Applicant is not aware of any land grant right-of-way in the Rail Line.

**CONCLUSION**

WHEREFORE, the Board should publish notice of the exemption in the *Federal Register* within 16 days of its filing.

Respectfully submitted,

WEST BELT RAILWAY LLC  
One Arsenal Street  
St. Louis, MO 63118

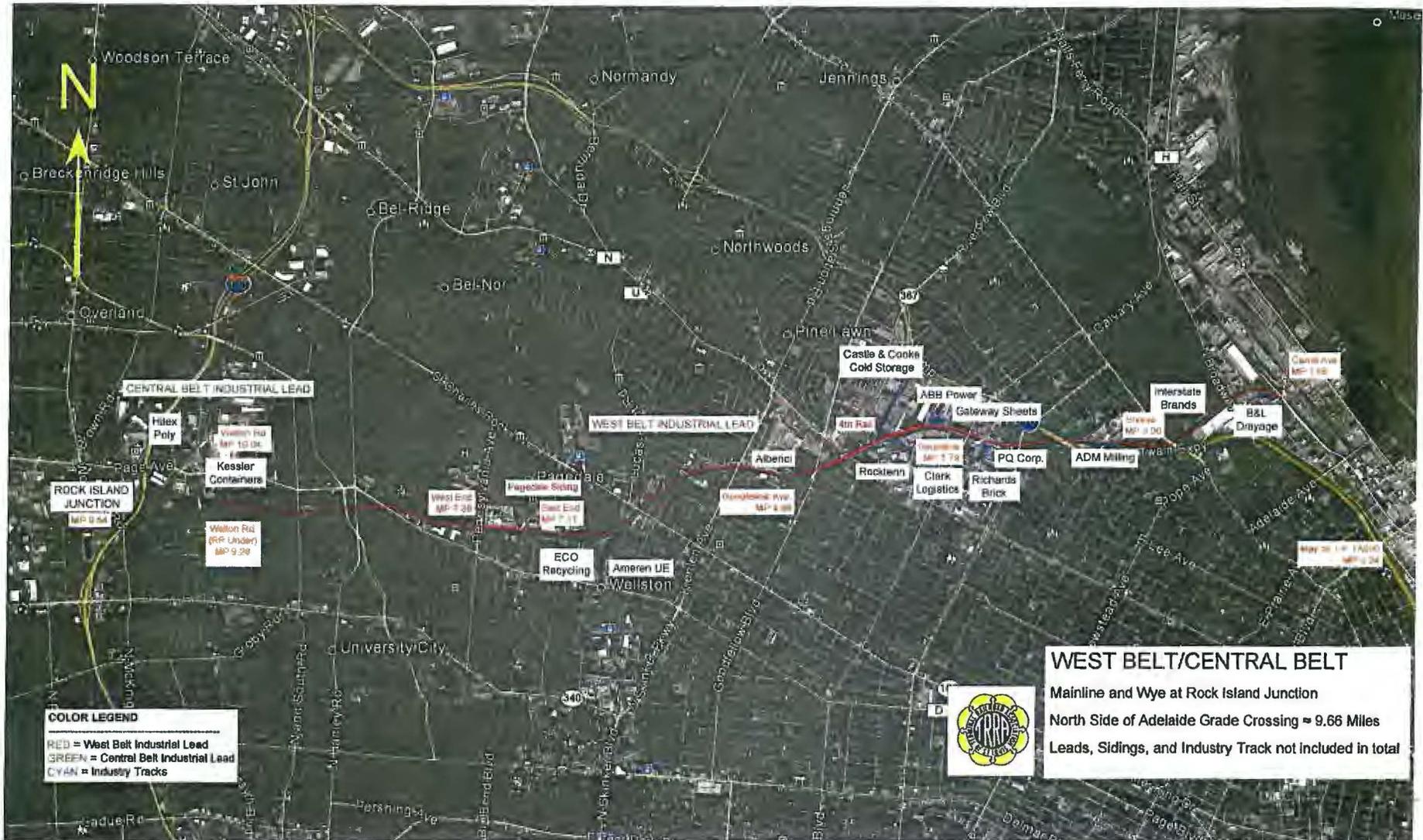
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Attorney for Applicant

Date Filed: October 22, 2015





**LEASE AGREEMENT**

**CAPTION SUMMARY**

SURFACE TRANSPORTATION BOARD  
NOTICE OF EXEMPTION

(Finance Docket No. 35972)

**WEST BELT RAILWAY LLC -- LEASE AND OPERATION  
EXEMPTION INCLUDING INTERCHANGE COMMITMENT --  
TERMINAL RAILROAD ASSOCIATION OF ST. LOUIS**

West Belt Railway LLC (WBRY), a noncarrier, has filed a notice of its class exemption from 49 U.S.C. § 10901 for its lease from Terminal Railroad Association of St. Louis (TRRA) and operation of a rail line extending between the West Belt Industry Lead (WBIL) from Adelaide Avenue (approximately at Milepost 1.07) to the end of track at approximately Milepost 9.54, and the Central Belt Industrial Lead (CBIL) from its point of connection to the WBIL at approximately Milepost 9.54 to the end of track, a total distance of approximately 9.66 miles, all as located in the City of St. Louis, St. Louis County, Missouri. The Lease Agreement contains an interchange commitment. The transaction was to be consummated no sooner than 30 days after the filing of the notice of exemption.

This proceeding is related to Finance Docket No. 35973, in which SteelRiver Infrastructure Fund North America LP; SteelRiver Devco Holdings LLC; and SR Transportation Holdings LLC have filed a Notice of Exemption under 49 C.F.R. § 1180.2(d)(2) for their continuance in control of WBRY when WBRY becomes a rail carrier.

Any comments must be filed with the Board and must be served on applicant's representative, Thomas F. McFarland, Thomas F. McFarland, P.C., 208 South LaSalle Street, Suite 1890, Chicago, IL 60604-1112, ph (312) 236-0204, fax (312) 201-9695, mcfarland@aol.com.

This notice of exemption is filed under 49 C.F.R. § 1150.31. If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. § 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

(SEAL)

By the Board