

204395

Law Department

UNION PACIFIC RAILROAD COMPANY

1416 DODGE STREET  
ROOM 830  
OMAHA, NEBRASKA 68179-0001  
FAX (402) 271-5610



January 11, 2002

Via UPS Next Day Air

The Honorable Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, D.C. 20423-0001

ENTERED  
Office of the Secretary

JAN 14 2002

Part of  
Public Record



Re: Docket No. AB-33 (Sub-No. 183); Salt Lake City Corporation – Adverse Abandonment of Rail Line in Salt Lake City, Utah

Dear Mr. Williams:

This refers to the "Reply of Salt Lake City Corporation to Motion of Union Pacific Railroad For A Protective Order Denying Discovery" dated January 10, 2002.

Since the Board's rules prohibit a reply to a reply, we will not respond to the substance of the above filing. However, it is necessary to address the City's statement at p. 4, fn 4 that UP's Protest was not filed at the Board on December 28, as required by the Board's procedural order in this case.

UP's Protest was timely filed (by hand) with the Board on December 28. A copy of the date stamped transmittal letter is attached hereto. Copies of the Protest were served on the City's attorneys on the same date by overnight mail for delivery the next business day, as shown on the certificate of service attached to the Protest. This is precisely the same manner in which the City filed its November 13 Application and served it on UP. Finally, while the footnote states that the Protest was delivered to the City's counsel on January 2, it was actually delivered to the City's Washington D.C. and Salt Lake City counsel on the morning of Monday, December 31, as shown by the attached UPS tracking summary.

An additional ten (10) copies of this letter are enclosed for the Board's files.

Very truly yours,

Robert T. Opal  
General Commerce Counsel  
Phone: 402/271-3072  
FAX: 402/271-5610

cc: Charles A. Spitulnik, Esq.  
Alex Menendez, Esq.  
McLeod, Watkinson & Miller  
One Massachusetts Avenue, N.W.  
Suite 800  
Washington, D.C. 20001

Roger F. Cutler, Esq.  
Steven W. Allred, Esq.  
Christopher E. Bramhall, Esq.  
451 South State Street, Room 505  
Salt Lake City, Utah 84111

Enc.

Law Department

UNION PACIFIC RAILROAD COMPANY



1416 DODGE STREET  
ROOM 830  
OMAHA, NEBRASKA 68179-0001  
FAX (402) 271-5610

FILE COPY

December 28, 2001



The Honorable Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, D.C. 20423-0001

Re: Docket No. AB-33 (Sub-No. 183); Salt Lake City Corporation –  
Adverse Abandonment of Rail Line in Salt Lake City, Utah

Dear Mr. Williams:

Enclosed for filing in the above proceeding are the following materials:

- (1) An original and 10 copies of the Protest of Union Pacific Railroad.
- (2) A diskette with a copy of the filing in WordPerfect 6.1 for Windows.
- (3) Twenty (20) unbound copies of the map appearing as Appendix I to the Declaration of David T. Wickersham and Cameron A. Scott. These extra copies are being supplied for the convenience of the Board and its staff.

Please acknowledge receipt of the enclosed materials by returning a stamped copy of this letter in the self-addressed, stamped envelope enclosed for this purpose.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Robert T. Opal".

Robert T. Opal  
General Commerce Counsel  
Phone: (402) 271-3072  
Fax: (402) 271-5610

cc: Parties shown on Certificate of Service  
Encs.

UNITED STATES

UPS Racing

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To see a detailed report for each package, please select the Detail button.

| TRACKING NUMBER   | STATUS           |               |                         |
|---|------------------|---------------|-------------------------|
| 1. 1Z 635 800 22 1159 004 1<br><i>SLC Corp. Hqs<br/>Spiridon / Mendez</i>         | <b>Delivered</b> | Delivered on: | Dec 31, 2001 9:32 A.M.  |
|  |                  | Delivered to: | WASHINGTON, DC, US      |
|   |                  | Signed by:    | DUNAS                   |
|   |                  | Service Type: | NEXT DAY AIR            |
| 2. 1Z 635 800 22 1158 999 1<br><i>SLC Hqs</i>                                     | <b>Delivered</b> | Delivered on: | Dec 31, 2001 10:50 A.M. |
|  |                  | Delivered to: | SALT LAKE CITY, UT, US  |
|   |                  | Signed by:    | PAULEN                  |
|   |                  | Service Type: | NEXT DAY AIR            |

Tracking results provided by UPS: Jan 1, 2002 1:19 P.M. Eastern Time (USA)

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TRACKING NUMBER **1Z 635 800 22 1159 004 1**

**1 SHIPMENT FROM**  
 SHIPPER'S UPS ACCOUNT NO. **6 3 5 8 0 0**  
 REFERENCE NUMBER **95544**

NAME **Robert T. Opal** TELEPHONE **(402) 271-3072**  
 COMPANY **UPRR LAW DEPT**  
 STREET ADDRESS **1416 DODGE ST RM #830**  
 CITY AND STATE **OMAHA** NE **68179 0001**

**2 EXTREMELY URGENT DELIVERY TO**  
 NAME **Charles A. Spitulnik** TELEPHONE  
**Alex Menendez**  
 COMPANY  
 STREET ADDRESS **McLeod, Watkinson & Miller**  
 DEPT./FLR. Residential  
**One Massachusetts Avenue, NW, Ste 800**  
 CITY AND STATE (INCLUDE COUNTRY IF INTERNATIONAL) **Washington, DC** ZIP CODE **20001**



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| 3 | WEIGHT<br>ENTER "LTR" IF LETTER  | DIMENSIONAL WEIGHT<br>If Applicable | SHIPPER'S COPY                 |
| 4 | TYPE OF SERVICE<br><input checked="" type="checkbox"/> NEXT DAY AIR<br><input type="checkbox"/> EXPRESS (INT'L)<br>FOR WORLDWIDE EXPRESS SHIPMENTS Mark an "X" in this box if shipment only contains documents of no commercial value.<br><input type="checkbox"/> DOCUMENTS ONLY  |                                     | CHARGES \$                     |
| 5 | OPTIONAL SERVICES<br><input type="checkbox"/> SATURDAY PICKUP See instructions.<br><input type="checkbox"/> SATURDAY DELIVERY See instructions.<br><input type="checkbox"/> INSURED VALUE Contents are automatically protected up to \$100. For insured value over \$100, see instructions. AMOUNT \$<br><input type="checkbox"/> C.O.D. If C.O.D., enter amount to be collected and attach completed UPS C.O.D. tag to package. AMOUNT \$ |                                     | \$                             |
| 6 | ADDITIONAL HANDLING CHARGE<br><input type="checkbox"/> An Additional Handling Charge applies for certain items. See instructions. \$   |                                     | \$                             |
| 7 | TOTAL CHARGES \$   |                                     | \$                             |
| 7 | METHOD OF PAYMENT<br><input checked="" type="checkbox"/> BILL SHIPPER<br><input type="checkbox"/> BILL RECEIVER (Next Day Air Only)<br><input type="checkbox"/> BILL THIRD PARTY (Next Day Air Only)<br><input type="checkbox"/> CREDIT CARD<br><input type="checkbox"/> American Express<br><input type="checkbox"/> Diner's Club<br><input type="checkbox"/> MasterCard<br><input type="checkbox"/> Visa                                 |                                     | CHECK <input type="checkbox"/> |

8 RECEIVERS / THIRD PARTY'S UPS ACCT. NO. OR MAJOR CREDIT CARD NO. EXPIRATION DATE  
 THIRD PARTY'S COMPANY NAME  
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9 SHIPPER'S SIGNATURE *X. Hildebrandt* DATE OF SHIPMENT **12/28/01**  
*Protest - see* **0101911202609 8/00 M**

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TRACKING NUMBER **1Z 635 800 22 1158 999 1**

**1 SHIPMENT FROM**  
 SHIPPER'S UPS ACCOUNT NO. **6 3 5 8 0 0**  
 REFERENCE NUMBER **95544**

NAME **Robert T. Opal** TELEPHONE **(402) 271-3072**  
 COMPANY **UPRR LAW DEPT**  
 STREET ADDRESS **1416 DODGE ST RM #830**  
 CITY AND STATE **OMAHA** NE **68179 0001**

**2 EXTREMELY URGENT DELIVERY TO**  
 NAME **Roger F. Cutler** TELEPHONE  
**Steven W. Allred**  
 COMPANY  
 STREET ADDRESS **Christopher E. Bramhall**  
**451 South State Street, Room 505**  
 DEPT./FLR. Residential  
**Salt Lake City, Utah**  
 CITY AND STATE (INCLUDE COUNTRY IF INTERNATIONAL) ZIP CODE **84111**



|   |  |                                     |                                |
|---|--|-------------------------------------|--------------------------------|
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