

BEFORE THE SURFACE TRANSPORTATION BOARD

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DOCKET NO. AB-33 (Sub-No. 239X)

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UNION PACIFIC RAILROAD COMPANY

-DISCONTINUANCE EXEMPTION-  
IN OKLAHOMA CITY, OKLAHOMA  
(OLD ROCK ISLAND MAIN)

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NOTICE OF INTENT TO FILE

OFFER OF FINANCIAL ASSISTANCE

Daniel A. LaKemper, Esq.  
Attorney for  
CPN Railroad Corporation  
P.O. Box 185  
Morton, Illinois 61550  
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Dated: April 13, 2006.

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SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-33 (Sub-No. 239X)

UNION PACIFIC RAILROAD COMPANY  
-DISCONTINUANCE EXEMPTION-  
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To the Secretary of the Board:

Pursuant to the Surface Transportation Board Notice of Exemption served March 16, 2006, CPN Railroad Corporation (a non-carrier subsidiary of Citizen Potawatomi Nation, a Federal Tribal Corporation, hereinafter "CPN"), hereby advises the Board and parties of record of its intent to file an Offer of Financial Assistance ("OFA") under 49 CFR 1152.27. The OFA is to purchase the leasehold interest, and any other assets of Union Pacific Railway Company ("UP"), related to the rail line from Stiles Avenue to its point of connection with the BNSF Railway in Oklahoma City, Oklahoma, being approximately 2,200 feet (0.42 miles), as described in the above-referenced proceeding (the "Line").

In connection with this notice of intent to file an OFA, CPN requests that the applicant carrier provide the information set forth in 49 CFR 1152.27 (a) including the minimum purchase price required to acquire its interest in the Line. We also request that UP provide its most recent report on the physical condition of the involved Line and traffic, revenue and other data necessary to determine UP's estimate of net liquidation value of the Line together with supporting data reflecting

available real estate appraisal, assessments of the quality and the quantity of track material in the line and any other information necessary to obtain the net liquidation value.

Offeror also requests that the Board toll the period for submitting offers of financial assistance for an additional 30 days in order to provide CPN with an adequate opportunity to review and analyze the material provided by UP and submit its OFA. This will not prejudice the interests of UP or any other party.

Respectfully submitted,



Daniel A. LaKemper, Esq.  
Attorney for  
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#### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing instrument was served by E-Mail, and by United States Mail, first class, postage fully pre-paid, this 13<sup>th</sup> day of April, 2006 upon:

Robert T. Opal  
General Commerce Counsel  
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