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Law

Thomas J Healey
Counsel - Regulatory

17641 S Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

221935



March 25, 2008

Via Overnight Mail

Ms Anne Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S W
Washington, DC 20424

FILED

MAR 27 2008

**SURFACE
TRANSPORTATION BOARD**

Re Docket No AB-43 (Sub-No 183X), Illinois Central Railroad Company
— Abandonment Exemption — in Dyersburg, Dyer County, Tennessee

Dear Ms Quinlan

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the Verified Notice of Exemption of Illinois Central Railroad Company dated March 25, 2008, pursuant to 49 C.F.R. § 1152.50. I am also enclosing a check in the amount of \$3,200.00, representing the appropriate fee for this filing.

One extra copy of this transmittal letter is enclosed as well. Please date stamp this copy to show receipt and return it to me in the enclosed envelope.

The Environmental and Historic Reports for this proceeding have already been filed with the Board. Feel free to contact me if you have any questions. Thank you for your assistance in this matter.

Respectfully submitted,

Thomas J Healey
Attorney for
Illinois Central Railroad Company

FEE RECEIVED

MAR 27 2008

**SURFACE
TRANSPORTATION BOARD**

Encls

cc Tennessee Department of Transportation

**ENTERED
Office of Proceedings**

MAR 27 2008

**Part of
Public Record**

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO AB-43 (SUB-NO 183X)



ILLINOIS CENTRAL RAILROAD COMPANY
— ABANDONMENT EXEMPTION —
IN DYER COUNTY, TENNESSEE

VERIFIED NOTICE OF EXEMPTION OF
ILLINOIS CENTRAL RAILROAD COMPANY
PURSUANT TO 49 C.F.R. § 1152.50

Thomas J Healey
17641 S Ashland Avenue
Homewood, IL 60430-1345
(708) 332-4381
ATTORNEY FOR
ILLINOIS CENTRAL
RAILROAD COMPANY

Dated March 25, 2008

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO AB-43 (Sub-No 183X)

ILLINOIS CENTRAL RAILROAD COMPANY
- ABANDONMENT EXEMPTION -
IN DYERSBURG, DYER COUNTY, TENNESSEE

**VERIFIED NOTICE OF EXEMPTION OF
ILLINOIS CENTRAL RAILROAD COMPANY
PURSUANT TO 49 C.F.R. § 1152.50**

Illinois Central Railroad Company ("IC") hereby submits this Notice of Exemption pursuant to 49 C F R Part 1152, Subpart F, to abandon its line of railroad in Dyersburg, Dyer County, Tennessee, referred to herein as the "Line" between milepost 48 51 and milepost 47 50, a distance of 1.01 miles

In accordance with the requirements of 49 C.F.R § 1152 50(d)(2), IC submits the following information

General Corporation Information: 49 C.F.R. § 1152.22(a)(1)-(2)

IC is a Class I common carrier by rail which owns and operates approximately 2,550 miles of rail line in six Midwestern and south central states. IC is a wholly-owned subsidiary of Canadian National Railway Company The complete name and address of IC is

Illinois Central Railroad Company
17641 S Ashland Avenue
Homewood, IL 60430-1345

Relief Sought: 49 C.F.R. § 1152.22(a)(3)

Pursuant to the Board's class exemption for the abandonment of out-of-service rail lines, codified at 49 C F R Part 1152, Subpart F, IC intends to abandon its line of railroad between Mileposts 48 51 and 47 50, a distance of approximately 1 01 miles in Dyersburg, Dyer County, Tennessee

Map: 49 C.F.R. § 1152.22(a)(4)

A map of the Line to be abandoned is attached hereto as Exhibit A

IC's Representative: 49 C.F.R. § 1152.22(a)(7)

IC's representative to whom correspondence regarding this abandonment should be sent is

Thomas J Healey
17641 S Ashland Avenuc
Homewood, IL 60430-1345
(708) 332-4381

ZIP Codes Traversed: 49 C.F.R. § 1152.22(a)(8)

The portion of the Line to be abandoned traverses United States Postal Service ZIP Code 38024

Qualification for Class Exemption: 49 C.F.R. § 1152.50(b)

Per the certificate and verification attached hereto as Exhibit B, IC certifies that no local revenue traffic has moved over the portion of the Line to be abandoned for at least the last two years, there is no overhead traffic on the Dyersburg Trackage that would have to be rerouted over other lines, and no formal complaint filed by a user of rail service on the portion of the Line to be abandoned (or a state or local governmental entity acting on behalf of such user) regarding cessation of service on the proposed abandonment is pending with the Board or any U S District Court or has been decided in favor of the complainant during the last two years

Consummation Date: 49 C.F.R. § 1152.50(d)(2)

IC will not consummate the proposed abandonment any earlier than May 30, 2008

Suitability for Other Public Purposes: 49 C.F.R. § 1152.22(e)(4)

The Line may be suitable as a trail IC does not believe that the right-of-way would be of interest to the State or any other entity as a highway or mass transportation line or other similar public use because it sits in a developed urban area with a mature roadway system

Labor Protection: 49 C.F.R. 1152.50(d)(2)

The level of labor protection applicable in rail line abandonment's is that established in *Oregon Short Line Co — Abandonment — Goshen*, 360 I C C 91 (1979)

Certificate of Compliance with Notice Requirements: 49 C.F.R. § 1152.50(d)(2)

A certificate that the notice of requirements of 49 C F R § 1152(d)(1) and 49 C F R § 1105.11 have been complied with is attached hereto as Exhibit C

Environmental and Historic Report: 49 C.F.R. §§ 1105.7 and 1105.8

An Environmental Report and Historic Report, prepared pursuant to 49 C F R §§ 1105 7 and 1105 8, were already filed with the Surface Transportation Board in this proceeding

If IC receives additional correspondence, it will forward copies to the STB

Respectfully submitted,

By 

Thomas J Healey
17641 S Ashland Avenue
Homewood, IL 60430-1345
(708) 332-4381

ATTORNEY FOR ILLINOIS CENTRAL
RAILROAD COMPANY

Dated March 25, 2008

Dyer County, Dyersburg, TN

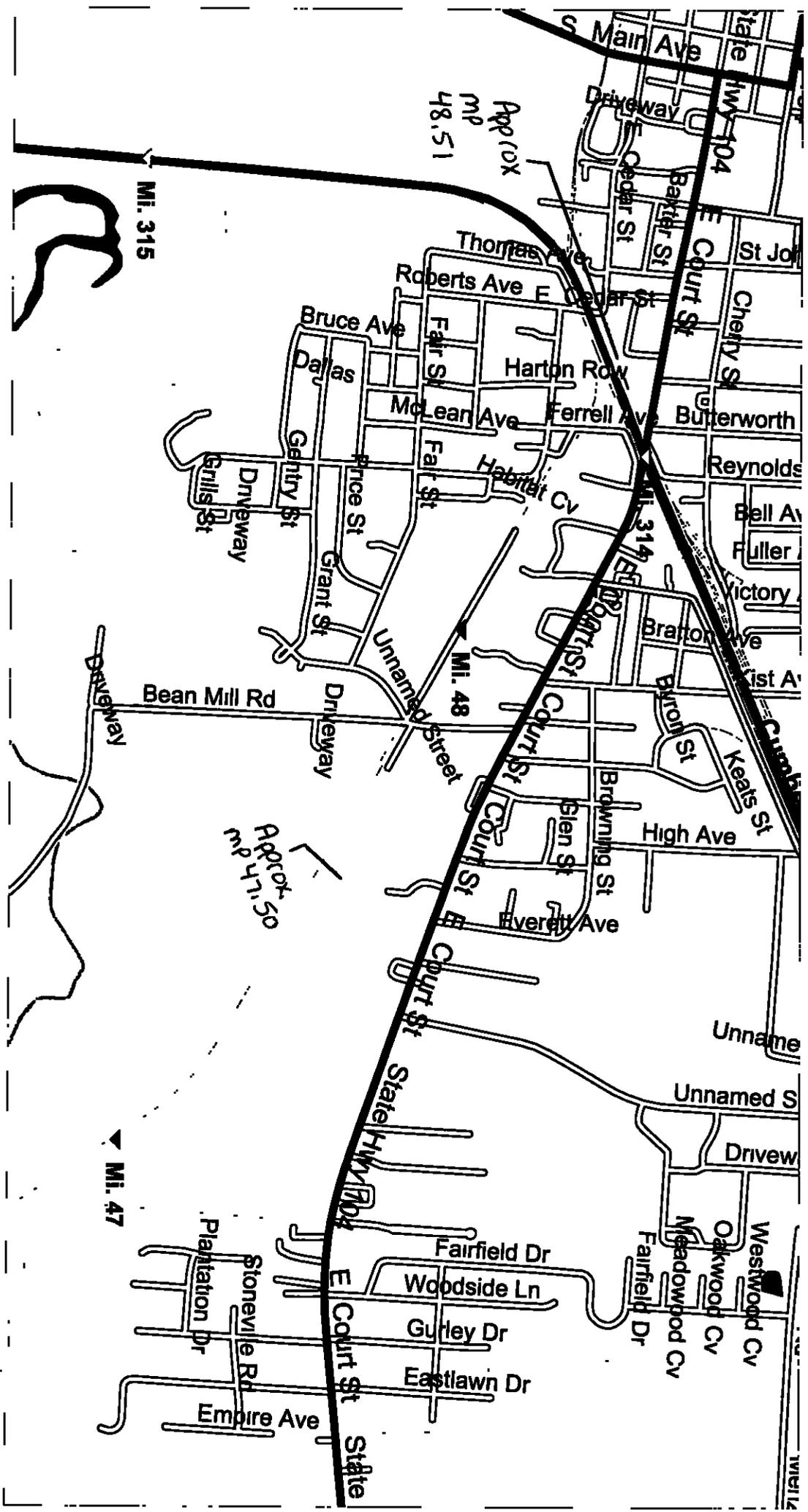


EXHIBIT A

EXHIBIT B

DOCKET NO. AB-43 (SUB-NO. 179X)

**ILLINOIS CENTRAL RAILROAD COMPANY
— ABANDONMENT EXEMPTION —
IN DYER COUNTY, TENNESSEE**

CERTIFICATE AND VERIFICATION

STATE OF ILLINOIS)
) ss
COUNTY OF COOK)

Robert M Wedam, being duly sworn, deposes and says

1 That no local traffic has moved over the line of Illinois Central Railroad Company ("IC") from milepost 48 51 to 47 50, a distance of 1 01 miles in Dyer County, County, Dyersburg, Tennessee, for at least two years, and that there is no overhead traffic to be rerouted over other lines, and

2 That no formal complaint filed by a user of rail service on the subject line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the line is either pending with the Surface Transportation Board or any U S District Court or has been decided in favor of the complainant within the last two years; and

3 That he has read the foregoing Notice of Exemption, knows the facts therein asserted, and that the same are true as stated

Date March 25, 2008


Robert M Wedam
Senior Manager – Network Strategies
Illinois Central Railroad Company



Subscribed and sworn to
before me this 25 day of
March, 2008


Notary Public

EXHIBIT C

CERTIFICATE

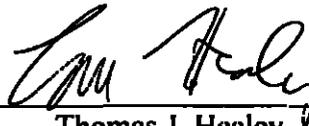
I, Thomas J Healey, an attorney for Illinois Central Railroad Company, hereby certify that, for the proceeding before the Surface Transportation Board known as Docket No AB-43 (Sub-No 183X), Illinois Central Railroad Company — Abandonment Exemption — in Dyersburg, Dyer County, Tennessee

(1) The notice requirements of 49 C F R § 1152.50(d)(1) have been complied with, to-wit On February 28, 2008, written notice was mailed to the (a) Tennessee Department of Transportation, (b) U S Department of Defense, MTMCTEA, (c) National Center for Recreation and Conservation, and (d) resent on March 17, 2008 to the U.S Department of Agriculture (copies of which are attached hereto as Attachments 1-4)

(2) The notice requirements of 49 C F R § 1105.11 have been complied with, to wit On February 13, 2008, the Environmental Report and Historic Report for this proceeding, which reports have also been filed with the Surface Transportation Board, and the accompanying transmittal letters in the form set forth in 49 C F R § 1105.11 (a sample of which is attached hereto as Attachment 5) were served by first class mail, postage prepaid, on the parties listed on Attachment 6, which list includes the state historic preservation officer, as required by 49 C F R § 1105.7(b) and § 1105.11

EXHIBIT C

(3) A newspaper notice was published on November 25, 2007, in *The State Gazette/Dyersburg News*, a newspaper of general circulation in Dyer County, Tennessee. The notice alerted the public to the proposed abandonment, to possible reuse alternatives, and to procedures for participating in the STB proceeding. A copy of the notice and Affidavit of Publication are attached to this Certificate as Attachment 7.



Thomas J Healey

Dated March 25, 2008



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Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

February 28, 2008

Tennessee Department of Transportation
Commissioner's Office
James K. Polk Building
505 Deaderick Street, Suite 700
Nashville, TN 37243-0349

Re Docket No. AB-43 (Sub-No. 183X), Illinois Central Railroad Company
Notice of Exemption in Dyersburg, Dyer County, Tennessee

Dear Sir or Madam:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Illinois Central Railroad Company shall on or after March 14, 2008, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 1.01 miles of railroad line between milepost 48.51 and milepost 47.50 in Dyersburg, Dyer County, Tennessee. Such line runs through U.S. Postal Zip Code 38024.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey
Attorney for Illinois Central Railroad Company

ATTACHMENT 1

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Law

Thomas J Healey
Counsel - Regulatory

17641 S Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

February 28, 2008

United States Department of Defense
MTMCTEA
Attn Railroads for National Defense
720 Thimble Shoals Blvd , Suite 130
Newport News, VA 23606-2574

Re Docket No AB-43 (Sub-No 183X), Illinois Central Railroad Company
Notice of Exemption in Dyersburg, Dyer County, Tennessee

Dear Sir/Madam

This is to inform you that pursuant to 49 C F R § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Illinois Central Railroad Company shall on or after March 14, 2008, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 1.01 miles of railroad line between milepost 48.51 and milepost 47.50 in Dyersburg, Dyer County, Tennessee. Such line runs through U.S. Postal Zip Code 38024.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J Healey
Attorney for Illinois Central Railroad Company

ATTACHMENT 2



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Law

Thomas J Healey
Counsel - Regulatory

17641 S Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

February 28, 2008

Mr Thomas Ross, Division Chief
National Center for Recreation and Conservation
National Park Service
1849 C Street, N W
Org Code 2220
Washington, D C 20420

Re Docket No AB-43 (Sub-No 183X), Illinois Central Railroad Company
Notice of Exemption in Dyersburg, Dyer County, Tennessee

Dear Mr Ross

This is to inform you that pursuant to 49 C F R § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Illinois Central Railroad Company shall on or after March 14, 2008, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 1.01 miles of railroad line between milepost 48.51 and milepost 47.50 in Dyersburg, Dyer County, Tennessee. Such line runs through U S Postal Zip Code 38024.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J Healey
Attorney for Illinois Central Railroad Company

ATTACHMENT 3

12



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Law

Thomas J. Healey
Counsel - Regulatory

17641 S Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

March 17, 2008

Ms Abigail Kimball
Chief, Forest Service
U S Department of Agriculture
1400 Independence Ave , S W
RM 4NW YATESBG
Washington, DC 20250

Re Docket No AB-43 (Sub-No 183X), Illinois Central Railroad Company
Notice of Exemption in Dyersburg, Dyer County, Tennessee

Dear Ms Kimball

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Illinois Central Railroad Company shall on or after March 24, 2008, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 1.01 miles of railroad line between milepost 48.51 and milepost 47.50 in Dyersburg, Dyer County, Tennessee. Such line runs through U.S. Postal Zip Code 38024.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey
Attorney for Illinois Central Railroad Company

ATTACHMENT 4

13



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Law

Thomas J Healey
Counsel - Regulatory

17641 S Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

February 13, 2008

**Re: Illinois Central Railroad Company Notice of Exemption for Abandonment –
Dyersburg, Dyer County, Tennessee - Docket AB-43 (Sub-No. 183X)**

To Whom It May Concern

Any time on or after March 6, 2008, Illinois Central Railroad Company ("IC") expects to file with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon a railroad line located between milepost 48.51 and milepost 47.50, a distance of 1.01 miles, in Dyersburg, Dyer County, Tennessee. Enclosed is an Environmental Report and a Historic Report describing the proposed action and any expected environmental and historical effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental and historical analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental and historic review process, please contact their Section of Environmental Analysis (SEA), at the Surface Transportation Board, 395 E Street, SW, Washington, D.C. 20423-0001, (202) 245-0245, and refer to the above docket number.

IC will file the Environmental Report and Historic Report with the STB on or about February 13, 2008. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the STB (with a copy to the undersigned) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and historical impact of the contemplated action.

If there are any questions concerning this proposal, please contact the undersigned directly at (708) 332-4381 or by mail at the above address.

Sincerely,

Thomas J Healey
Attorney for Illinois Central Railroad Company

Encls

ATTACHMENT 5

Tennessee Clearinghouse –
Department of Finance and Administration
312 8th Avenue N 16th Floor
Tennessee Tower
Nashville, TN 37243

United States Environmental Protection Agency
Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-8960

Mr David Kennedy, Director
Office of Ocean and Coastal Resource Management
NOAA Ocean Service
1305 East West Highway
Silver Spring, MD 20910

Mr Freeman Dudley, Alderman
Dyers County City Hall
P O Box 1358
Dyersburg, TN 38025

U S Environmental Protection Agency
Office of Water (4101M)
1200 Pennsylvania Avenue, N W
Washington. D C 20460

U S Fish & Wildlife Service
Resident Agent-In-Charge
220 Great Circle Road, Suite 150
Nashville, TN 37228-1738

US Army Corp of Engineers
167 North Main Street
Memphis, TN 38002

National Park Service
Department of the Interior
1849 C Street. NW
Washington, DC 20240

US Dept of Agriculture
Dyersburg Service Center
400 Community Park Blvd
Dyersburg, TN 38024-9246

CORS, National Geodetic Survey, NOAA
SSMC3, 1315 East-West Highway
Silver Spring, MD 20910-3282

Tennessee Department of Transportation
Commissioner's Office
James K Polk Building
505 Deaderick Street, Suite 700
Nashville, TN 37243-0349

Ms Betsy Child
Tennessee State Historic Preservation Officer
Department of Environment and Conservation
2941 Lebanon Road
Nashville, TN 37243-0442

STATE GAZETTE
The NEWS
DYERSBURG

294 US Highway 51 Bypass N
Dyersburg, TN 38024
731-285-4091
Fax: 731-285-9747

I, Jina Jeffries, business manager of the State Gazette, a newspaper published at Dyersburg, Tennessee, hereby certify that the annexed advertisement has been published _____ consecutive/ non-consecutive days/weeks in said paper on the following dates: 11-25 and that the fee of \$66.88 has/has not been paid.

Jina Jeffries

This 26th day of November, 2007

Linda Flowers, Notary Public

Commission expires: March 1, 2010

Legals

WASHINGTON CENTRAL
MAIL COMPANY
gives notice of
after June 4, 2008
it intends to file with
the Surface Transportation Board, Wash-
ington, DC 20423, a notice
of exemption under 49
CFR 1152 Subpart F
Exemption 1, "Abandon-
ments," permitting the
abandonment of 1.01
miles of line of railroad
starting at the point of
turnout from the main
line, approximately
milepost 48.51, and
ending at milepost
47.50 in Dyersburg,
Dyer County, Tennessee,
see which line travels
through U.S. Postal
Zip Code 38024. There
is one station located
along this line. The pro-
ceeding will be docketed
as AB-49 (Sub No. 183X).

The Board's Section of
Environmental Analysis
(SEA) will generally
prepare an Environ-
mental Assessment
(EA) which will nor-
mally be available 25
days after the filing of
the notice of exemp-
tion. Comments on en-
vironmental and energy
matters should be filed
no later than 15 days
after the EA becomes
available to the public
and will be addressed
in a Board decision.
Interested persons may
obtain a copy of the EA
or make inquiries re-
garding environmental
matters by writing to
the SEA, Surface
Transportation Board,
395 E Street SW,
Washington, DC 20423
or by calling that office
at (202) 245-0245.

Appropriate offers of fi-
nancial assistance to
continue rail service
can be filed with the
Board. Requests for
environmental condi-
tions, public use condi-
tions, or other rail
banking issues, also
can be filed with the
Board. An original and
10 copies of any plead-
ing that raises matters
other than environmen-
tal issues (such as
transfer of public use
and offers of financial
assistance) must be
filed directly with the
Board's Office of the
Secretary, 395 E Street
SW, Washington, DC
20423 (See 49 CFR
1104.1(a) and
1104.3(a)) and one
copy must be served
on the applicant's repre-
sentative (See 49 CFR
1104.2(a)). Ques-
tions regarding offers