



Mack H. Shumate, Jr.
Senior General Attorney, Law Department

August 19, 2008

E-Filing

Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E. St., S.W., Room 1149
Washington, D.C. 20024

CLARIFICATION TO CERTIFICATION

Re: Proposed Abandonment of the Flanigan Industrial Lead from M.P. 338.33 near Flanigan, Nevada to M.P. 360.10 near Wendel, California, a total distance of 21.77 miles in Washoe County, Nevada and Lassen County, California; and of the Susanville Industrial Lead from M.P. 358.68 to M.P. 359.25 near Wendel, California, a Total Distance of 0.57 Miles in Lassen County, California (collectively the "Line");
STB Docket Number AB-33 (Sub-No. 230X)

223318

Dear Ms. Quinlan:

In accordance with the Surface Transportation Board's Decision with a late release service date of August 5, 2008 in the above-referenced matter, Union Pacific Railroad Company (UP) filed a Certification to the Board on August 15, 2008 in accordance with the terms of said Board Decision. Specifically, the UP represented to the Board that said report and documentation was forwarded on August 14, 2008 by U.P.S. Overnight Courier service for delivery to Nevada Central Railroad (NCR) on August 15, 2008. This statement is accurate and UP did perform as stated.

However, on August 18, 2008, UP was informed by the courier United Parcel Service (UPS) that the receiver, Nevada Central Railroad, had moved and that no forwarding address was left at the former offices of NCR. In addition, both UP and UPS tried to contact NCR by telephone and received a recorded message indicating that the phone was no longer in service and no forwarding number was available. A copy of the UPS tracking detail is attached hereto as Exhibit "A" and hereby made a part hereof.

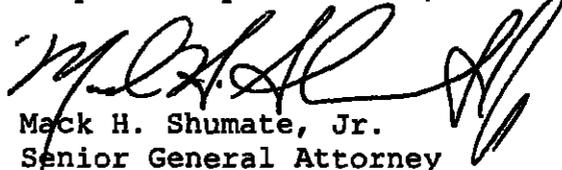
UP contacted the Nevada Secretary of State through its web site service to reaffirm that the resident agent information for NCR was correct. This was affirmed and documentation indicating that 4959 Talbot Lane, Unit #69, Reno, Nevada 89509 remains the address for the resident agent for NCR as a Nevada domestic corporation. A copy of this information is attached hereto as Exhibit "B" and hereby made a part hereof. The attempted delivery by UPS on behalf of UP was to the address referenced above.

Finally, an internet search using the Google search engine did not yield any alternative addresses, phone numbers or e-mail addresses for NCR.

If the Board has information as to the legal situs of NCR, UP is willing to forward the cover letter and documentation concerning UP's most recent report on the physical condition of the subject line of railroad as well as the documents that UP used to establish its net liquidation value for the Line to said location. However, this failure of NCR to inform UP of NCR's whereabouts makes it functionally impossible for UP to comply with the Board's Order requiring delivery of the above-referenced information to NCR.

Therefore, UP as stated in its Certification filed on August 15, 2008 renews yet again its request that the tolling of the OFA time period be lifted and that the time period for the filing of the offer of financial assistance for the Line expire 10 days after the lifting of the tolling of the OFA time period.

Respectfully submitted,



Mack H. Shumate, Jr.
Senior General Attorney



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Tracking Detail

Your package has experienced an exception.

Tracking Number: 1Z 636 800 22 1304 198 9
 Type: Package
 Status: Exception
 See description below
 Shipped To: NV, US
 Shipped/Billed On: 08/14/2008
 Service: NEXT DAY AIR

Package Progress			
Location	Date	Local Time	Description
SPARKS, NV, US	08/15/2008	7:08 P.M.	THE RECEIVER HAS MOVED. UPS ATTEMPTING TO LOCATE RECEIVER TO COMPLETE DELIVERY, NO DELIVERY WAS MADE / NO ONE ANSWERED THE PHONE WHEN UPS CALLED
	08/15/2008	1:50 P.M.	THE RECEIVER HAS MOVED. UPS ATTEMPTING TO LOCATE RECEIVER TO COMPLETE DELIVERY, NO DELIVERY WAS MADE
	08/15/2008	10:21 A.M.	DELIVERY
	08/15/2008	7:43 A.M.	OUT FOR DELIVERY
	08/15/2008	6:44 A.M.	DESTINATION SCAN
	08/15/2008	6:43 A.M.	ARRIVAL SCAN
MATHER, CA, US	08/15/2008	6:38 A.M.	DEPARTURE SCAN
	08/15/2008	6:27 A.M.	ARRIVAL SCAN
LOUISVILLE, KY, US	08/15/2008	5:50 A.M.	DEPARTURE SCAN
	08/15/2008	6:22 A.M.	ARRIVAL SCAN
OMAHA, NE, US	08/15/2008	3:59 A.M.	DEPARTURE SCAN
	08/15/2008	12:28 A.M.	ARRIVAL SCAN
	08/14/2008	9:53 P.M.	DEPARTURE SCAN
	08/14/2008	8:45 P.M.	ORIGIN SCAN

	08/14/2008	7 18 P M	PICKUP SCAN
US	08/14/2008	8:00 P.M.	BILLING INFORMATION RECEIVED

Tracking results provided by UPS: 08/18/2008 9:11 A M ET

NOTICE: UPS authorizes you to use UPS tracking systems solely to track shipments tendered by or for you to UPS for delivery and for no other purpose. Any other use of UPS tracking systems and information is strictly prohibited.

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EXHIBIT "B"

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NEVADA CENTRAL RAILROAD

Business Entity Information

Status:	Active	File Date:	7/14/2003
Type:	Domestic Corporation	Corp Number:	C16745-2003
Qualifying State:	NV	List of Officers Due:	7/31/2009
Managed By:		Expiration Date:	

Resident Agent Information

Name:	ROBERT ALAN KEMP	Address 1:	4959 TALBOT LA 69
Address 2:		City:	RENO
State:	NV	Zip Code:	89509
Phone:		Fax:	
Email:		Mailing Address 1:	
Mailing Address 2:		Mailing City:	
Mailing State:		Mailing Zip Code:	

[View all business entities under this resident agent](#)

Financial Information

No Par Share Count:	50,000.00	Capital Amount:	\$ 0
No stock records found for this company			

Officers Include Inactive

President - JOHN T DIGILIO JR			
Address 1:	PO BOX 73	Address 2:	
City:	TONOPAH	State:	NV
Zip Code:	89049	Country:	

Status:	Active	Email:	
Secretary - ROBERT ALAN KEMP			
Address 1:	PO BOX 73	Address 2:	
City:	TONOPAH	State:	NV
Zip Code:	89049	Country:	
Status:	Active	Email:	
Treasurer - ROBERT ALAN KEMP			
Address 1:	PO BOX 73	Address 2:	
City:	TONOPAH	State:	NV
Zip Code:	89049	Country:	
Status:	Active	Email:	
Director - JOSEPH A MCNULTY			
Address 1:	PO BOX 73	Address 2:	
City:	TONOPAH	State:	NV
Zip Code:	89049	Country:	
Status:	Active	Email:	

Actions\Amendments

[Click here to view 8 actions\amendments associated with this company](#)

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