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THOMAS F. MCFARLAND

July 17, 2009

By e-filing

Anne K. Quinlan, Esq.
Acting Secretary
Surface Transportation Board
395 E Street, S.W., Suite 1149
Washington, DC 20024

225378

Re: Docket No. AB-1022 (Sub-No. 1X), *Arizona & California Railroad Company --
Abandonment Exemption -- in San Bernadino and Riverside Counties, CA*

Dear Ms. Quinlan:

In a decision in the above proceeding served on July 15, the Board, through Office of Proceedings Director Rachel Campbell, rejected an Offer of Financial Assistance (OFA) filed in behalf of BG&CM Railroad, Inc. on the ground that there was insufficient proof that funds on deposit in the name of a corporate affiliate of BG&CM would be made available to BG&CM to pay the purchase price of the rail line.

The rejection was without prejudice to refiling the OFA with sufficient proof.

BG&CM will refile the OFA with sufficient proof. The refiling has been delayed because the principal of the corporate affiliate has been traveling and has not been able to sign a verification that the funds would be made available. The refiling will be made as soon as the signature of the principal can be obtained.

Very truly yours,

Tom McFarland

Thomas F. McFarland
Attorney for BG&CM Railroad, Inc.

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cc: Louis E. Gitomer, Esq., *by e-mail to lou_gitomer@verizon.net*