

LAW OFFICES OF  
**LOUIS E. GITOMER**

LOUIS E. GITOMER  
LOU\_GITOMER@VERIZON.NET

THE ADAMS BUILDING, SUITE 301  
600 BALTIMORE AVENUE  
TOWSON, MARYLAND 21204-4022  
(202) 466-6532  
FAX (410) 332-0885

August 17, 2009

Honorable Anne K. Quinlan  
Acting Secretary  
Surface Transportation Board  
395 E Street, S.W.  
Washington, D. C. 20423

RE: Docket No. 42104, *Entergy Arkansas, Inc. and Entergy Services, Inc. v. Union Pacific Railroad Company and Missouri & Northern Arkansas Railroad Company, Inc.*  
Finance Docket No. 32187, *Missouri & Northern Arkansas Railroad Company, Inc.—Lease, Acquisition and Operation Exemption—Missouri Pacific Railroad Company and Burlington Northern Railroad Company*

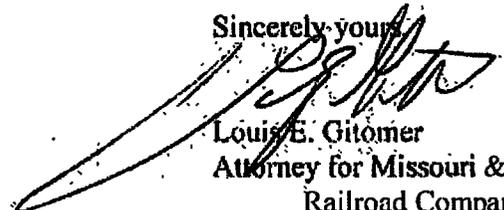
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Dear Acting Secretary Quinlan:

Enclosed for e-filing is the Motion to Make More Definite of the Missouri & Northern Arkansas Railroad Company, Inc.

Thank you for your assistance. If you have any questions please call or email me.

Sincerely yours



Louis E. Gitomer  
Attorney for Missouri & Northern Arkansas  
Railroad Company, Inc.

Enclosure

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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Docket No. 42104

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ENTERGY ARKANSAS, INC. AND ENTERGY SERVICES, INC.  
v.  
UNION PACIFIC RAILROAD COMPANY AND MISSOURI & NORTHERN ARKANSAS  
RAILROAD COMPANY, INC.

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Finance Docket No. 32187

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MISSOURI & NORTHERN ARKANSAS RAILROAD COMPANY, INC.  
-LEASE, ACQUISITION AND OPERATION EXEMPTION-  
MISSOURI PACIFIC RAILROAD COMPANY AND  
BURLINGTON NORTHERN RAILROAD COMPANY

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MOTION TO MAKE MORE DEFINITE

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Scott G. Williams Esq.  
Senior Vice President & General Counsel  
RailAmerica, Inc.  
7411 Fullerton Street, Suite 300  
Jacksonville, FL 32256  
(904) 538-6329

Louis E. Gitomer, Esq.  
Law Offices of Louis E. Gitomer  
600 Baltimore Avenue  
Suite 301  
Towson, MD 21204  
(410) 296-2250  
Lou\_Gitomer@verizon.net

Attorneys for: MISSOURI & NORTHERN  
ARKANSAS RAILROAD COMPANY, INC.

Dated: August 17, 2009

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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MOTION TO MAKE MORE DEFINITE

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Pursuant to 49 C.F.R. §1111.5, Missouri & Northern Arkansas Railroad Company, Inc. ("M&NA") moves the Surface Transportation Board (the "Board") to require Entergy Arkansas, Inc. ("EAI") and Entergy Services, Inc. ("ESI"), jointly referred to as Entergy, to make more definite the Amended Complaint filed on July 27, 2009 (the "Amended Complaint").

In the Amended Complaint, "Entergy requests that the Board: (1) enter an order prescribing a through route (or through routes) that would permit Entergy to obtain adequate and more economic transportation of coal from the PRB to Entergy's Independence plant...." M&NA does or can interchange rail traffic with the Union Pacific Railroad Company ("UP"), the BNSF Railway Company ("BNSF"), and the Kansas City Southern Railway Company ("KCS"). All three of these railroads are capable of delivering coal from the Powder River Basin (the "PRB") to interchange with M&NA, although KCS does not serve the PRB as an origin.

M&NA has a through route for coal originating in the PRB with UP. M&NA also has published a tariff with through routes with BNSF.

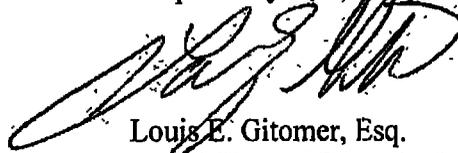
The Amended Complaint requests the prescription of a through route over the M&NA; but does not describe the route or other carrier that will be a party to the through route with M&NA.

The Supreme Court has stated that: "A 'through route' is an arrangement, express or implied, between connecting railroads for the continuous carriage of goods from the originating point on the line of one carrier to destination on the line of another." *Thompson v. United States*, 343 U.S. 549, 556 (1952). The Board's rules for prescribing a through route require the parties to present evidence on, and the Board to base its decision on the "revenues of the involved **railroads**" (49 C.F.R. §1144.2(a)(1)(i)), "the efficiency of the **rail routes** in question" (49 C.F.R. §1144.2(a)(1)(ii)), "rates or compensation charged or sought to be charged by the ... **railroads** from which ... establishment is sought (49 C.F.R. §1144.2(a)(1)(iii)), and "revenues, following the prescription, of the involved **railroads** for the traffic in question via the affected route; the costs of the involved **railroads** ..." (49 C.F.R. §1144.2(a)(1)(iv)) (emphasis added).

M&NA will be one of the railroads in the through route that Entergy seeks. However the identity of the second railroad to the through route is unclear from the Amended Complaint. It could be BNSF, KCS, or UP. However, Entergy has not named the second party to the through route that it seeks.

M&NA respectfully requests the Board to require Entergy to make the Amended Complaint more definite by identifying by name and point of origin the railroad that will be M&NA's connecting railroad for the through route.

Respectfully submitted,



Scott G. Williams Esq.  
Senior Vice President & General Counsel  
RailAmerica, Inc.  
7411 Fullerton Street, Suite 300  
Jacksonville, FL 32256  
(904) 538-6329

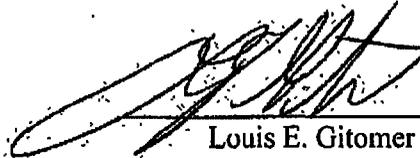
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Towson, MD 21204  
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ARKANSAS RAILROAD COMPANY, INC.

Dated: August 17, 2009

**CERTIFICATE OF SERVICE**

I hereby certify that I have caused the foregoing document to be served upon counsel for Entergy Arkansas, Inc., Entergy Services, Inc., Union Pacific Railroad Company, Arkansas Electric Cooperative Corporation, and BNSF Railway Company electronically.



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Louis E. Gitomer  
August 17, 2009