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December 13, 2004

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212 749



Honorable Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, D. C. 20423

RE: Docket No. AB-398 (Sub-No. 9X), *San Joaquin Valley Railroad Company—  
Discontinuance Exemption—in Kern County, CA (Between Levee and Taft)*  
Docket No. AB-170 (Sub-No. 1X), *Sunset Railway Company—Abandonment  
Exemption—in Kern County, CA (Between Levee and Taft)*

212 750

Dear Secretary Williams:

The Sunset Railway Company and the San Joaquin Valley Railroad Company (jointly “Applicants”) confirm that the Verified Notice of Exemption submitted on November 19, 2004, as supplemented November 30, 2004, and amended on December 1, 2004, to abandon and discontinue service, respectively, of the Sunset Subdivision over 16.3 miles extending between west of Levee, milepost 20.0, and Taft, milepost 36.3, in Kern County, CA, will not become effective until January 20, 2005, 50 days from the filing and service of the December 1, 2004 letter.

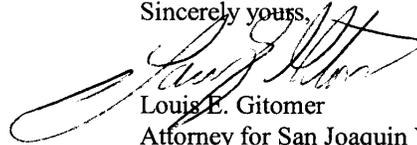
Based upon a further review of its records and communication from Baker Petrolite Corporation (“BPC”), Applicants determined that BPC was an active shipper located at milepost 18.99, and therefore reduced the scope of the abandonment and discontinuance to exclude the portion of the line that serves BPC so as to be able to continue to serve BPC. Counsel for Applicants and BPC discussed the reduction in the scope of abandonment and discontinuance on December 1, 2004, which resolved BPC’s concerns. I certify that the certification contained in the Verified Notice of Exemption remains correct and accurate for the rail line between milepost 20.0 and milepost 36.3.

BALL JANIK LLP

Honorable Vernon A. Williams  
December 13, 2004  
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I certify that a copy of this letter is being served today on all parties on the attached service list by first class mail. Enclosed are the original and 10 copies of this letter. Please time and date stamp the additional copy of this letter and return it with our messenger. Thank you for your assistance. If you have any questions, call or email me.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Louis E. Gitomer", written over the typed name.

Louis E. Gitomer  
Attorney for San Joaquin Valley Railroad  
Company

California Public Utility Commission  
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Mr. Tom Ross  
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U.S. Department of Interior - National Park Service  
Recreation Resources Assistance Division  
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National Park Service  
Land Resources Division  
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U.S. Department of Agriculture  
Chief of the Forest Service  
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Washington, DC 20250

California State Clearinghouse  
Chief Projects Analyst  
Office of Planning and Research  
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California Environmental Protection Agency  
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US Army Corps of Engineers  
Sacramento District  
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Sacramento, CA 95814

US Environmental Protection Agency  
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San Francisco, CA 94105

US Fish and Wildlife Service  
Eastside Federal Complex  
911 NE 11<sup>th</sup> Avenue  
Portland, OR 97232-4181

National Oceanic and Atmospheric Administration  
NOAA N/NGS12  
National Geodetic Survey  
SSMC-3 #9202  
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US National Park Service  
Pacific West Region  
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US Department of Agriculture  
National Resource Conservation Service  
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Department of Parks and Recreation  
P.O. Box 942896  
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