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THOMAS F. MCFARLAND

January 11, 2006

By electronic mail

Vernon A. Williams, Secretary
Surface Transportation Board
Case Control Unit, Suite 713
1925 K Street, N.W.
Washington, DC 20423-0001

Re: Docket No. AB-1066X, *Central Illinois Railroad Company -- Discontinuance of Service Exemption -- in Peoria County, Illinois*

Dear Mr. Williams:

This responds to a pleading filed by Carver Lumber (Carver) on January 4, 2006 that is in the nature of a request for stay of the Board's decision served December 23, 2005, and to a Petition for Stay filed by Pioneer Industrial Railway Co. (PIRY) on January 9, 2006.

The PIRY Petition should be denied for failure to establish irreparable injury. PIRY would not suffer any injury if Central Illinois Railroad Company (CIRY) were to consummate its discontinuance authority on January 22, let alone irreparable injury. PIRY's right to provide service over the Kellar Branch was lawfully terminated months ago. PIRY thus lacks standing to seek a stay. PIRY's persistent filing of numerous pleadings since that time suggests an irrational vendetta against the City of Peoria (the City) and CIRY. The Board should have no part of that.

Carver is correct that the City promised not to remove the trackage involved in this proceeding (which would be permissible upon consummation of CIRY's discontinuance authority) until the City had arranged for alternative rail service to Carver by connecting another City-owned track to the Kellar Branch at a point west of Carver's facility. Carver is also correct that the track connection is not completed, so that alternative service could not be provided to Carver if the trackage involved in this proceeding were to be removed.

The City hereby reiterates its promise to Carver. As a result of that promise, CIRY hereby undertakes not to consummate the discontinuance authority (and the City undertakes not to remove the trackage) until the City certifies to the Board and to Carver that the track connection is complete and alternate rail service is available. If that certification were to occur prior to the January 22 effective date of the discontinuance, the discontinuance would not be

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Vernon A. Williams, Secretary

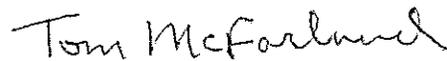
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consummated prior to that effective date. In other words, CIRY will not consummate the discontinuance authority and the City will not remove the trackage (1) until the City certifies to completion of the track connection; or (2) until January 22, whichever is later. CIRY would be agreeable to a condition to that effect in relation to its discontinuance authority.

CIRY will respond to arguments seeking reopening of the Board's decision in due course.

Very truly yours,



Thomas F. McFarland
*Attorney for Central Illinois
Railroad Company and The City
of Peoria, Illinois*

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