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BY FAX AND MAIL
565-9003

June 21, 2006

Honorable Vernon A. Williams
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

ENTERED
Office of Proceedings

JUN 23 2006

Part of
Public Record

Re: **STB Docket No. AB-995X**
New Mexico Gateway Railroad Limited Liability
Company Abandonment Exemption

Dear Mr. Williams:

I am writing on behalf of New Mexico Gateway Railroad Limited Liability Company ("NMGR") to follow up my telephone conversation today with Mark Lerner, Esq., a member of the Office of Proceedings legal staff, regarding the above-captioned proceeding.

When NMGR originally filed its notice of exemption in FD No. 34103 for the subject rail line back in 2001, it sought authority to operate 3.5 miles of railroad on approximately 3700 feet of right of way owned by Santa Teresa Limited Partnership at Santa Teresa, NM. More specifically it sought authority to operate over: (1) a 4,412-foot spur identified as Track A; (2) a 3,375-foot spur identified as Track B; (3) a 3,884-foot spur identified as Track C; (4) a 4,338-foot spur identified as Track D; and (5) a 2,728-foot runaround track. Santa Teresa never completed the construction of all of this trackage.

NMGR seeks an exemption here permitting it to discontinue service over and terminate any possible common carrier obligation it could have not only as to the 1,000 feet of constructed track but all track that it was

authorized to operate. Hence, I am advising that the total amount of trackage proposed for discontinuance in the subject proceeding is the same as that originally authorized for operation by NMGR in FD No. 34103 served October 29, 2001, namely (1) a 4,412-foot spur identified as Track A; (2) a 3,375-foot spur identified as Track B; (3) a 3,884-foot spur identified as Track C; (4) a 4,338 foot spur identified as Track D; and (5) a 2,728-foot runaround track.

I am serving one copy of this letter on all parties required to receive copies pursuant to 49 CFR 1152.50(d), 1105.7, and 1105.8.

Please date stamp and return one copy of this letter.

Sincerely yours,


John D. Heffner

Enclosures:

cc: Mark Lerner, Esq.
Jay Kleberg

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MESSAGE:

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