



## DAVID H. ANDERSON

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January 10, 2007

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Honorable Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Room 700  
Washington, D. C. 20423

RE: Docket No. AB-347 (Sub-No. 3X), *Florida West Coast Railroad Company, Inc.--  
Abandonment Exemption--in Alachua and Gilchrist Counties, FL*

Dear Secretary Williams:

Florida West Coast Railroad Company, Inc. ("FWCR") respectfully requests the Surface Transportation Board (the "Board") to reinstate the abandonment exemption granted in the above-entitled proceeding and an extension of the consummation date of the above-captioned abandonment for one year until January 10, 2008. The current extension of the consummation date expired on December 14, 2006.

FWCR acquired about 44 miles of track and leased the real estate from CSX Transportation, Inc. ("CSXT") in December 1987. See *Florida West Coast Railroad Company--Acquisition & Operation Exemption--Certain Rail Lines of CSX Transportation, Inc.*, ICC Finance Docket No. 31178 (ICC served January 4, 1988). On February 25, 2004, FWCR filed a Petition for Exemption to abandon the final 13 miles of its rail line between Trenton, FL, milepost 734.0, and Newberry, FL, milepost 734.0 (the "Line"). The Board granted an exemption for FWCR to abandon the Line. *Florida West Coast Railroad Company--Abandonment Exemption--in Alachua and Gilchrist Counties, FL*, STB Docket No. AB-347 (Sub-No 3X) (STB served June 14, 2004).

Since exemption of the abandonment of the Line, FWCR and CSXT have engaged in discussions with the Florida Department of Environmental Protection, Office of Greenways and Trails ("FDEP"), in an effort to transform all or a substantial portion of the Line into a trail. FDEP has been unable to satisfy the requirements of 49 C.F.R. §1152.29(a)(2), as of this date. However, meaningful and productive negotiations concerning the Line continue.

In an effort to facilitate those discussions, retain the opportunity to convert the Line into a Trail and serve an important public purpose, FWCR has sought and the Board has granted extensions of the consummation deadline. *Florida West Coast Railroad Company--Abandonment Exemption--in Alachua and Gilchrist Counties, FL*, STB Docket No. AB-347 (Sub-No 3X) (STB served June 28, 2005; October 7, 2005; March 15, 2006; and June 14, 2006).

**Honorable Vernon A. Williams**  
**January 10, 2007**  
**Page 2**

While seeking to accommodate these negotiations, FWCR also wants to ensure that it does not lose the ability to exercise the abandonment authority while further trail discussions continue. FWCR contends that the history of its efforts to make the Line available for trail use and its desire to be able to abandon the Line if it cannot be transferred as a trail constitute good cause for the Board to reinstate the abandonment and extend the consummation date to January 10, 2008.

Thank you for your consideration of this matter. This letter is being filed.

Respectfully Submitted,



**David H. Anderson**  
**Attorney for: Florida West Coast Railroad**  
**Company, Inc.**

cc: **Mr. Clyde S. Forbes (FWRC)**  
**Louis E. Gitomer, Esq.**