



KAPLAN KIRSCH ROCKWELL

218900

March 27, 2007



Honorable Vernon A. Williams
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Re: F.D. No. 35002, *Savage Bingham & Garfield R. Co. – Acquisition and Operation Exemption – Union Pacific R. Co.*

Dear Mr. Williams:

On Monday, March 26, 2007, the Utah Transit Authority (“UTA”) filed a reply in opposition to the Petition for Stay that had been filed in the above-referenced proceeding by the Utah Shipper Coalition (“USC”). Part of the basis asserted by USC for the stay was the statement that a transaction between UTA and the Union Pacific Railroad Company (“UPRR”) that is related to the transactions described in this proceeding would be closing by March 27, and that UTA had not filed the requisite Notice of Exemption for that related transaction. In its reply, UTA stated that the closing date for the transaction had been postponed, but no specific date was provided. Subsequent to submission of that reply, undersigned counsel learned that the closing date for the sale of the Bingham Industrial Lead, which is a part of the property that is covered by the Notice of Exemption filed by the Savage, Bingham & Garfield Railroad Company (“SBG”) in this proceeding, will take place on April 27, 2007. This is to confirm that UTA has filed a Notice of Exemption relating to the UTA-UPRR transaction today in F.D. No. 35008, *Utah Transit Authority – Acquisition Exemption – The Union Pacific R. Co.*, and, as explained in the Notice of Exemption, will be filing a Motion to Dismiss that Notice of Exemption in the near future.

Sincerely,

Charles A. Spitulnik

cc: Robert P. vom Eigen, Esq.
Mack H. Shumate, Esq.
Thomas F. MacFarland, Esq.
Allen Weinstein, Esq.
Kathryn Pett, Esq.

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