



KAPLAN KIRSCH ROCKWELL

May 8, 2007

By Efiling

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

**Re: Docket No. AB-980-X, Santa Clara Valley Transportation Authority –
Abandonment Exemption – In Santa Clara and Alameda Counties, CA**

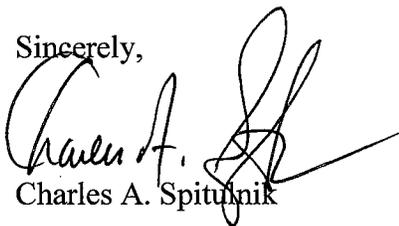
Dear Sir:

I am attaching for filing in the above-referenced proceeding, the following two documents:

- (1) Motion of the Santa Clara Valley Transportation Authority for Leave to File a Notice of Consummation, Time for Filing Having Otherwise Expired
- (2) Notice of Consummation (tendered in the event of a favorable ruling on the above Motion).

If you have any questions please feel free to call on me.

Sincerely,



Charles A. Spitulnik

Enclosure

134488v1

this Board to grant SCVTA's Motion for Leave to file the Notice of Consummation, time for filing having otherwise expired.

Dated: May 8, 2007

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Charles A. Spitulnik", written over a horizontal line.

Charles A. Spitulnik
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Counsel for Santa Clara Valley
Transportation Authority

**Before the
Surface Transportation Board
Washington, D.C.**

Docket No. AB-980X

**Santa Clara Valley Transportation Authority –
Abandonment Exemption –
In Santa Clara County and Alameda Counties, CA**

**NOTICE OF CONSUMMATION BY
THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY**

The Santa Clara Valley Transportation Authority (“SCVTA”), by undersigned counsel, hereby submits its Notice of Consummation of the abandonment authority provided in this proceeding.¹

On December 16, 2005, the Board served a decision granting the Petition for Exemption with respect to the abandonment in this proceeding, subject to four conditions:

- 1) *SCVTA was required to notify the National Geodetic Survey prior to beginning salvage activities. SCVTA has not yet engaged in any salvage activities and will notify the NGS prior to beginning.*
- 2) *SCVTA was required to meet with the California Public Utilities Commission (“CPUC”) to address safety concerns that CPUC had identified in its comments on the environmental report that SCVTA submitted in this proceeding, and to report the results of those consultations in writing to SEA. By letter dated March 6, 2006, SCVTA advised*

¹ The deadline for submitting this Notice of Consummation expired December 15, 2006. SCVTA is today submitting a Motion for Leave to File the Notice of Consummation, Time for Filing Having Otherwise Expired, and is tendering this Notice in the event of a favorable ruling on the Motion.

Victoria Rutson, Chief of the Section of Environmental Analysis, of its compliance with this condition.

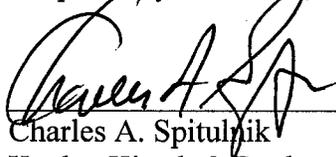
(3) *SCVTA was required to retain interests and preserve the integrity of historic structures until it complied with the requirements of 46 U.S.C. §470f.* By a subsequent decision in this proceeding, served on March 15, 2006, this condition was removed.

(4) *Serve a copy of the decision on Smurfit Stone Recycling Corporation, the sole shipper on the line.* On December 21, 2005, counsel for SCVTA submitted a Certificate of Service, confirming its compliance with this requirement.

WHEREFORE, having sought an extension of the time for filing this Notice of Consummation, and having complied with all of the conditions of the Decision served on December 16, 2005, SCVTA hereby notifies the Board that it is consummating the abandonment authority granted in this proceeding.

Dated: May 8, 2007

Respectfully submitted,



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Counsel for Santa Clara Valley
Transportation Authority

CERTIFICATE OF SERVICE

I hereby certify that I have this day caused to be served a copy of the foregoing Notice of Consummation upon all parties of record in this proceeding by first class mail with postage prepaid and properly addressed.

Dated this 8th day of May, 2007.



Charles A. Spitulnik