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THOMAS F. MCFARLAND

March 31, 2008

By e-filing

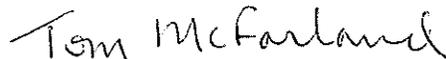
Anne K. Quinlan, Esq.
Acting Secretary
Surface Transportation Board
395 E Street, S.W., Suite 1149
Washington, DC 20024

Re: STB Ex Parte No. 677, *Common Carrier Obligation Of Railroads*

Dear Ms. Quinlan:

Please refer to my filing earlier today in behalf of Progressive Rail Incorporated, copy attached for ready reference. This is to respectfully request leave to file Notice of Progressive Rail's desire to participate out-of-time. (Notices were required to be filed on or before March 25, 2008). The Board's Notice instituting the proceeding did not come to Progressive Rail's attention until after that filing date. Progressive Rail took action to provide notice of its desire to participate as soon as the Board's Notice came to Progressive Rail's attention.

Very truly yours,



Thomas F. McFarland
*Attorney for Progressive
Rail, Incorporation*

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cc: Mr. Dave Fellon

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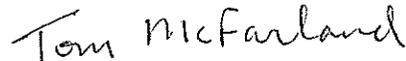
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Re: STB Ex Parte No. 677, *Common Carrier Obligation Of Railroads*

Dear Ms. Quinlan:

This constitutes a Notice of Intent to Participate in the above proceeding in behalf of Progressive Rail, Incorporated (Progressive Rail), 21778 Highview Avenue, Lakeville, MN 55044. Progressive Rail will be represented by its President, Mr. David Fellon. Mr. Fellon requests 15 minutes for his presentation to the Board. Mr. Fellon will address the common carrier obligation of Class I railroads in conjunction with customers of their Class III railroad connections. Mr. Fellon may be accompanied by a potential customer who has been adversely affected by a Class I railroad's disregard of its common carrier obligation. Progressive Rail will provide written submission by the April 17 due date.

Very truly yours,



Thomas F. McFarland
*Attorney for Progressive
Rail, Incorporation*

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cc: Mr. Dave Fellon