

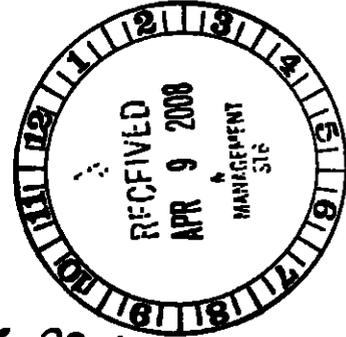
CHARLES H MONTANGE
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8 April 2008

Hon Ann Quinlan
Secretary
Surface Transportation Board
395 E Street, S W
Washington, D C 20024 (express zip)

222027



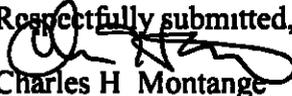
Re Kettle Falls International Railway –
Abandonment Exemption, AB-944X AB 994
Motion for NITU Extension, action requested by
May 4, 2008

Dear Secretary Quinlan

Enclosed for filing please find the original and ten copies of a motion to extend the NITU negotiation period in this proceeding. The NITU negotiation period currently expires on May 4 Ferry County by the enclosed motion seeks a 180 day extension, to and including October 31, 2008. Kettle Falls International Railway consents (per email communication from Railway's counsel, Karl Morell)

Pursuant to 49 C.F.R. 1002.2(f)(1), "[f]iling fees are waived for an application which is filed by a local government entity." Ferry County (WA) is a unit of local government in the State of Washington. Consistent with prior fee waivers for the County which the Board has granted in this proceeding, Ferry County requests waiver of the filing fee for this NITU extension pursuant to the cited regulation.

Thank you for your assistance in this matter

Respectfully submitted,

Charles H. Montange
for Ferry County

Encls
cc Mr Morell (Kettle F. I Rwy) (w/encl.)
Ferry County Commissioners (w/encl.)

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FILING FEE WAIVED

Before the Surface Transportation Board

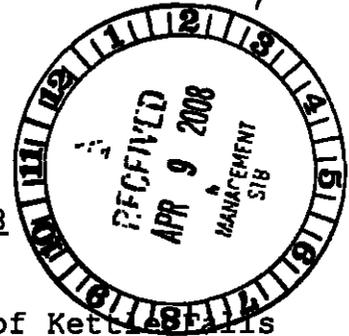
Kettle Falls International Rwy
Abandonment Exemption -
in Ferry County, WA

) AB 994
) AB 944X
)

222027

Motion for 180 Day Extension
in NITU Negotiation Period

Action Requested by May 4, 2008



Ferry County (WA) moves, with the consent of Kettle Falls International Railway LLC (per its counsel, Mr. Karl Morell), for a 180 day extension in the NITU negotiation period applicable in this proceeding.

Background for motion for extension. The NITU negotiation currently expires on May 4, 2008. See Decision, this docket, served November 5, 2007. The Board grants extensions where the carrier consents, as it has here. The extension here will foster the preservation of this corridor for future rail use and interim trail use. This is the only truly viable potential future rail corridor into Ferry County. The extension here is finalize contract terms, which Ferry County understands may require coordination with BNSF.

If the 180 day extension is granted, the NITU negotiation period will expire on or about October 31, 2008.

Because the existing NITU negotiation period expires on May 4, 2008, Ferry County requests that the extension requested herein be ordered prior to that date in order to minimize

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possible confusion.

Conclusion

For the reasons stated, this Board should extend the NITU negotiation period for 180 days through and including October 31, 2008.

Respectfully submitted,


Charles H. Montange
426 NW 162d St.
Seattle, WA 98177
(206) 546-1936
For Ferry County

Certificate of Service

By my signature below, I certify service by email attachment and U.S. Mail, postage pre-paid first class, upon Karl Morell, Esq., counsel for Kettle Falls International Railway, postage pre-paid, first class, at Ball Janik, 1455 F Street, NW, Suite 225, Washington, D.C. 20005.

