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December 18, 2009

By e-filing

Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20024

ENTERED
Office of Proceedings
DEC 18 2009
Part of
Public Record

Re: Docket No. AB-1022 (Sub-No. 1X), *Arizona & California Railroad Company --
Abandonment Exemption -- in San Bernadino and Riverside Counties, CA*

Dear Section of Administration Chief:

This is to advise the Board and Arizona & California Railroad Company (ARZC) that I have not been contacted by Offeror BG&CM Railroad, Inc. (BGCM) to file a Request that the Board establish the terms and conditions of a purchase of the rail line in the above proceeding (Request) by the due date of December, 18, 2009. As a result, no such Request will be filed.

Respectfully submitted,

Tom McFarland

Thomas F. McFarland
Attorney for BG&CM Railroad, Inc.

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cc: Louis Gitomer, Esq., *by e-mail to lou_gitomer@verizon.net*
Mr. Mike Williams, *by e-mail to rmsi@mchsi.com*