

BEFORE THE SURFACE TRANSPORTATION BOARD

Montoff Transportation Company, LLC -)
Acquisition Exemption -) F.D. No. 35354
BNSF Railway Co.)

Notice of Exemption
for Acquisition
(of Reactivation Rights)
per 49 C.F.R. 1150.31

ENTERED
Office of Proceedings
FEB 19 2010
Part of
Public Record

Correction of Milepost

The intent of the Notice of Exemption in this proceeding is to encompass transfer of BNSF's reactivation rights for the entire length of the railroad corridor involved in STB docket AB 6 (Sub-no 379X). The correct mileposts for that railroad corridor are MP 73.60 (near Fairmont) to MP 116.40 (near Guthrie). The Notice of Exemption inadvertently stated the Fairmont Milepost as 74.60. Please correct that Milepost to 73.60 in the Notice of Exemption. Thus, the Notice relates to MP) 73.60 to MP 116.40. Counsel thanks counsel for BNSF for pointing this out. A corrected caption summary (Exhibit C) is attached.

Respectfully submitted,

Charles H. Montange
426 NW 162d St.
Seattle, WA 98177
(206) 546-2936
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for Montoff Transportation
Company, LLC

Attachments:

C - Caption Summary

cc. Counsel for BNSF (Mr. Morell) and ODOT (Mr. Hocky)

Exhibit C

Before the Surface Transportation Board

STB Finance Docket No. 35354

Montoff Transportation Company, LLC
- Acquisition Exemption -
BNSF Railway Company

Montoff Transportation Company LLC has filed a notice of exemption to acquire BNSF Railway Company's reactivation rights for a line of railroad described as MP 73.60 (near Fairmont) to MP 116.40 (at Guthrie) in Garfield and Logan Counties, Oklahoma. Comments must be filed with the Board and served on Montoff's representative, Charles H. Montange, 426 NW 162d St., Seattle, WA 98177.

The notice is filed under 49 C.F.R. 1150.31. If the notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.