

Wisconsin Department of Transportation

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December 7, 2005

Mr. Vernon A. Williams, Secretary
Office of the Secretary
Surface Transportation Board, Room 1324
1925 K Street, N.W.
Washington, D.C. 20423-0001

DEC 14 2005
RECEIVED

RE: **STB Docket No. AB-303 (Sub-No. 26X)** Wisconsin Central Ltd--Abandonment
Exemption--In Ashland County, WI – Motion to Extend Time for Notice of Interim
Trail Use

Dear Mr. Williams:

Enclosed for filing are the original and ten (10) copies of the the City of Ashland's
Motion to Extend Time for Notice of Interim Trail Use.

Please date stamp and return the duplicate copy of this transmittal letter in the
prepaid, return mail envelope for verification of receipt. Thank you.

Sincerely,


Allyn Lepeska
Attorney

Enclosures

pc: Vicki Schaefer
Michael Barron
Brian Knapp

ENTERED
Office of Proceedings

BEFORE THE
SURFACE TRANSPORTATION BOARD

AB-303 (SUB-NO. 26X)

WISCONSIN CENTRAL LTD. --
NOTICE OF EXEMPTION FOR ABANDONMENT--
IN ASHLAND COUNTY, WISCONSIN

**CITY OF ASHLAND WISCONSIN
MOTION TO EXTEND TIME TO
NEGOTIATE A NOTICE OF INTERIM TRAIL USE**

BACKGROUND

On a service date of June 3, 2004, the Surface Transportation Board (STB or Board) served notice that Wisconsin Central LTD (WCL) filed with the Surface Transportation Board a Notice of Exemption pursuant to 49 U.S.C. § 10502 and the Board's regulations at 49 C.F.R Part 1152.50. That Notice of Exemption is for WCL's abandonment of a .48 mile portion of its line of railroad between milepost 435.35 on Ashland's Lakefront and traveling 2,552 feet to a point where it connects to a private spur that used to serve C. Reiss Coal Company in Ashland, Ashland County, WI. The line traverses through United States postal zip code 54806.

On June 8, 2004, the City of Ashland (ASH) signed a Statement of Willingness to Accept Financial Responsibility pursuant to 49 C.F.R. § 1152.29. This statement is for the segment of WCL railroad from milepost 435.35 on Ashland's Lake Superior lakefront, traveling southwest along the lakefront 2,522 feet to a point where it connects with a private spur that used to serve C. Reiss Coal Company, a total of approximately 0.48 miles.

The Board issued an NITU under 49 CFR 1152.29, which was served on July 1, 2004, allowing the ASH until December 30, 2004, to negotiate a rail banking agreement with WCL.

In a joint petition filed on December 6, 2004, WCL and WisDOT for ASH filed a request for an additional 180-day extension of the negotiating period for the right-of-way. The Board issued a NITU under 49 CFR 1152.29, which was served on December 17, 2004 allowing ASH until June 28,

2005, to negotiate a rail banking agreement with WCL for the right-of-way between milepost 435.35 on Ashland's lakefront and traveling 2,225 feet to a point where it connects to a private spur that used to serve C. Reiss Coal Company in Ashland.

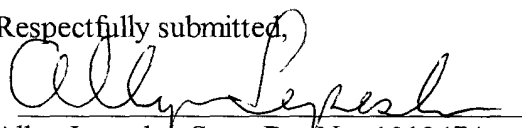
In a petition filed on June 16, 2004, WisDOT for ASH filed a request for an additional 180-day extension of the negotiating period for the right-of-way. The Board issued a NITU under 49 CFR 1152.29, which was served on June 28, 2005 allowing ASH until December 25, 2005, to negotiate a rail banking agreement with WCL for the right-of-way between milepost 435.35 on Ashland's lakefront and traveling 2,225 feet to a point where it connects to a private spur that used to serve C. Reiss Coal Company in Ashland.

Negotiations are currently continuing in good faith between ASH and WCL. However, more time is needed to finalize negotiations. WCL is agreeable to an extension of time to continue negotiations under an NITU condition for the rail corridor between milepost 435.35 on Ashland's Lake Superior lakefront, traveling southwest along the lakefront 2522 feet to a point where it connects with a private spur that used to serve C. Reiss Coal Company, a total of approximately 0.48 miles in the City of Ashland, in Ashland County.

MOTION

Therefore, ASH moves that the period prescribed to negotiate an interim trail use/rail banking agreement be extended for 180 days for the rail corridor between milepost 435.35 on Ashland's Lake Superior lakefront, traveling southwest along the lakefront 2,522 feet to a point where it connects with a private spur that used to serve C. Reiss Coal Company, a total of approximately 0.48 miles in the City of Ashland, in Ashland County.

Respectfully submitted,


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