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August 25, 2005

Via Facsimile (202) 565-9019

Mr. Vernon A. Williams, Secretary
Surface Transportation Board
1925 "K" Street N.W.
Washington, D.C. 20423-0001

**Re: Granting Trail Use Negotiation Extension to the Wisconsin Department of Transportation
STB Docket No.: AB-57 (Sub No. 55X)**

Dear Mr. Williams:

I write to inform you that Soo Line Railroad Company, d/b/a Canadian Pacific Railway Company ("Soo Line"), agrees to provide the Wisconsin Department of Transportation (WDOT) and the Wisconsin Department of Natural Resources with an additional 90 days (*through Monday, November 7, 2005*) to complete NITU negotiations with Soo Line, as documented in the attached motion signed by Allyn Lepeska, the attorney for WDOT, and me, an attorney for Soo Line.

Very truly yours,

LEONARD, STREET AND DEINARD
Professional Association

ANNIE LITTLEFIELD

ENTERED
Office of Proceedings

AL
Enclosure

AUG 26 2005

cc: Judy Mitchell (via email)
Steve Fisk (via email)
David Drach (via email)
Greg Haug (via email)
Carolyn V. Wolski (via email)
Vicki Schaefer, Wisconsin Department of Transportation (Via Facsimile 608-267-3567)
Allyn Lepeska, Wisconsin Department of Transportation (Via Facsimile 608-267-6734)
Dick Steffes, Wisconsin Department of Natural Resources (Via Facsimile 608-267-2750)

Part of
Public Record

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

AB-57 (SUB-NO. 55X)

**SOO LINE RAILROAD COMPANY –
ABANDONMENT OF TRACKAGE LOCATED
NEAR WEST ALLIS, MILWAUKEE COUNTY, WISCONSIN**

**WISCONSIN DEPARTMENT OF NATURAL RESOURCES
AND SOO LINE RAILROAD COMPANY
PETITION FOR NOTICE OF INTERIM TRAIL USE**

BACKGROUND

On October 21, 2002, the Soo Line Railroad Company, doing business as Canadian Pacific Railway, a Class I common carrier (SOO) filed with the Surface Transportation Board (Board) a petition under 49 U.S.C. § 10502 for exemption from the requirements of 49 U.S.C. § 10903 for the abandonment of a 5-mile section of the West Allis Line, extending between milepost 88.2+/- (near State Highway 41 crossing in Milwaukee) and milepost 93.2+/- (near North 123rd Street in Wauwatosa) and traversing through United States Postal Service Zip Codes 53215 (in Milwaukee), 53295 (in West Allis), and 53226 (in Wauwatosa), all in Milwaukee County, Wisconsin (Rail Line). The Rail Line is located within Sections 30, 31, 32, 33, 34 and 35, Township 7 North, Range 21 East, in Milwaukee County.

On November 3, 2004, the Wisconsin Department of Natural Resources (WisDNR) signed a Statement of Willingness to Accept Financial Responsibility pursuant to 49 C.F.R. § 1152.29. This statement is for the segment of SOO railroad from West Milwaukee Milepost 88.2 to West Allis Milepost 99.2, a distance of 5 miles located in the Milwaukee County, Wisconsin.

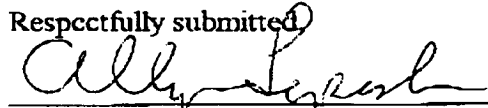
The Board issued a NITU under 49 CFR 1152.29, which was served on February 8, 2005, allowing the SOO until August 8, 2005, to negotiate a rail banking agreement with WCL.

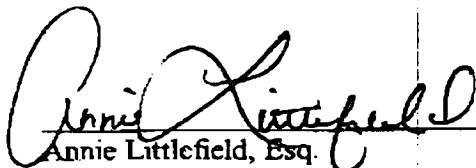
Negotiations are currently continuing in good faith between SOO and WisDNR. However, more time is needed to finalize negotiations. SOO is agreeable to an extension of time to continue negotiations under a NITU condition for the rail corridor between milepost 88.2+/- (near State Highway 41 crossing in Milwaukee) and milepost 93.2+/- (near North 123rd Street in Wauwatosa) and traversing through United States Postal Service Zip Codes 53215 (in Milwaukee), 53295 (in West Allis), and 53226 (in Wauwatosa), all in Milwaukee County, Wisconsin (Rail Line).

MOTION

Therefore, WisDNR and SOO move that the period prescribed to negotiate an interim trail use/rail banking agreement be extended for 90 days for a segment of SOO railroad from West Milwaukee Milepost 88.2 to West Allis Milepost 99.2, a distance of 5 miles located in Milwaukee County, Wisconsin for interim trail use and rail banking, pursuant to 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 to the WisDNR. This will allow all forms of transportation to be provided in a unified, interconnected, economically efficient, and environmentally sound manner.

Respectfully submitted,


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