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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-1068 (Sub-No. 3X)

**ENTERED
Office of Proceedings
November 30, 2016
Part of
Public Record**

**MISSOURI CENTRAL RAILROAD COMPANY
- ABANDONMENT EXEMPTION -
IN CASS, PETTIS, BENTON, MORGAN, MILLER, COLE, OSAGE, MARIES,
GASCONADE, AND FRANKLIN COUNTIES, MISSOURI**

**MOTION TO EXTEND TIME TO NEGOTIATE INTERIM TRAIL USE
AND FEE WAIVER REQUEST**

The Missouri Department of Natural Resources ("MDNR") hereby requests, and the Missouri Central Railroad Company ("MCRR") hereby agrees to, an extension of time **until February 21, 2018** for the parties to finalize and close on a trail use agreement applicable to the rail line in the above-referenced abandonment proceeding.¹ Under the decision served by the Surface Transportation Board ("Board") on February 19, 2016, the current period for negotiation of interim trail use/rail banking is set to expire on February 21, 2017.

As MDNR and MCRR previously informed the Board, the parties intend to wait until rail line salvage is finished before completing the interim trail use agreement and executing the property transfer.² Therefore, additional negotiating time is needed because salvage is not expected to be completed until the end of 2017 and the contractor may request additional time to complete the work. Salvage began in late 2015 on the 144.3-mile rail line at issue in proceeding. During 2016, significant salvage progress has been made, but MCRR still has

¹ See, e.g., West Michigan Railroad Company – Abandonment Exemption – In Van Buren County, Mich., STB Docket No. AB-1107X, slip op. at 2 (served April 15, 2014) ("Where...the carrier has not consummated the abandonment at the end of the previously imposed negotiating period...and is willing to continue trail use negotiations...the Board retains jurisdiction, and the NITU negotiating period may be extended.") (citation omitted).

² See Motion to Extend Time (filed Jan. 27, 2016).

FILING FEE WAIVED

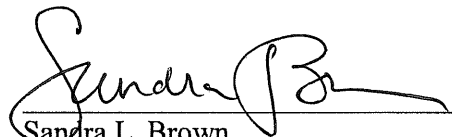
various salvage-related obligations under the environmental conditions in effect in this case and the Section 106 Memorandum of Agreement entered by MCRR, the Board, and other parties pursuant to the National Historic Preservation Act. Given that MCRR will continue to have these salvage-related obligations until salvage is complete, MDNR and MCRR are requesting a one-year extension of the negotiating period. The Board has previously granted negotiating extensions of one year.³ MCRR remains committed to transferring the property to MDNR under the National Trails System Act, 16 U.S.C. § 1247(d).

Pursuant to 49 CFR § 1002.2(e)(1) and MDNR's status as a state agency, it is requesting waiver of the \$500.00 filing fee for extension of the period of time to negotiate a trail use agreement.

Respectfully submitted,



Rebecca McKinstry
Assistant General Counsel
Missouri Department of Natural Resources
General Counsel's Office
P.O. Box 176
Jefferson City, MO 65102-0176
(573) 751-0323



Sandra L. Brown
David E. Benz
Thompson Hine LLP
1919 M Street, N.W., Suite 700
Washington, DC 20036
(202) 263-4101
*Attorneys for Missouri Central Railroad
Company*

November 29th, 2016

³ The extension granted by the Board on February 19, 2016 in this proceeding was for one year. The Board also granted a one-year extension in CSX Transportation, Inc. – Abandonment Exemption – In Jefferson County, AL, STB Docket No. AB-55 (Sub-No. 613X) (served March 5, 2015).

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of November 2016, I caused a copy of the Missouri Department of Natural Resources and Missouri Central Railroad Company's Motion to Extend Time to Negotiate Interim Trail Use and Fee Waiver Request to be served upon all parties of record below, by first-class mail:

Honorable Vicky Hartzler
Congress Of The United States
1023 Longworth Building
Washington, DC 20515

Blake Hurst
Missouri Farm Bureau Federation
P.O. Box 658
Jefferson City, MO 65102

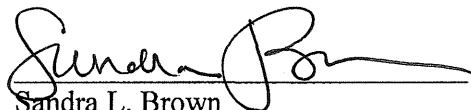
Keith Laughlin
Rails To Trails Conservancy
2121 Ward Court, NW, 5th Floor
Washington, DC 20037

Chrysa M. Niewald
Missouri Rock Island Trail, Inc.
3581 Pin Oak Estates
Owensville, MO 65066

Rachel Ruhlen
Missouri Bicycle And Pedestrian Federation
1709 Missouri Blvd, Suite C 200
Jefferson City, MO 65109

Rebecca McKinstry
Assistant General Counsel
Missouri Dept. of Natural Resources
General Counsel's Office
P.O. Box 176
Jefferson City, MO 65102-0176

Respectfully submitted,



Sandra L. Brown
Thompson Hine LLP
1919 M Street, N.W., Suite 700
Washington, DC 20036
(202) 263-4101
*Attorney for Missouri Central Railroad
Company*