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April 7, 2006

Secretary, Surface Transportation Board

1925 K Street, N.W.

Washington, DC 20423

VIA FEDERAL EXPRESS

216295

Re: Docket Nos. AB-33 (Sub-No. 226X) and AB-654X

Response to Decision Reopening Proceeding entered December 15, 2005

In re: Notice of Brownsville & Rio Grande International Railroad Company for Exemption of Discontinuance and Union Pacific Railroad Company for Exemption of Abandonment, Cameron County, Texas

216308

Dear Sir or Madam:

Enclosed herewith for filing are the original and 10 copies of a Response to Decision Reopening Proceeding entered December 15, 2005 in re: Notice of Exemption for Discontinuance and Abandonment in the above-entitled proceeding. Please time and date stamp the additional copy of this letter and the notice and return it in the enclosed return envelope. Thank you for your assistance.

If you have any questions, don't hesitate to call or email me.

Very truly yours,

William L. Rentfro
Attorney for Brownsville & Rio Grande
International Railroad Company
FOR THE FIRM

WR:wp
Enclosures (13)

ENTERED
APR 11 2006

Before the
SURFACE TRANSPORTATION BOARD



Docket No. AB-33 (Sub-No. 226X)
and AB-654X

216299

216308

**RESPONSE TO DECISION REOPENING PROCEEDING
PER DECISION ENTERED DECEMBER 15, 2005**

**IN RE: NOTICE OF
BROWNSVILLE & RIO GRANDE INTERNATIONAL
RAILROAD COMPANY
FOR EXEMPTION OF DISCONTINUANCE
AND
UNION PACIFIC RAILROAD COMPANY
FOR EXEMPTION OF ABANDONMENT**

Cameron County, Texas

UNION PACIFIC RAILROAD
COMPANY

MACK H. SHUMATE, JR., ESQ.
Senior General Attorney
101 North Wacker Drive
Room 1920
Chicago, IL 60606
(312) 777-2055

BROWNSVILLE & RIO GRANDE
INTERNATIONAL RAILROAD COMPANY

WILLIAM L. RENTFRO, ESQ.
LAW OFFICE OF WILLIAM L. RENTFRO, P.C.
302 E. Queen Isabella Blvd.
Port Isabel, TX 78578
(956) 943-2720

Dated: April 7, 2006

Before the
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 226X)
and AB-654X

**RESPONSE TO DECISION REOPENING PROCEEDING
PER DECISION ENTERED DECEMBER 15, 2005**

**NOTICE OF
BROWNSVILLE & RIO GRANDE INTERNATIONAL
RAILROAD COMPANY
FOR EXEMPTION OF DISCONTINUANCE
AND
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FOR EXEMPTION OF ABANDONMENT**

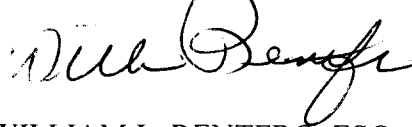
Cameron County, Texas

The Union Pacific Railroad Company ("UP") and the Brownsville & Rio Grande International Railroad Company ("B&RG") file this Notice of Compliance with the conditions imposed by the Board's decision to reopen the referenced proceeding entered on December 15, 2005, and would show as follows:

1. **Certification of Notice and Consultation.** The counsel for B&RG, on behalf of B&RG and UP, consulted with and/or provided notice to, as directed, each of the agencies designated in the Board's decision to reopen.
2. **Certification of Response.** In each case, the response of the Agency was approving of the abandonment, discontinuation, and salvage. *See attached Affidavit of*

Compliance executed by Norma Torres, President and Chief Operating Officer of
B&RG.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Will Rentfro", written over the typed name.

MACK H. SHUMATE, JR., ESQ.
Senior General Attorney
101 North Wacker Drive
Room 1920
Chicago, IL 60606
(312) 777-2055
Attorney for UNION PACIFIC
RAILROAD COMPANY

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Attorney for BROWNSVILLE & RIO
GRANDE INTERNATIONAL RAILROAD
COMPANY

Dated: April 7, 2006.

**AFFIDAVIT OF COMPLIANCE WITH CONDITIONS IMPOSED BY DECISION IN
STB DOCKET NO. AB-33 (SUB-NO. 226X)**

THE STATE OF TEXAS *
 *
COUNTY OF CAMERON *

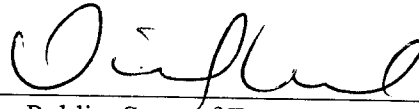
I, Norma Torres, being duly sworn, depose and state that I am President and Chief Operating Officer of the Brownsville & Rio Grande International Railroad ("BRG"), that I am authorized to make this Affidavit, and know the facts asserted herein are true and accurate as stated to the best of my knowledge, information, and belief.

Said Decision imposed upon Union Pacific Railroad ("UP") five conditions to granting of abandonment authority. BRG, on behalf of and with the cooperation of UP, has addressed those conditions. The responses to those conditions are listed as follows:

1. "UP shall consult with Texas Coastal Coordination Council to determine whether coastal zone consistency certification in accordance with the Texas Coastal Zone Program is required." BRG counsel contacted the Texas Coastal Coordination Council, and received confirmation that there is no need for coastal zone consistency certification in this case.
2. "UP shall notify the National Geodetic Survey 90 days prior to the onset of salvage activities in order to plan for the possible relocation of one geodetic marker by the NGS." BRG counsel contacted Mr. Simon Monroe of the NGS, providing evidence that the marker identified is more than two miles distant from the subject area at its nearest point and will be unaffected by the salvage operations.
3. The requirement regarding consultation with U.S. Fish and Wildlife and Texas Parks and Wildlife has been satisfied; the response of Texas Parks and Wildlife was attached to the original Notice of Exemption as Exhibit F, and the response from U.S. Fish and Wildlife has since been received indicating no adverse impact on Federally listed species, nor any adverse modification of any area designated critical habitats.
4. UP and BRG have consulted with the U.S. Environmental Protection Agency regarding potential right-of-way contamination and possible need for a Section 402 stormwater permit, and has been advised by the USEPA that there is no need for such a permit, nor any concerns regarding right-of-way contamination.
5. UP and BRG have consulted with the U.S. Army Corps of Engineers, and have been advised that no permit under Section 404 is required.


Norma Torres

SUBSCRIBED and SWORN TO before me this 6 day of April, 2006



Notary Public, State of Texas

