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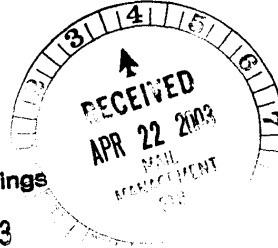
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GOVERNMENT RELATIONS

April 22, 2003

(\*\*Admitted in Ohio only)  
(\*\*\*Admitted in New York only)

Hon. Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, D.C. 20423

ENTERED  
Office of Proceedings  
APR 22 2003  
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Public Record



Re: Finance Docket No. 34292; *Santa Clara Valley Transportation Authority*  
--Acquisition Exemption -- *Certain Assets of Union Pacific Railroad*  
*Company*

Dear Sir:

I am enclosing for filing the original and 10 copies of Santa Clara Valley Transportation Authority's Notice of Withdrawal of its Motion to Dismiss and Vacate in the above-referenced proceeding. An extra copy is enclosed for date stamp and return to our messenger. Please note that a copy of this document is provided on the 3.5-inch diskette, which is also enclosed.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Charles A. Spitulnik'. The signature is fluid and cursive, with a large, stylized 'S' at the end.

Charles A. Spitulnik

Enclosures

cc: Joseph H. Dettmar

ENTERED  
Office of Proceedings

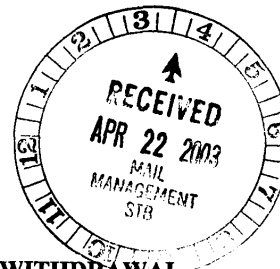
APR 22 2003

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207678  
BEFORE THE  
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 34292

SANTA CLARA VALLEY TRANSPORTATION AUTHORITY  
--ACQUISITION EXEMPTION --  
UNION PACIFIC RAILROAD COMPANY



**SANTA CLARA VALLEY TRANSPORTATION AUTHORITY'S NOTICE OF WITHDRAWAL  
OF ITS MOTION TO DISMISS AND VACATE**

The Santa Clara Valley Transportation Authority ("VTA") hereby files this notice advising the Surface Transportation Board ("Board") that it is withdrawing the pending Motion to Dismiss and Vacate VTA filed in this proceeding on December 31, 2002.

On December 4, 2002, VTA, a non-carrier, filed a Verified Notice of Exemption ("NOE") with respect to its acquisition from Union Pacific Railroad Company of approximately 14.88 miles of railroad right-of-way and related improvements known as the "WP Milpitas Line" located in Alameda and Santa Clara Counties, California (STB Service Date December 26, 2002). VTA then filed a Motion To Dismiss And Vacate The Notice Of Exemption. The Motion to Dismiss and Vacate remains pending. VTA respectfully requests the Board to permit VTA to withdraw that Motion.

Respectfully submitted,

Charles A. Spitulnik  
Alex Menendez  
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One Massachusetts Avenue, N.W.  
Suite 800  
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(202) 842-2345

Attorneys for Santa Clara Valley  
Transportation Authority

Dated: April 23, 2003