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THOMAS F MCFARLAND

July 16, 2012

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By e-filing

Ms. Cynthia T. Brown, Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20024

ENTERED
Office of Proceedings
July 16, 2012
Part of
Public Record

Re: Docket No. AB-33 (Sub-No. 277X), *Union Pacific Railroad Company --
Abandonment Exemption -- in Lafourche Parish, LA*

Dear Ms. Brown:

This is a joint request in behalf of Valentine LLC, 129 Valentine Drive, Lockport, LA 70374 (Valentine), and Bollinger Shipyards, Inc., 8365 Hwy. 308 South, Lockport, LA 70374 (Bollinger), that they be afforded adequate notice and an opportunity to be heard in regard to any action that Union Pacific Railroad Company (UP) and BNSF Railway Company (BNSF) may jointly propose as a result of private negotiations currently being undertaken between them.

Valentine is currently a party of record in this proceeding. Valentine is a potential rail shipper over the Lockport Branch. Valentine's chemical plant is located near the end of the Lockport Branch.

Bollinger will become a party of record by virtue of this filing. Bollinger is a potential rail shipper over the Lockport Branch. Bollinger's rail shipping facilities are located approximately at Milepost 10 on the Lockport Branch.

On or about June 12, 2012, UP and BNSF filed a Joint Motion to Hold Proceedings in Abeyance while they attempted a privately negotiated resolution of the issues in the proceedings.

In a decision served on June 15, 2012, the Board granted that Joint Motion.

Based on the record developed to date, Valentine and Bollinger believe that it is clear that BNSF has authority from the Board to operate over the Lockport Branch, and that UP's abandonment of the Lockport Branch cannot be lawfully consummated unless and until BNSF's authority to operate over the Lockport Branch is lawfully discontinued.

THOMAS F. MCFARLAND

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The Board should make it clear that Valentine and Bollinger will be provided with adequate notice and an adequate opportunity to be heard in regard to any action that may result from private negotiations between UP and BNSF.

Very truly yours,

A handwritten signature in black ink that reads "Tom McFarland". The signature is written in a cursive, slightly slanted style.

Thomas F. McFarland
*Attorney for Valentine LLC and
Bollinger Shipyard, Inc.*

TMcF:kl:wp8.0\1519\efSTB8

cc: *(by e-mail)*

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