

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC

STB DOCKET NO AB-103
(SUB-NO 21X)

220634

THE KANSAS CITY SOUTHERN RAILWAY COMPANY
- - ABANDONMENT PETITION FOR EXEMPTION - -
LINE IN WARREN COUNTY, MS

STB DOCKET NO AB-1016X

220636

VICKSBURG SOUTHERN RAILROAD, INC
- - DISCONTINUANCE OF SERVICE PETITION FOR EXEMPTION - -
IN WARREN COUNTY, MS

COMMENTS IN SUPPORT OF A EXEMPTION REQUEST

CITY OF VICKSBURG, MISSISSIPPI
1401 Walnut Street
Vicksburg, MS 39150

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COMMENTS IN SUPPORT OF A EXEMPTION RE QUEST

By petition filed on August 24, 2007, The Kansas City Southern Railway Company ("KCS") and Vicksburg Southern Railroad, Inc ("VSOR") sought authority to abandon, and discontinue operations over, approximately 4.25 miles of rail line in Warren County, MS. In its petition, KCS requested that it be exempt from the provisions of 49 U.S.C. §10904 regarding the filing of offers of financial assistance ("OFA") in abandonment proceedings. On October 2, 2007, Mr. Raymond B. English ("English") filed a "Reply to Petitioner's Request to be Exempt From 49 U.S.C. §10904" whereby English requested that the Surface Transportation Board ("STB") deny KCS's request to be exempt from the OFA process. The City of Vicksburg ("City") hereby files in support of KCS's request.

The City understands that the STB has to balance the needs of the shipper and the public need for abandonment. The City supports the exemption request in light of Lake's filing stating

that leaving the rail line will have such significant impacts as to make its development uneconomic and therefore, unlikely to happen

Based on the economic benefits to the citizens of the City of Vicksburg, the right-of-way is needed for a valid public purpose which is greater than the public need for continued rail service over the right-of-way. There is a genuine public need for granting the abandonment and it is not driven solely by the desire to use the right-of-way ("ROW") for a trail, but for the benefits that a \$230 Million dollar project will bring to the Vicksburg community.

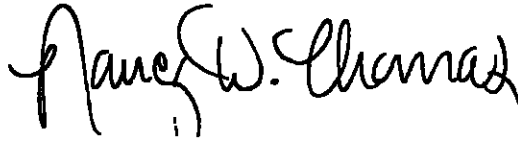
The Lake's development would bring to Vicksburg approximately 1900 full and part time jobs with an annual payroll over \$21 Million dollars, over \$2 Million in annual property taxes for the city, county and school district, not to mention the sales tax revenue to the state, and city. Not only is this an economic benefit to the citizens, it is a quality of life benefit as well because the city would use the abandoned tracks as a trail. Conversion of the line's ROW to a trail would result in a new recreational feature for Vicksburg residents, along with a proposed golf course and public park facilities connected by the trail. In addition, removal of the line would eliminate five at-grade crossings so that traffic flow and public safety would be improved, and there are no significant environmental impacts, associated with abandoning the line and salvaging the tracks. Clearly the ROW is needed for a valid public benefit.

With all due respect to Mr. English, his company, Foam Packaging, is the only shipper on the railroad line out of numerous industries further south of him along the right-of-way. None of those industries use the rail now, nor do they have any interest in so using the rail as has been represented to the City. The City understands that KCS has agreed to work with Foam to move Foam's transload location from the existing ROW to another location on RCS's tracks but a few miles away. Hopefully, this can be accomplished without any significant increase in cost to Foam Packaging. When compared to the loss of significant economic development caused by continued rail service over the ROW, the inconvenience to Foam Packaging is minimal.

The City believes that the economic development opportunities along with the recreational trail are a valid public purpose for the ROW. As such, RCS's request to be exempted from the OFA process is more than justified. Accordingly, the City supports RCS's request for an

exemption from the OFA process.'

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nancy D. Thomas". The signature is fluid and cursive, with the first name "Nancy" being more prominent than the last name "Thomas".

Nancy D Thomas Vicksburg
Legal Department P O Box 150
Vicksburg, MS 39181

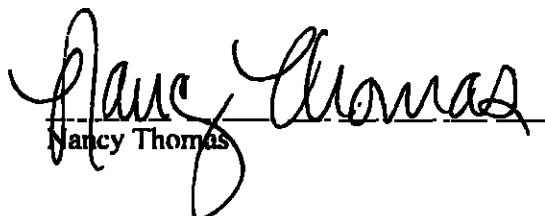
Attorney for the City of Vicksburg, MS

Dated November 2, 2007

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing Comments In Support of An OFA Exemption Request by mailing copies of the same via prepaid first class mail to all parties of record in these proceedings

Dated at Vicksburg, MS, this 2nd day of November 2007


Nancy Thomas