

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2875

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

MYLES L. TOBIN
(312) 252-1502
mtobin@fletcher-sippel.com

March 28, 2005

VIA ELECTRONIC FILING

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W., Room 700
Washington, DC 20006

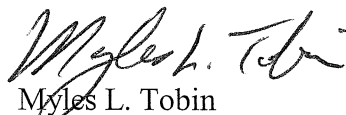
Re: **Finance Docket No. 29910 (Sub-No. 1)**
D&I Railroad Company – Notice of Interim Trail Use and
Termination of Modified Rail Certificate
Motion To Extend Time To Negotiate Interim Trail Use Agreement

Dear Secretary Williams:

Enclosed for electronic filing in the above-captioned proceeding please find a **Joint Motion To Extend Time To Negotiate Interim Trail Use Agreement**, dated March 24, 2005, and filed on behalf of D&I Railroad Company and the State of South Dakota.

If you have any questions regarding this filing, please feel free to contact me.
Thank you for your assistance on this matter.

Respectfully submitted,



Myles L. Tobin
Attorney for State of South Dakota

Enclosure

cc: Mr. Jack Parliament, President, D&I Railroad Company

BEFORE THE
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 29910 (Sub-No. 1)

D & I RAILROAD COMPANY --
NOTICE OF INTERIM TRAIL USE AND
TERMINATION OF MODIFIED RAIL CERTIFICATE

**JOINT MOTION TO EXTEND TIME TO
NEGOTIATE INTERIM TRAIL USE AGREEMENT**

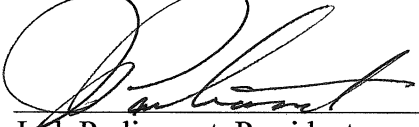
On September 14, 2004, D&I Railroad Company (“D&I”) filed with the Board a Notice of Intent to Terminate Service under a Modified Certificate over a rail line extending 1.38 miles between milepost 70.1 (near East 11th Street) and milepost 71.48 (East Junction) in Sioux Falls, South Dakota. On that same date, the South Dakota Department of Transportation (“SDDOT”) filed a Request for Issuance of a Notice of Interim Trail Use (“NITU”) under the National Trails System Act, 16 U.S.C. 1247(d), for the rail line.

The Board issued a NITU under 16 U.S.C. 1247(d), which was served on October 6, 2004, allowing D&I until April 4, 2005, to negotiate a interim trail use/rail banking agreement with SDDOT.

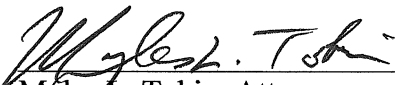
Negotiations are currently continuing in good faith between D&I and SDDOT. However, more time is needed to finalize negotiations. Both parties are agreeable to an extension of time to continue negotiations under the NITU condition.

D&I and SDDOT request that the period prescribed to negotiate an interim trail use/rail banking agreement for the rail corridor between milepost 70.1 and milepost 71.48 in Sioux Falls, South Dakota be extended for 180 days.

Respectfully submitted,

By: 

Jack Parliament, President
D&I Railroad Company
P.O. Box 5829
Sioux Falls, South Dakota 57117
(605) 334-5000

By: 

Myles L. Tobin, Attorney
State of South Dakota

Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, Illinois 60606
(312) 252-1500

Dated: March 24, 2005