

FROM IC RAILROAD LAW DEPT

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Via First Class Mail and Fax

October 21, 2002

4 PAGES

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001

Re: Docket No. AB-303 (Sub-No. 20X), Wisconsin Central Ltd. —
Abandonment Exemption, Brown County, Wisconsin — Petition
for Extension of Notice of Interim Trail Use

Dear Secretary Williams:

Enclosed for filing are the original and ten copies of Wisconsin Department of Natural Resources' and Wisconsin Central Ltd.'s Joint Petition for Extension of Notice of Interim Trail Use. Please date stamp the extra copy of the transmittal letter and return it in the envelope provided.

Very truly yours,

Michael J. Barron, Jr.
Counsel for Wisconsin Central Ltd.

Encls.

cc: Allyn Lepaske

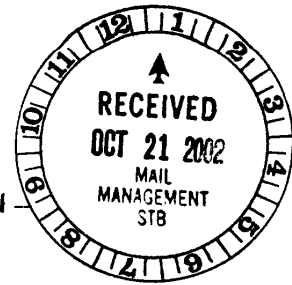
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Public RecordBEFORE THE
SURFACE TRANSPORTATION BOARD

AB-303 (SUB-NO. 20X)

WISCONSIN CENTRAL LTD. - ABANDONMENT EXEMPTION
IN BROWN COUNTY, WISCONSINWISCONSIN DEPARTMENT OF NATURAL RESOURCES
MOTION TO EXTEND TIME TO NEGOTIATE A NOTICE OF INTERIM TRAIL USE

BACKGROUND

The Wisconsin Central Ltd. (WCL) filed with the Surface Transportation Board (Board) a petition under 49 U.S.C. 1152.50 for an exempt abandonment over a line of railroad extending from railroad milepost 198.37 to milepost 200.0 in Green Bay, Brown County, Wisconsin, a distance of 1.63 miles of railroad. The line traverses U.S. Postal Service ZIP codes 54303 and 54304. The Board served its decision under service date of October 19, 1999, that requires trail/use banking requests under 49 CFR 1152.29 to be filed by October 29, 1999.

On October 27, 1999, the State of Wisconsin Department of Natural Resources (WisDNR) signed a Statement of Willingness to Accept Financial Responsibility pursuant to 49 C.F.R. § 1152.29. This statement is for the segment of WCL railroad line extending from railroad milepost 198.37 to milepost 200.0 in Green Bay, Brown County, Wisconsin, a distance of 1.63 miles of railroad.

On October 28, 1999, the Wisconsin Department of Transportation on behalf of the Wisconsin Department of Natural Resources filed a request for a notice of interim trail use/rail banking (NITU) under 16 U.S.C. 1247(d) and 49 CFR 1152.29. WCL indicated its willingness to negotiate with WisDNR for interim trail use.

The Board issued a NITU under 49 CFR 1152.29, which was served on November 17, 1999, allowing the WisDNR the full 180 days from date of service or until May 16, 2000, to negotiate a rail banking agreement with WCL.

In a joint petition filed on May 3, 2000, WCL and WisDOT for WisDNR filed a request for an additional 180 day extension of the negotiating period. WCL was agreeable to an extension of the negotiating period for the right-of-way between milepost 198.37 and milepost 199.84. The Board issued a NITU under 49 CFR 1152.29, which was served on May 11, 2000, allowing the WisDNR until November 12, 2000, to negotiate a rail banking agreement with WCL for the right-of-way between milepost 198.37 and milepost 199.84.

In a joint petition filed on October 30, 2000, WCL and WisDOT for WisDNR filed a request for an additional 180 day extension of the negotiating period. WCL was agreeable to an extension of the negotiating period for the right-of-way between milepost 198.37 and milepost 199.84. The Board issued a NITU under 49 CFR 1152.29, which was served on November 9, 2000, allowing the WisDNR until May 11, 2001, to negotiate a rail banking agreement with WCL for the right-of-way between milepost 198.37 and milepost 199.84.

In a joint petition filed on May 8, 2001, WCL and WisDOT for WisDNR filed a request for an additional 180 day extension of the negotiating period. WCL was agreeable to an extension of the negotiating period for the right-of-way between milepost 198.37 and milepost 199.84. The Board issued a NITU under 49 CFR 1152.29, which was served on May 11, 2001, allowing the WisDNR until November 7, 2001, to negotiate a rail banking agreement with WCL for the right-of-way between milepost 198.37 and milepost 199.84.

In a petition filed on November 17, 2001, WisDNR filed a request for an additional 180 day extension of the negotiating period. WCL was agreeable to an extension of the negotiating period for the right-of-way between milepost 198.37 and milepost 199.84. The

Board issued a NITU under 49 CFR 1152.29, which was served on November 19, 2001, allowing the WisDNR until May 6, 2002, to negotiate a rail banking agreement with WCL for the right-of-way between milepost 198.37 and milepost 199.84.

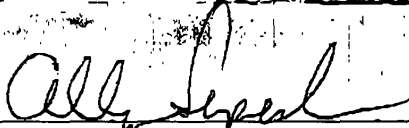
In a petition filed on April 23, 2002, WisDNR filed a request for an additional 180 day extension of the negotiating period. WCL was agreeable to an extension of the negotiating period for the right-of-way between milepost 198.37 and milepost 199.84. The Board issued a NITU under 49 CFR 1152.29, which was served on May 3, 2002, allowing the WisDNR until November 3, 2002, to negotiate a rail banking agreement with WCL for the right-of-way between milepost 198.37 and milepost 199.84.

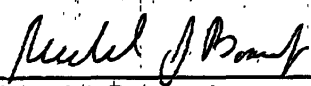
WisDNR made an initial timely offer to WCL. Negotiations are currently continuing in good faith between WisDNR and WCL. However, more time is needed to finalize negotiations. WCL is agreeable to an extension of time to continue negotiations under a NITU condition for milepost 198.37 to milepost 199.84.

MOTION

Therefore, WisDNR and WCL move that the period prescribed to negotiate an interim trail use/rail banking agreement be extended for 180 days from milepost 198.37 to milepost 199.84.

Respectfully submitted,


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