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Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
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tom.healey@cn.ca

221420

January 25, 2008

Via Overnight Mail

Ms. Anne K. Quinlan,
Acting Secretary
Surface Transportation Board
395 E. Street, N.W.
Washington, D.C. 20424

ENTERED
Office of Proceedings

JAN 28 2008

Part of
Public Record



Re: Docket No AB-303 (Sub-No. 30X), Wisconsin Central Ltd.
Abandonment Exemption in Manitowoc, Manitowoc County, Wisconsin

Dear Secretary Quinlan:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the Verified Notice of Exemption of Wisconsin Central Ltd. dated January 25, 2008, pursuant to 49 C.F.R. § 1152.50. I am also enclosing a check in the amount of \$3,200.00, representing the appropriate fee for this filing.

One extra copy of this transmittal letter is enclosed as well. Please date stamp this copy to show receipt and return it to me in the enclosed envelope.

The Environmental and Historic Reports for this proceeding have already been filed with the Board. Feel free to contact me if you have any questions. Thank you for your assistance in this matter.

FILED
JAN 28 2007
**SURFACE
TRANSPORTATION BOARD**

Respectfully submitted,

Thomas J. Healey
Attorney for Wisconsin Central Ltd

Encls.

cc: Wisconsin Department of Transportation

FEE RECEIVED

JAN 28 2007

**SURFACE
TRANSPORTATION BOARD**

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB-303 (SUB-NO. 30X)

**WISCONSIN CENTRAL LTD.
— ABANDONMENT EXEMPTION —
IN MANITOWOC, MANITOWOC COUNTY, WISCONSIN**

**VERIFIED NOTICE OF EXEMPTION OF
WISCONSIN CENTRAL LTD.
PURSUANT TO 49 C.F.R. § 1152.50**

**Thomas J. Healey
17641 S. Ashland Avenue
Homewood, IL 60430-1345
(708) 332-4381
ATTORNEY FOR
WISCONSIN CENTRAL LTD.**

Dated. January 25, 2008

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-303 (Sub-No. 30X)

WISCONSIN CENTRAL LTD.
- ABANDONMENT EXEMPTION -
IN MANITOWOC, MANITOWOC COUNTY, WISCONSIN

**VERIFIED NOTICE OF EXEMPTION OF
WISCONSIN CENTRAL LTD.
PURSUANT TO 49 C.F.R. § 1152.50**

Wisconsin Central Ltd. ("WCL") hereby submits this Notice of Exemption pursuant to 49 C.F.R. Part 1152, Subpart F, to abandon its line of railroad in Manitowoc, Manitowoc County, Wisconsin, referred to herein as the "Line" between milepost 43.14 and milepost 44.30, a distance of 1.16 miles.

In accordance with the requirements of 49 C.F.R. § 1152.50(d)(2), WCL submits the following information:

General Corporation Information: 49 C.F.R. § 1152.22(a)(1)-(2)

WCL is a Class I common carrier by rail which owns and operates approximately 1,800 miles of rail line in four Upper Midwestern states. WCL is a wholly-owned subsidiary of Canadian National Railway Company. The complete name and address of WCL is:

Wisconsin Central Ltd.
17641 S. Ashland Avenue
Homewood, IL 60430-1345

Relief Sought: 49 C.F.R. § 1152.22(a)(3)

Pursuant to the Board's class exemption for the abandonment of out-of-service rail lines, codified at 49 C.F.R. Part 1152, Subpart F, WCL intends to abandon its line of railroad between Mileposts 43.14 to 44.30, a distance of approximately 1.16 miles in Manitowoc, Manitowoc County, Wisconsin.

Map: 49 C.F.R. § 1152.22(a)(4)

A map of the Line to be abandoned is attached hereto as Exhibit A.

WCL's Representative: 49 C.F.R. § 1152.22(a)(7)

WCL's representative to whom correspondence regarding this abandonment should be sent is:

Thomas J. Healey
17641 S. Ashland Avenue
Homewood, IL 60430-1345
(708) 332-4381

ZIP Codes Traversed: 49 C.F.R. § 1152.22(a)(8)

The portion of the Line to be abandoned traverses United States Postal Service ZIP Code 54220.

Qualification for Class Exemption: 49 C.F.R. § 1152.50(b)

Per the certificate and verification attached hereto as Exhibit B, WCL certifies that no local revenue traffic has moved over the portion of the Line to be abandoned for at least the last two years, there is no overhead traffic on this trackage that would have to be rerouted over other lines, and no formal complaint filed by a user of rail service on the portion of the Line to be abandoned (or a state or local governmental entity acting on behalf of such user) regarding cessation of service on the proposed abandonment is pending with the Board or any U.S. District Court or has been decided in favor of the complainant during the last two years.

Consummation Date: 49 C.F.R. § 1152.50(d)(2)

WCL will not consummate the proposed abandonment until it has reached a Memorandum of Agreement with the State Historic Preservation Officer.

Suitability for Other Public Purposes: 49 C.F.R. § 1152.22(e)(4)

WCL does not believe that the right-of-way would be of interest to the State or any other entity as a highway or mass transportation line or other similar public use because it sits in a highly developed urban area with a mature roadway system. WCL has contracted with Burger Boat Company to sell their interest in a part of this land once the abandonment authority is consummated.

Labor Protection: 49 C.F.R. 1152.50(d)(2)

The level of labor protection applicable in rail line abandonment's is that established in *Oregon Short Line Co. — Abandonment — Goshen*, 360 I.C.C. 91 (1979).

Certificate of Compliance with Notice Requirements: 49 C.F.R. § 1152.50(d)(2)

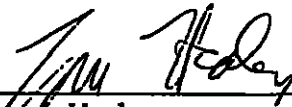
A certificate that the notice of requirements of 49 C.F.R. § 1152(d)(1) and 49 C.F.R. § 1105.11 have been complied with is attached hereto as Exhibit C.

Environmental and Historic Report: 49 C.F.R. §§ 1105.7 and 1105.8

An Environmental Report and Historic Report, prepared pursuant to 49 C.F.R. §§ 1105.7 and 1105.8, were already filed with the Surface Transportation Board in this proceeding.

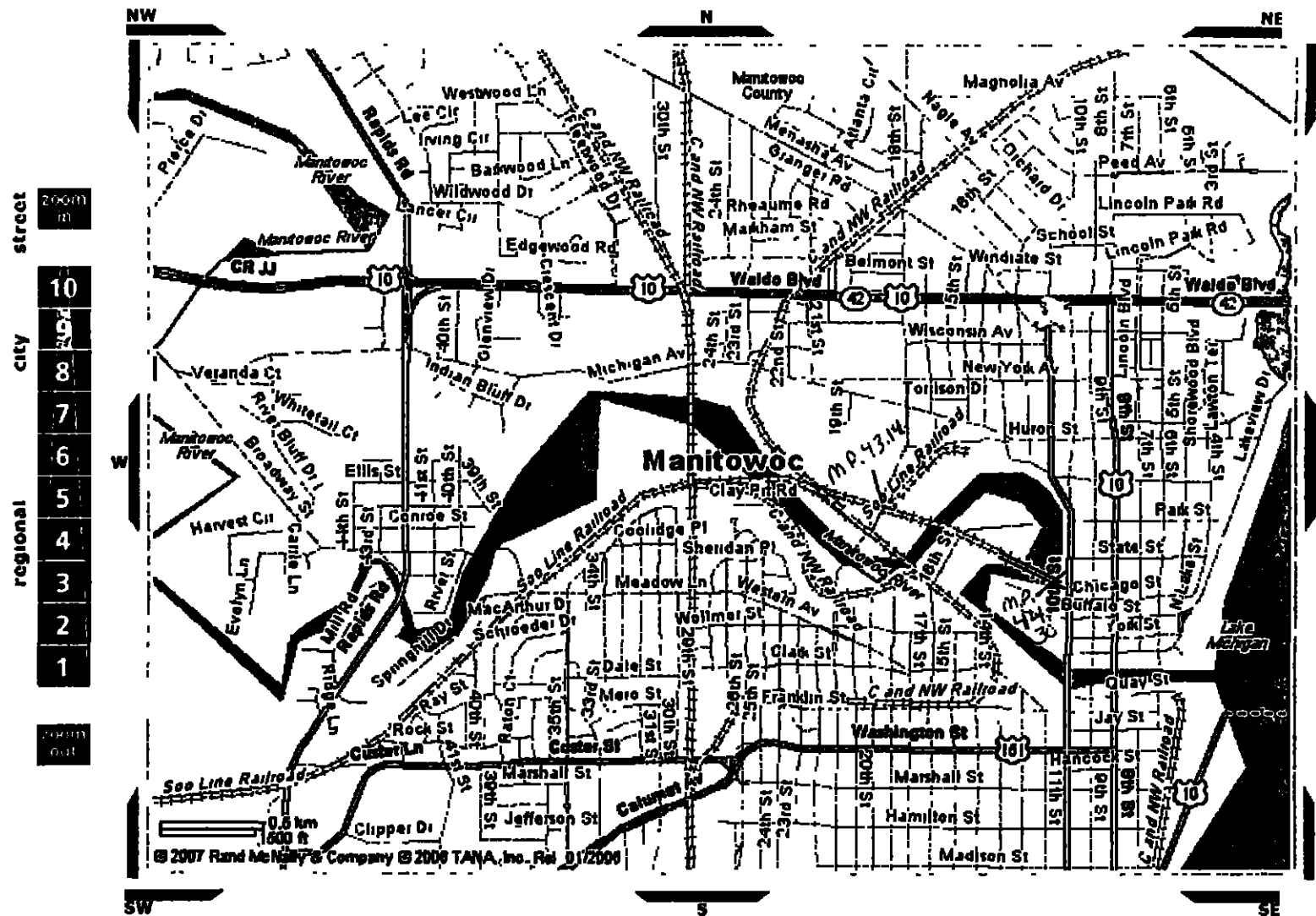
If WCL receives additional correspondence, it will forward copies to the STB.

Respectfully submitted,

By 
Thomas J. Healey
17641 S. Ashland Avenue
Homewood, IL 60430-1345
(708) 332-4381

ATTORNEY FOR WISCONSIN CENTRAL LTD.

Dated: January 25, 2008



DOCKET NO. AB-303 (SUB-NO. 30X)

**WISCONSIN CENTRAL LTD.
— ABANDONMENT EXEMPTION —
IN MANITOWOC, MANITOWOC COUNTY, WISCONSIN**

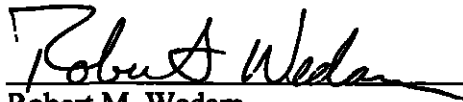
CERTIFICATE AND VERIFICATION

STATE OF ILLINOIS)
) ss
COUNTY OF COOK)

Robert M. Wedam, being duly sworn, deposes and says:

1. That no local traffic has moved over the line of Wisconsin Central Ltd. ("WCL") from milepost 43.14 to 44.30, a distance of 1.16 miles in Manitowoc, Manitowoc County, Wisconsin, for at least two years, and that there is no overhead traffic to be rerouted over other lines; and
2. That no formal complaint filed by a user of rail service on the subject line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the line is either pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of the complainant within the last two years; and
3. That he has read the foregoing Notice of Exemption, knows the facts therein asserted, and that the same are true as stated.

Date: January 25, 2008


Robert M. Wedam
Senior Manager – Network Strategies
Wisconsin Central Ltd.

Subscribed and sworn to before me
this 25 day of January, 2008.

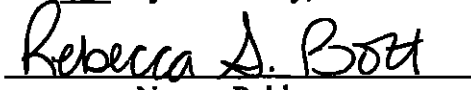

Notary Public

EXHIBIT B

OFFICIAL SEAL
REBECCA S BOTT
Notary Public - State of Illinois
My Commission Expires Jun 8, 2010

EXHIBIT C

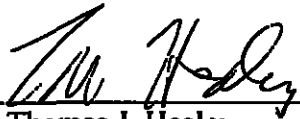
CERTIFICATE

I, Thomas J Healey, an attorney for Wisconsin Central Ltd., hereby certify that, for the proceeding before the Surface Transportation Board known as Docket No. AB-303 (Sub-No. 30X), Wisconsin Central Ltd. — Abandonment Exemption — in Manitowoc, Manitowoc County, Wisconsin:

(1) The notice requirements of 49 C.F.R. § 1152.50(d)(1) have been complied with, to-wit: On November 5, 2007, written notice was mailed to the: (a) Wisconsin Department of Transportation; (b) U.S. Department of Defense, MTMC/TLA; (c) U.S. Department of Agriculture, and (d) National Center for Recreation and Conservation (copies of which are attached hereto as Attachments 1-4).

(2) The notice requirements of 49 C.F.R. § 1105.11 have been complied with, to wit: On September 28, 2007, the Environmental Report and Historic Report for this proceeding, which reports have also been filed with the Surface Transportation Board, and the accompanying transmittal letters in the form set forth in 49 C.F.R. § 1105.11 (a sample of which is attached hereto as Attachment 5) were served by first class mail, postage prepaid, on the parties listed on Attachment 6, which list includes the state historic preservation officer, as required by 49 C.F.R. § 1105.7(b) and § 1105.11.

(3) A newspaper notice was published on May 3, 2007, in The Herald-Times Reporter, a newspaper of general circulation in Manitowoc County, Wisconsin. The notice alerted the public to the proposed abandonment, to possible reuse alternatives, and to procedures for participating in the STB proceeding. A copy of the notice and Affidavit of Publication are attached to this Certificate as Attachment 7.



Thomas J. Healey

Dated: January 25, 2008



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

November 5, 2007

Mr. Allyn Lepeska, Attorney
Wisconsin Department of Transportation
4802 Sheboygan Ave., Room 115B
PO Box 7910
Madison, WI 53707

Re Docket No. AB-303 (Sub-No. 30X), Wisconsin Central Ltd.
Notice of Exemption in Manitowoc, Manitowoc County, Wisconsin

Dear Sir/Madam:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Wisconsin Central Ltd. shall on or after November 16, 2007, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 1.16 miles of railroad line between milepost 43.14 and milepost 44.30 in Manitowoc, Manitowoc County, Wisconsin. Such line runs through U.S. Postal Zip Code 54220.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey
Attorney for Wisconsin Central Ltd.



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Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

November 5, 2007

United States Department of Defense
MTMCTEA
Attn: Railroads for National Defense
720 Thimble Shoals Blvd., Suite 130
Newport News, VA 23606-2574

Re: Docket No. AB-303 (Sub-No. 30X), Wisconsin Central Ltd.
Notice of Exemption in Manitowoc, Manitowoc County, Wisconsin

Dear Sir/Madam:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Wisconsin Central Ltd. shall on or after November 16, 2007, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 1.16 miles of railroad line between milepost 43.14 and milepost 44.30 in Manitowoc, Manitowoc County, Wisconsin. Such line runs through U.S. Postal Zip Code 54220.

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Sincerely,

Thomas J. Healey
Attorney for Wisconsin Central Ltd.



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Law

Thomas J. Healey
Counsel - Regulatory

17641 S Ashland Avenue
Homewood IL 60430 1339

T - 708-332-4381
F - 708 332-4361
tom.healey@cn.ca

November 5, 2007

Mr Dale Bosworth
Chief, Forest Service
U S Department of Agriculture
1400 Independence Ave , S W
Washington, DC 20250

Re Docket No AB-303 (Sub-No 30X), Wisconsin Central Ltd
Notice of Exemption in Manitowoc, Manitowoc County, Wisconsin

Dear Sir/Madam

This is to inform you that pursuant to 49 C F R § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Wisconsin Central Ltd. shall on or after November 16, 2007, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 1.16 miles of railroad line between milepost 43.14 and milepost 44.30 in Manitowoc, Manitowoc County, Wisconsin. Such line runs through U S Postal Zip Code 54220

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Sincerely,

Thomas J. Healey
Attorney for Wisconsin Central Ltd.



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Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

November 5, 2007

Mr. Thomas Ross
Division Chief
National Center for Recreation and Conservation
National Park Service
1849 C Street, N.W.
Org. Code 2220
Washington, D.C. 20420

Re: Docket No. AB-303 (Sub-No. 30X), Wisconsin Central Ltd.
Notice of Exemption in Manitowoc, Manitowoc County, Wisconsin

Dear Sir/Madam:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Wisconsin Central Ltd. shall on or after November 16, 2007, file a Notice of Exemption with the Surface Transportation Board for approval to abandon approximately 1.16 miles of railroad line between milepost 43.14 and milepost 44.30 in Manitowoc, Manitowoc County, Wisconsin. Such line runs through U.S. Postal Zip Code 54220.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and any potential overhead traffic on this line can be rerouted over other lines. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

Thomas J. Healey
Attorney for Wisconsin Central Ltd.



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

September 28, 2007

Re: Wisconsin Central Ltd. Notice of Exemption for Abandonment – Manitowoc, Manitowoc County, Wisconsin - Docket AB-303 (Sub-No. 30X)

To Whom It May Concern:

Any time on or after October 31, 2007, Wisconsin Central Ltd. ("WCL") expects to file with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon a railroad line located between milepost 43.14 and milepost 44.30, a distance of 1.16 miles, in Manitowoc, Manitowoc County, Wisconsin. Enclosed is an Environmental Report and a Historic Report describing the proposed action and any expected environmental and historical effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental and historical analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental and historic review process, please contact their Section of Environmental Analysis (SEA), at the Surface Transportation Board, 395 E Street, SW, Washington, D.C. 20423-0001, (202) 245-0245, and refer to the above docket number.

WCL will file the Environmental Report and Historic Report with the STB on or about September 28, 2007. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the STB (with a copy to the undersigned) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and historical impact of the contemplated action.

If there are any questions concerning this proposal, please contact the undersigned directly at (708) 332-4381 or by mail at the above address.

Sincerely,

Thomas J. Healey
Attorney for Wisconsin Central Ltd.

Encls.

ATTACHMENT 5

Mr. Sherman Banker
State Historic Preservation Officer
Wisconsin Historical Society
816 State Street
Madison, WI 53706

Mr. Greg Minikel
City of Manitowoc
Engineering Department
900 Quay Street
Manitowoc, WI 54220

Mr. Kenneth A. Westlake
Chief, NEPA Implementation Section
US EPA Region 5
77 W. Jackson Blvd.
Chicago, IL 60604

Wisconsin Coastal Management Program
Department of Administration
101 East Wilson Street, 10th Floor
PO Box 8944
Madison, WI 53708

Mr. James N. Brey
Manitowoc County Board of
Supervisors Chairperson
Manitowoc County Courthouse
1010 South 8th Street
Manitowoc, WI 54220

U.S. Fish & Wildlife Service
505 Science Drive
USGA/CAPP
Madison, WI 53711-1016

US Army Corp of Engineers
Sibley Square at Mears Park
190 5th Street East, Suite 401
St. Paul, MN 55101-1638

Mr. William D. Shaddox
Chief, Land Resources Division
National Park Service
1201 Eye Street, NW, 9th Floor
Washington, DC 20025

Mr. Bruce Riesterer
Natural Resources Conservation Service, USDA
Manitowoc County Office Complex
4319 Expo Drive, P.O. Box 578
Manitowoc, WI 54221-0578

Mr. John T. Ellingson
State Geodetic Advisor
Wisconsin Dept. of Transportation
3502 Kinsman Blvd.
Madison, WI 53704

ATTACHMENT 6

Wisconsin Department of Natural Resources
Attn: Director
101 S Webster Street
PO Box 7921
Madison, WI 53726

Wisconsin DNR Fish, Forest, Wildlife, Water
2220 E City Highway V
Mishicot, WI 54228

Mr. Jim Ruffolo
Executive Vice President & COO
Burger Boat Company
1811 Spring Street
Manitowoc, WI 54220

Mr. Greg Minikel
City of Manitowoc
Engineering Department
900 Quay Street
Manitowoc, WI 54220

ABANDONMENT OF 1.6 MILES OF LINE OF RAILROAD BETWEEN
MILEPOST 43.14 AND MILEPOST 44.30 IN MANITOWOC
WISCONSIN CENTRAL LTD.

SS.

Personally appeared before me

who, being duly sworn, says that he is

[Signature]

COMMISSION EXPIRES 11/14/10

[illegible]

WNAXLP
May '3, 2007