



Wisconsin Department of Transportation

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ENTERED
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FEB 20 2004

February 19, 2004

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Part of
Public Record

Mr. Vernon A. Williams, Secretary
Office of the Secretary
Surface Transportation Board, Room 1324
1925 K Street, N.W.
Washington, D.C. 20423-0001

210109



RE: **STB Docket No. AB-57 (Sub-No. 53X)** Soo Line Railroad Company--Abandonment
Exemption--In Racine County, WI -- Motion for Extension of Time to Reach
Agreement on a Notice of Interim Trail Use

Dear Mr. Williams:

Enclosed for filing are the original and ten (10) copies of the WisDNR's Motion for
Extension of Time to Reach Agreement on a Notice of Interim Trail Use.

Please date stamp and return the duplicate copy of this transmittal letter in the
prepaid, return mail envelope for verification of receipt. Thank you.

Sincerely,

Allyn Lepeska
Attorney

Enclosures

pc: Vicki Schaefer
Diane P. Gerth (Via Fax 612-335-1657)
Richard Steffes

2/0/09

BEFORE THE
SURFACE TRANSPORTATION BOARD



AB-57 (SUB-NO. 53X)

SOO LINE RAILROAD COMPANY -- ABANDONMENT OF TRACKAGE,
LOCATED IN RACINE COUNTY, WISCONSIN

ENTERED
Office of Proceedings

WISCONSIN DEPARTMENT OF NATURAL RESOURCES
PETITION FOR EXTENSION OF NOTICE OF INTERIM TRAIL USE

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BACKGROUND

On July 10, 2003, the Soo Line Railroad Company, Inc. d/b/a Canadian Pacific Railway Company ("Soo") filed with the Surface Transportation Board (Board) a Notice of Exemption pursuant to 49 U.S.C. § 10502 and the Commission's regulations at 49 C.F.R Part 1152.50. That Notice of Exemption is for Soo's abandonment of a 7.5 +/- mile portion of its line of railroad between Milepost 18.43 +/- (near Kansasville) and Milepost 25.93 +/- (in Burlington) in Racine County, Wisconsin, which traverses through United States postal zip codes 53139 and 53105.

On June 23, 2003, the 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 Canadian Pacific railroad from Kansasville M.P. 18.43 to Burlington M.P. 25.93 in Racine County, Wisconsin.

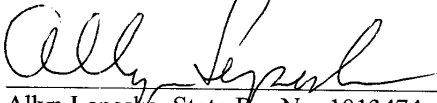
On August 4, 2003, the Wisconsin Department of Transportation (WisDOT) on behalf of the WisDNR filed a request for a notice of interim trail use/rail banking (NITU) under 16 U.S.C. 1247(d) and 49 C.F.R. 1152.29. Soo indicated its willingness to negotiate with the WisDNR for interim trail use. The Board issued a NITU under 49 C.F.R. 1152.29, which was served on August 28, 2003, allowing the City until February 24, 2003 to negotiate a rail banking agreement with Soo.

The WisDNR and Soo have had discussions but need more time to finalize the matter. The abandonment has not been consummated.

MOTION

Therefore, WisDOT respectfully requests that the Board extend the period prescribed to negotiate an interim trail use/rail banking agreement for an additional 180 days for the land corridor and related real property, including bridge structures, on a 7.5 +/- mile portion of the Soo line of railroad between Milepost 18.43 +/- (near Kansasville) and Milepost 25.93 +/- (in Burlington) in Racine County for interim trail use and rail banking, pursuant to 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 to the City of Menomonie.

Respectfully submitted this 19th day of February, 2004,



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