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June 9, 2004

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JUN 10 2004
RECEIVED

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VIA FEDERAL EXPRESS

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

Re: **Docket No. AB-303 (Sub-No. 27)**
Wisconsin Central Ltd. -- Abandonment --
In Ozaukee, Sheboygan and Manitowoc Counties, WI

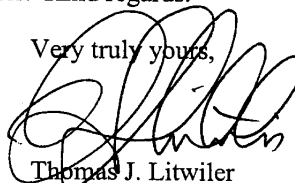
Dear Secretary Williams:

Attached for filing in the above-captioned proceeding at the Board pursuant to 49 C.F.R. § 1152.20(a)(1) is the **Notice of Intent to Abandon Service** of Wisconsin Central Ltd. regarding a line of railroad extending between Saukville and Kiel in Ozaukee, Sheboygan and Manitowoc Counties, Wisconsin. I certify that a copy of the Notice has been served on all persons designated in 49 C.F.R. § 1152.20(a)(2), has been posted pursuant to 49 C.F.R. § 1152.20(a)(3), and is being published pursuant to 49 C.F.R. § 1152.20(a)(4), each as shown on the listing attached to the Notice.

Ten copies of this letter, with attachment, are enclosed for filing at the Board. One extra copy also is enclosed, and I would request that you date-stamp that copy to show receipt of this filing and return it to me in the provided envelope.

Should any questions arise regarding this filing, please feel free to contact me. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Wisconsin Central Ltd.

ENTERED
Office of Proceedings

JUN 10 2004

Part of
Public Record

TJL:tl

Enclosure

STB DOCKET NO. AB-303 (SUB-NO. 27)
NOTICE OF INTENT TO ABANDON SERVICE

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Wisconsin Central Ltd. ("WCL") gives notice that on or about June 30, 2004, it intends to file with the Surface Transportation Board, Washington, DC 20423, an application for permission for the abandonment of a line of railroad known as the "Plymouth Sub" extending from milepost 114.8 near Saukville, Wisconsin to milepost 151.8 near Kiel, Wisconsin and traversing U.S. Postal Service ZIP Codes 53001, 53014, 53020, 53021, 53042, 53061, 53073, 53075, 53080, and 53093, a distance of approximately 37 miles in Ozaukee, Sheboygan and Manitowoc Counties, Wisconsin. The line includes the stations of:

<u>Station Name</u>	<u>Milepost</u>
Fredonia	119.5
Random Lake	125.3
Adell	130.2
Waldo	134.1
Plymouth	139.2
Elkhart Lake	146.0

The reason for the proposed abandonment is that the Plymouth Sub is a light-density rail line requiring significant rehabilitation expenditures without the prospect of future traffic levels that would justify that investment or support viable operation of the line. Based on information in our possession, the Plymouth Sub does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

The Plymouth Sub has appeared on WCL's system diagram map in category 1 since October 15, 2001.

The level of labor protection applicable in this proposed abandonment is that established in *Oregon Short Line Co. -- Abandonment -- Goshen*, 360 I.C.C. 91 (1979).

The application will include WCL's entire case for abandonment. Any interested person, after the application is filed on or about June 30, 2004, may file with the Surface Transportation Board written comments concerning the proposed abandonment or protests to it. These filings are due 45 days from the date of filing of the application. All interested persons should be aware that following any abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition under 49 U.S.C. § 10905 (49 C.F.R. § 1152.28 of the Board's rules) and any request for a trail use condition under 16 U.S.C. § 1247(d) (49 C.F.R. § 1152.29 of the Board's rules) must also be filed within 45 days from the date of filing of the application. Persons who may oppose the abandonment but who do not wish to participate fully in the process by appearing at any oral hearings or by submitting verified statements of witnesses, containing detailed evidence, should file comments. Persons interested only in seeking public use or trail use conditions should also file comments. Persons opposing the proposed abandonment or discontinuance that do wish to participate actively and fully in the process should file a protest.

Protests must contain that party's entire case in opposition including the following:

- (1) Protestant's name, address and business.
- (2) A statement describing protestant's interest in the proceeding including:
 - (i) A description of protestant's use of the line;
 - (ii) If protestant does not use the line, information concerning the group or public interest it represents; and
 - (iii) If protestant's interest is limited to the retention of service over a portion of the line, a description of the portion of the line subject to

protestant's interest (with milepost designations if available) and evidence showing that WCL can operate the portion of the line profitably, including an appropriate return on its investment for those operations.

(3) Specific reasons why protestant opposes the application including information regarding protestant's reliance on the involved service (this information must be supported by affidavits of persons with personal knowledge of the facts).

(4) Any rebuttal of material submitted by WCL.

In addition, a commenting party or protestant may provide a statement of position and evidence regarding:

- (i) Intent to offer financial assistance pursuant to 49 U.S.C. § 10904;
- (ii) Environmental impact;
- (iii) Impact on rural and community development;
- (iv) Recommended provisions for protection of the interests of employees;
- (v) Suitability of the properties for other public purposes pursuant to 49 U.S.C. § 10905; and
- (vi) Prospective use of the right-of-way for interim trail use and rail banking under 16 U.S.C. § 1247(d) and 49 C.F.R. §1152.29.

A protest may demonstrate that: (1) the protestant filed a feeder line application under 49 U.S.C. § 10907; (2) the feeder line application involves any portion of the rail line involved in the abandonment application; (3) the feeder line application was filed prior to the date the abandonment application was filed; and (4) the feeder line application is pending before the Board.

Written comments and protests will be considered by the Board in determining what disposition to make of the application. The commenting party or protestant may participate in the proceeding as its interests may appear.

If an oral hearing is desired, the requester must make a request for an oral hearing and provide reasons why an oral hearing is necessary. Oral hearing requests must be filed with the Board no later than 10 days after the application is filed.

Those parties filing protests to the proposed abandonment should be prepared to participate actively either in an oral hearing or through the submission of their entire opposition case in the form of verified statements and arguments at the time they file a protest. Parties seeking information concerning the filing of protests should refer to 49 C.F.R. §1152.25.

Written comments and protests, including all requests for public use and trail use conditions, should indicate the proceeding designation STB Docket No. AB-303 (Sub-No. 27) and must be filed with the Secretary, Surface Transportation Board, Washington, DC 20423, no later than August 16, 2004. Interested persons may file a written comment or protest with the Board to become a party to this abandonment proceeding. A copy of each written comment or protest shall be served upon Thomas J. Litwiler, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, Illinois 60606-2832, (312) 252-1500. The original and 10 copies of all comments or protests shall be filed with the Board with a certificate of service. Except as otherwise set forth in 49 C.F.R., Part 1152, each document filed with the Board must be served on all parties to the abandonment proceeding. 49 C.F.R. § 1104.12(a).

The line sought to be abandoned will be available for subsidy or sale for continued rail use, if the Board decides to permit the abandonment, in accordance with applicable laws and regulations (49 U.S.C. § 10904 and 49 C.F.R. § 1152.27). No subsidy arrangement approved under 49 U.S.C. § 10904 shall remain in effect for more than 1 year unless otherwise mutually agreed by the parties (49 U.S.C. § 10904(f)(4)(B)). WCL will promptly provide upon request to each interested party an estimate of the subsidy and minimum

purchase price required to keep the line in operation. WCL's representative to whom inquiries may be made concerning sale or subsidy terms is:

Thomas J. Litwiler
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

Persons seeking further information concerning abandonment procedures may contact the Surface Transportation Board or refer to the full abandonment regulations at 49 C.F.R., Part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis.

A copy of the application will be available for public inspection on or after June 30, 2004, at all stations through which business for the line is received and forwarded from 10:00 a.m. until 4:00 p.m., Monday through Friday (excluding all holidays), as follows: 1) 1625 Depot Street, Stevens Point, Wisconsin 54481; and 2) 2 Harrison Street, North Fond du Lac, Wisconsin 54937. WCL shall furnish a copy of the application to any interested person proposing to file a protest or comment, upon request.

An environmental assessment (EA) prepared by the Surface Transportation Board Section of Environmental Analysis will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Any other persons who would like to obtain a copy of the EA may contact the Section of Environmental Analysis. EAs in abandonment proceedings normally will be made available within 33 days of the filing of the application. The deadline for submission of comments on the EA will generally be within 30 days of its service. The comments received will be addressed in the Board's decision. A supplemental EA may be issued where appropriate.

DOCKET NO. AB-303 (SUB-NO. 27)
NOTICE OF INTENT TO ABANDON SERVICE

Service List:

Mr. John Janik
Chief Executive Officer
Neuens Fredonia Lumber Company
441 Fredonia Avenue
Fredonia, WI 53021

Mr. Norbert Schleicher
General Manager
Kettle Lakes Cooperative
430 First Street
Random Lake, WI 53075

Mr. Larry Huiras
Agricultural Manager
Lakeside Foods Inc.
P.O. Box 483
Random Lake, WI 53075

Mr. Mark Garofalo
Manager
Adell Warehouse
615 Tower Avenue
Adell, WI 53001

Mr. Jerry Leick
General Manager
Adell Cooperative
615 Tower Avenue
Adell, WI 53001

Mr. Steven Hollins
Chief Operating officer
Adell Corporation
627 Maine Avenue
P.O. Box 249
Adell, WI 53001

Mr. Jeff Goelzer
President
Glacier Transit & Storage
P.O. Box 378
Plymouth, WI 63073

Honorable James E. Doyle
Governor
State of Wisconsin
115 East State Capitol
Madison, WI 53702
[Via certified mail]

Mr. Allyn J. Lepeska
Office of General Counsel
Wisconsin Department of Transportation
P.O. Box 7810
Madison, Wisconsin 53702

Mr. Patrick J. Farley
Administrator
Wisconsin Department of Transportation
Division of Intergovernmental Relations
101 East Wilson Street
Madison, WI 53702

Dean Arlen G. Leholm
University of Wisconsin
Cooperative Extension
601 Extension Building
432 North Lake Street
Madison, WI 53706

Mr. S. Mark Lindsey
Chief Counsel
Federal Railroad Administration
1120 Vermont Avenue NW
Washington, DC 20590

Mr. Byron Boyd
International President
United Transportation Union
14600 Detroit Avenue
Cleveland, OH 44107-4250

Mr. Mac Fleming
President
Brotherhood of Maintenance of Way
Employees
Suite 320
20300 Civil Center Drive
Southfield, MI 48076-4169

Mr. Don M. Hahs
International President
Brotherhood of Locomotive Engineers
Mezzanine
1370 Ontario Street
Cleveland, OH 44113

Mr. W.D. Pickett
President
Brotherhood of Railroad Signalmen
601 West Golf Road
Mount Prospect, IL 60056-4276

Military Surface Deployment & Distribution
Command
Transportation Engineering Agency
Railroads for National Defense
720 Thimble Shoals Boulevard, Suite 130
Newport News, VA 23606-2574

Mr. Dale Bosworth
Chief, Forest Service
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250-0003

Mr. D. Thomas Ross
Assistant Director
National Center for Recreation &
Conservation
National Park Service
1849 C Street, N.W., Org. Code 2220
Washington, DC 20240

Posting Locations:

Wisconsin Central Ltd.
Customer Service Center
1625 Depot Street
Stevens Point, WI 54481

Wisconsin Central Ltd.
Materials Building
2 Harrison Street
North Fond du Lac, WI 54937

Wisconsin Central Depot
64 Spring Street
Plymouth, WI 53073

Newspaper Publication:

Milwaukee Journal Sentinel
P.O. Box 661
Milwaukee, WI 53201

Published/To be published: June 9, June 16 and June 23, 2004