

SERVICE DATE – APRIL 13, 2007

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-6 (Sub-No. 438X)

BNSF RAILWAY COMPANY–ABANDONMENT EXEMPTION–IN
MORRISON COUNTY, MN

Decided: April 12, 2007

BNSF Railway Company (BNSF) filed a notice of exemption under 49 CFR 1152 Subpart F–Exempt Abandonments to abandon a 0.58-mile line of railroad that extends between BNSF’s milepost 113.44 and milepost 114.02, near Camp Ripley in Morrison County, MN. Notice of the exemption was served and published in the Federal Register on April 14, 2006 (71 FR 19616). The exemption became effective on May 16, 2006. In the April 14, 2006 notice, the Board stated that, if consummation has not been effected by BNSF’s filing of a notice of consummation by April 14, 2007, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.¹

Under 49 CFR 1152.29(e)(2), a railroad may, for good cause shown, file a request for an extension of time to file a notice of consummation in abandonment proceedings. On March 28, 2007, BNSF filed a request to extend, until April 14, 2008, the time to consummate the abandonment. In support, BNSF states that, because of its numerous abandonments currently in process, BNSF has encountered scheduling difficulties with salvagers, leading to a delay in the completion of necessary salvage activities. BNSF has shown good cause to extend the time to consummate the abandonment and for filing a notice of consummation in this proceeding. Accordingly, the request will be granted.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. BNSF’s request for an extension of time to consummate the abandonment is granted.

¹ By decision served on May 15, 2006, the proceeding was reopened at the request of the Board’s Section of Environmental Analysis and the exemption was made subject to five environmental conditions, all of which remain in effect.

2. The authority to abandon must be exercised, and the notice of consummation must be filed, on or before April 14, 2008.

3. This decision is effective on its date of service.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary