

SURFACE TRANSPORTATION BOARD APPROVES WITHDRAWAL OF "SOO LINE'S" RAIL LINE ABANDONMENT PROPOSALS, THUS AIDING SALE OF ROSHOLT-TO-VEBLEN LINE IN SOUTH DAKOTA

Surface Transportation Board (Board) Chairman Linda J. Morgan announced that railroad service over 27.5 miles of line between Rosholt and Veblen, South Dakota, currently operated by the Soo Line Railroad Company (doing business as Canadian Pacific Railway)("Soo") in South Dakota will be preserved. This Rosholt-to-Veblen line was recently the subject of two Soo rail-line abandonment proposals filed with the Board. Instead of abandoning the line, Soo has sold 26.3 miles of it to Sunflour Railroad, Inc. (Sunflour) for continued rail service.

Prior to its two abandonment proposals (which would have affected two adjoining segments of the same line), Soo had filed with the Board a petition for exemption from regulation to enable Soo to abandon the entire line on July 30, 1999. Late last year, the Board denied that abandonment proposal in the case entitled *Soo Line Railroad Company--Abandonment Exemption--In Marshall and Roberts Counties, SD*, STB Docket No. AB-57 (Sub-No. 48X), issued to the public on November 17, 1999 (corrected decision issued November 19, 1999), because of substantial public opposition and Soo's failure to support data that it had presented in its petition. At the time, most of the opposition concerned that part of the line from Rosholt to Claire City, S.D., and focused on the adverse impact that the loss of rail service would have had on Claire City and the farming economy of northeast South Dakota. In denying the abandonment, the Board encouraged Soo and those interested in preserving service to work cooperatively outside the formal abandonment process and to pursue the line's sale or other alternatives to abandonment.

On December 22, 1999, Soo filed a notice of exemption under the Board's out-of-service rules (governing lines over which service has ceased for two or more years) to abandon the 8.1-mile portion of the line west of Claire City to the end of the track near Veblen. There had been little opposition to abandonment of that line segment and no traffic had moved over it during the period at issue. On January 11, 2000, the Board granted the notice in its decision in the case entitled *Soo Line Railroad Company--Abandonment Exemption--in Marshall and Roberts Counties, SD*, STB Docket No. AB-57 (Sub-No. 50X), which was published in the *Federal Register* at 65 FR 1673 on that date.

On April 28, 2000, Soo filed an application to abandon the remaining 19.4 miles of the line. Notice of that application was made through the Board's May 18, 2000 issuance of its decision in the case entitled *Soo Line Railroad Company--Abandonment--in Roberts County, SD*, STB Docket No. AB-57 (Sub-No. 51), which was published in the *Federal Register* on that date. In its application, Soo had indicated that its negotiations with several short line railroads for the line's sale had been unsuccessful, but that Soo was at that time negotiating with an interested purchaser and would continue to negotiate with other potential purchasers. Those negotiations proved successful and, on July 20, 2000, Sunflour filed a notice of exemption with the Board to allow it to acquire from Soo and to operate 26.3 miles of the line from a point near Rosholt to the end of the track in Veblen. The Board's decision authorizing the sale was issued in its July 25, 2000 decision in the case entitled *Sunflour Railroad, Inc.--Acquisition and Operation Exemption--Soo Line Railroad Company*, STB Finance Docket No. 33903, which was published in the *Federal Register* at 65 FR 45828 on that date.

Consequently, on August 9, 2000, Soo asked the Board's permission to withdraw both its abandonment application and its abandonment notice of exemption. By decisions issued to the public on August 14 and 15, 2000, in STB Docket No. AB-57 (Sub-Nos. 51 and 50X), the Board granted both of Soo's requests and those proceedings were discontinued. Thus, given the time that elapsed following the Board's denial of Soo's original request for abandonment authority, interested parties were able to complete negotiations for continued rail service.

The text of the Board's decisions in the proceedings mentioned above are available for viewing and downloading via the Board's website at www.stb.dot.gov. Copies of the Board's decisions also are available for a fee by contacting **D~To-D~**

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