

City of Kalispell

Post Office Box 1997 - Kalispell, Montana 59903-1997
Telephone (406) 758-7700 Fax - (406) 758-7758

300272

January 10, 2020

Cynthia Brown
Chief, Section of Administration
Surface Transportation Board
Office of Proceedings
395 East Street, SW
Washington D.C. 20423- 0001

ENTERED
Office of Proceedings
January 10, 2020
Part of
Public Record

Re: **BNSF Abandonment in City of Kalispell, Flathead County, Montana, Docket No. AB 6
(Sub-No. 495X)**

Request for extension of interim trails use negotiation period

Dear Ms. Brown:

The City of Kalispell, Montana currently holds an Interim Trail Use Permit issued by the Surface Transportation Board and identified in the subject line of this correspondence. This permit is for that portion of Burlington Northern Santa Fe rail line that runs through the City from Milepost 1225.19 to Milepost 1226.79. The City is seeking to extend the permit for an additional 365 days to February 10, 2021, in order to complete the process of acquisition for rail banking and sale contract currently under discussion between the City and BNSF. The City of Kalispell understands that BNSF and CHS, Inc. do not object to this extension.

Since the issuance and extension of the permit, the matters to be addressed by the City and BNSF have progressed well. The City has conducted its due diligence of environmental assessment prior to acquisition. The parties are finalizing the acquisition.

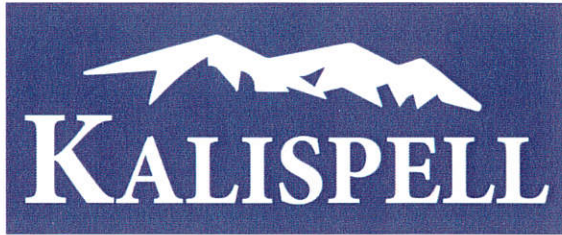
The City further requests a waiver of the Board's filing fees in accordance with 49 CFR 1002(e)(1) as the City is a local government entity. Thank you for your consideration.

Respectfully Submitted,

Katharine King
Assistant Director
Community Development Department

FILING FEE WAIVED

cc: Karl Morell, Attorney for BNSF
Mark Lalum, CHS, Inc.



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To Whom it May Concern:

The City of Kalispell is hereby filing certificate of service in connection with the City's request for extension of time, e-filed by the City on Friday, January 10, 2020. The request is to extend the Notice of Interim Trail Use to February 10, 2021, to allow the City and BNSF to complete negotiations for the transfer of ownership of the existing BNSF rail line per Surface Transportation Board Docket No. AB6 (Sub-No. 495X).

By my signature below, I hereby certify that a copy of the City of Kalispell's Request for Extension of Time was served on all parties of record by electronic and U.S. Mail, postage pre-paid, first class on January 10, 2020, as follows:

Karl Morell
Counsel for BNSF
655 15th Street NW, Suite 225
Washington, D.C. 20005
karlm@karlmorell.com

Mark D. Lalum,
CHS Inc.
P.O. Box 579
150 1st Avenue WN
Kalispell, MT 59903
mark.lalum@chsinc.com

Submitted,

Katharine King
Assistant Director
Community Development
City of Kalispell
406.758.7713