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July 2, 2020

300829

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20024

ENTERED
Office of Proceedings
July 2, 2020
Part of
Public Record

Re: **Docket No. AB 1107X, West Michigan Railroad Co. – Abandonment
Exemption – in Van Buren County, Mich.**

DISCONTINUANCE OF SERVICE ADVISORY

Dear Ms. Brown:

West Michigan Railroad Co. (“WMI”) hereby rescinds as unnecessary its request, filed yesterday, for modification of the exemption notice served and published in the *Federal Register* in the above-captioned proceeding on January 28, 2013 (78 Fed. Reg. 5867).

In keeping with agency practice,¹ and in lieu of yesterday’s modification request, WMI hereby advises the Board that, as of today (July 2, 2020), WMI has exercised its authorization under this docket to discontinue common service over the following two segments of railroad line: (a) between mileposts 19.88 and 25.1; and (b) between mileposts 26.5 and 30.2 (collectively, the “Segments”). Two other portions of the railroad line that is the subject of this proceeding – between mileposts 30.2 and 30.55; and between mileposts 25.1 and 26.5 – have been abandoned previously, as the record reflects.

¹ *Norfolk Southern Railway Company – Abandonment Exemption – Between Mansfield and Bloomington, In McLean, Dewitt and Piatt Counties, IL.*, AB-290 (Sub-No. 393X) (filing dated March 19, 2020); *Almono LP – Abandonment Exemption – In Allegheny County, PA.*, AB-842X (STB served Jan. 28, 2004); *T&P Ry. – Aban. – Shawnee, Jefferson, & Atchison Count., KS*, 2 S.T.B. 36, 40 (1997).

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Additionally, WMI hereby informs the Board that it will *not* seek to consummate abandonment of the Segments, and will allow its abandonment authorization for the Segments to lapse in keeping with 49 C.F.R. 1152.29(e)(2). In discontinuing operations over the Segments while also relinquishing its abandonment authorization for the same, WMI will ensure continued Board jurisdiction over the Segments,² while relieving WMI of any common carrier obligation over them, pending future restoration of service beyond milepost 19.88.

WMI is aware of the National Association of Reversionary Property Owners' ("NARPO") emailed reply to WMI's since-rescinded July 1, 2020 letter filing. NARPO's reply filing – which is completely redundant (and characteristic) of *ad hominem* arguments that the Board considered and rejected in its November 27 Decision and in another decision in this proceeding served on May 10, 2019 – is rendered moot by WMI's rescission and the actions WMI has taken and will allow to take place as set forth herein.

Respectfully submitted,

/s/ *R. A. Wimbish*

Robert A. Wimbish
Attorney for West Michigan Railroad Co.

RAW:ah

cc: All Parties of Record

² See *Sierra Northern Railway – Abandonment Exemption – In Yolo County, Cal.*, AB-874 (Sub-No. 1X) (STB served Jun. 23, 2020) ("*Sierra Northern*"); and *West Michigan Railroad Co. – Abandonment Exemption – In Van Buren County, Mich.*, AB-1107X (STB served Nov. 27, 2019) (the "November 27 Decision") – which, together, support the Board's determination to retain jurisdiction over the segment of the Line between mileposts 26.5 and 30.2.