

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 800
Chicago, Illinois 60606-3208

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

BRADON J. SMITH
(312) 252-1516
bsmith@fletcher-sippel.com

February 2, 2021

301576

VIA ELECTRONIC FILING

Cynthia T. Brown, Chief
Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington DC 20423-0001

ENTERED
Office of Proceedings
February 2, 2021
Part of
Public Record

Re: **AB 1304X**
Pacific Sun Railroad, L.L.C. — Discontinuance of Service Exemption
— In San Diego County, Cal.

Dear Ms. Brown:

On August 17, 2020, Pacific Sun Railroad, L.L.C. (“PSR”) filed a Petition for Exemption (the “Petition”) in the above-referenced docket for purposes of obtaining authority to discontinue (1) common carrier service over approximately 21.5 miles of railroad line consisting of an approximately 21.2-mile line from milepost 0.0 at Oceanside, California, to milepost 21.2 at Escondido, California (the “Escondido Subdivision”); and the approximately 0.3- mile Miramar Spur extending eastward from milepost 252.9 at Miramar, California, on BNSF’s San Diego Subdivision; and (2) approximately 45.49 miles of local trackage rights on BNSF’s San Diego Subdivision extending between milepost 252.9 at Miramar to milepost 207.41 at the Orange County/San Diego County border (the “Lines”).

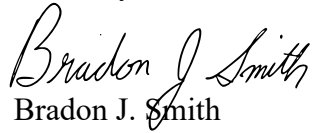
The Board published noticed of the exemption proceeding in the *Federal Register* on September 4, 2020. 85 Fed. Reg. 55,349. The Board granted the Petition on November 3, 2020 and permitted PSR to discontinue service effective as of December 5, 2020. *Pacific Sun Railroad, L.L.C. — Discontinuance of Service Exemption — In San Diego County, Cal.* AB 1304X (STB served Nov. 5, 2020), 3.

PSR hereby advises the Board that, as of December 5, 2020, it has exercised its authority pursuant to the exemption, and has discontinued service over the Line. The Board does not require parties authorized to discontinue common carrier rail service to notify the Board of discontinuance “consummation.” See 49 C.F.R. § 1152.29(e)(2) (requiring timely notices of consummation from those acting upon authority to *abandon* a rail line). Nevertheless, PSR offers

this advisory as a courtesy and to clarify the Line's current legal status as well as in acknowledgment of the Board's continuing jurisdiction over the Line.

Please contact the undersigned if you have any questions concerning this filing.

Sincerely,

A handwritten signature in black ink that reads "Bradon J. Smith". The signature is written in a cursive, flowing style.

Bradon J. Smith

Attorney for Pacific Sun Railroad, L.L.C.

BJS:bs

Cc: Parties of Record