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VIA ELECTRONIC FILING

Ms. Cynthia T. Brown, Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

Re: Docket No. FD 31874, South Dakota Railway Company – Notice
of Interim Trail Use and Termination of Modified Rail Certificate

Dear Ms. Brown:

This letter replies to the letter filed in the above-referenced proceeding on March 7, 2022 by counsel for the National Association of Reversionary Property Owners (“NARPO”).

In its letter, NARPO requests that the Surface Transportation Board (“STB” or “Board”) “terminate” the “complete” Notice of Interim Trail Use (“NITU”) the Board issued in this proceeding because (i) NARPO counsel “can find no record of a NITU being issued for the rail line leading to Ravinia, South Dakota,” and (ii) “there is no rail line still in the National Rail System leading to Ravinia, SD.” NARPO Letter at 1.

The South Dakota State Railroad Board (“SDRB”) requests that the Board deny NARPO’s request for the reasons set forth below.

1. While NARPO counsel states it cannot find the NITU issued in this proceeding, the NITU is readily available through a routine search of the public record in this proceeding. The Board issued an NITU in this proceeding in its decision served on July 17, 2007. That NITU applied to a segment of the Napa-Platte Line (Napa Junction, SD (MP 0.0) to Platte, SD (MP 83.3)) located between Ravinia, SD (MP 54.5) and Platte, SD (MP 83.3) (“Ravinia-Platte Segment”). At SDRB’s request, the Board, in its decision served in this proceeding on March 4, 2022, issued “[a] replacement NITU applicable to

the portion of the Ravinia-Platte Segment of the Napa-Platte Line from milepost 54.5 in Ravinia, S.D., to milepost 80.8 in Platte, S.D.” *Id.* at 3. The Board’s July 17, 2007 and March 4, 2022 decisions are available on the Board’s website.

2. NARPO counsel’s assertion that there is no rail line in the National Rail System leading to Ravinia is also incorrect. As shown in Exhibit A to SDRB’s December 8, 2021 filing in this proceeding (also available on the Board’s website), the Ravinia-Platte Segment connects at MP 54.5 to the remainder of the Napa-Platte Line. At MP 0.0, the Napa-Platte Line connects to a rail line owned by the BNSF Railway Company, which in turn is connected to the remainder of the National Rail System. The location of these lines – and their connection to the National Rail System – is also shown on the “Official South Dakota Rail Map” published by the South Dakota Department of Transportation, available at <https://dot.sd.gov/media/documents/railmap.pdf>. The Dakota Southern Railway Company currently holds modified certificate operating rights over the Ravinia-Platte Segment. *See Dakota S. Ry. – Modified Certificate of Pub. Convenience & Necessity – Yankton, Bon Homme, & Charles Mix Ctys., S.D.*, FD 36086 (STB served Jan. 25, 2017).

Respectfully submitted,

/s/ John H. LeSeur
A. Rebecca Williams
Slover & Loftus LLP
1224 Seventeenth Street, N.W.
Washington, D.C. 20036
(202) 347-7170
jhl@sloverandloftus.com
arw@sloverandloftus.com

Attorneys for the South Dakota
State Railroad Board

cc: All Parties of Record