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March 10, 2023

306294

VIA ELECTRONIC FILING

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

ENTERED
Office of Proceedings
March 10, 2023
Part of
Public Record

Re: **FD 31340**
Wisconsin and Calumet Railroad Company, Inc. – Notice of Modified
Certificate of Public Convenience and Necessity – Rail Line between
Mazomanie to Prairie du Sac, WI

Dear Ms. Brown:

Pursuant to 49 C.F.R. §1150.24, Wisconsin & Southern Railroad, L.L.C. (“WSOR”), hereby notifies the Surface Transportation Board and the State of Wisconsin through its Department of Transportation (“WisDOT”) of WSOR’s intent to terminate service under the modified certificate of public convenience and necessity procedures with respect to a rail line (the “Segment”) owned by WisDOT, extending approximately 3.24 miles from milepost 7.96 (immediately to the east of Water Street) in the Village of Sauk City, in Sauk County, Wisconsin, to milepost 4.72 (immediately south of the crossing connecting the Segment to a Wisconsin Department of Natural Resources access road, identified as Federal Railroad Administration crossing inventory number 392015V) near the Town of Mazomanie, in Dane County, Wisconsin. The Segment, which constitutes a portion of the line that is the subject of the above-captioned proceeding, traverses Zip Codes 53583 and 53560. No traffic has moved over the Segment for well more than six months.

WSOR has agreed to file the present termination notice at the request of WisDOT to facilitate alternative deployment of the subject railroad corridor.

WSOR’s termination of common carrier status over the Segment will take effect 60 days from the filing date of this notice.

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In 1997, the Wisconsin and Calumet Railroad Company, Inc., and WSOR, both members of the same corporate family, were merged, with WSOR emerging as the surviving corporate entity,¹ at which point the Segment became part of the WSOR system.

As indicated above, WSOR understands that the present termination of service notice will facilitate plans by the Wisconsin Department of Natural Resources to implement interim trails use on the Segment pursuant to 49 C.F.R. §1152.29 in keeping with past practice (including in this particular docket).²

WSOR hereby certifies that, in accordance with 49 C.F.R. §1150.24(a), a copy of this notice of intent to terminate service has been served upon WisDOT.

Thank you and please contact me if you have any questions or concerns.

Sincerely,

/s/ *R. A. Wimbish*

Robert A. Wimbish
Counsel for Wisconsin & Southern Railroad, L.L.C.

cc: Vincent Bauer, Wisconsin Department of Transportation (via email)

¹ *Wisconsin & Southern Railroad Co.—Corporate Family Transaction Exemption—Wisconsin and Calumet Railroad Company*, FD 33450 (STB served Sep. 5, 2022).

² *See, e.g., City of Fishers, et al. – Petition for Partial Revocation of Exemption*, FD 36137 (STB served May 31, 2018); *Wisconsin and Calumet Railroad Company, Inc. – Modified Rail Certificate*, FD 31340 (STB served Apr. 13, 2017); *Mitchell-Rapid City Regional Railroad Authority – Modified Rail Certificate – between Caputa and Rapid City, SD*, FD 35149 (STB served Apr. 28, 2009); *Sammamish Transportation Company – Notice of Interim Trail Use and Termination of Modified Certificate*, FD 33398 (Sub-No. 1) (STB served Feb. 26, 1998); *Wisconsin & Calumet Railroad Company, Inc. – Modified Rail Certificate*, FD 31340, (STB served Nov. 10, 1994); *Wisconsin & Calumet Railroad Company, Inc. – Notice of Interim Trail Use and Termination of Modified Certificate*, FD 30724 (Sub-No. 1) (ICC served Aug. 8, 1989).