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ENTERED
Office of Proceedings
October 2, 2023
Part of
Public Record

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October 2, 2023

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W., Room 1034
Washington, DC 20423-0001

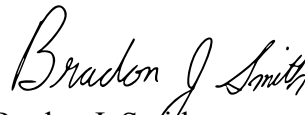
Re: **FD 35441 (Sub-No. 1)**
Blackwell Northern Gateway Railroad Company — Lease Exemption
— Oklahoma Department of Transportation and Blackwell Industrial
Authority

Dear Ms. Brown:

The notice of exemption in the captioned matter omitted the interchange certification commitment 49 C.F.R. § 1150.43(h) requires. A revised Certification and Verification is attached.

I am happy to answer any questions about this filing. Thank you for your assistance.

Yours,



Bradon J. Smith
Attorney for the Blackwell Northern Gateway
Railroad Company

BJS:bs

Attachment

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FD 35441 (SUB-NO. 1)

**BLACKWELL NORTHERN GATEWAY RAILROAD COMPANY
— LEASE EXEMPTION —
OKLAHOMA DEPARTMENT OF TRANSPORTATION AND BLACKWELL
INDUSTRIAL AUTHORITY**

CERTIFICATION AND VERIFICATION

VERIFICATION AND CERTIFICATION

I, Donald Purdie, verify under penalty of perjury, the following is correct:

1. I am President of the Blackwell Northern Gateway Railroad Company (“Gateway”).
2. I certify that the Gateway is not now a Class I or II rail common carrier, and that its projected annual revenues will not exceed \$5 million.
3. The Track Lease and Operating Agreement does not have an “interchange commitment” under 49 C.F.R. § 1150.43(h).
4. I am qualified and authorized to make this Verification and Certification.
5. I have read the above Notice of Exemption and know that the facts stated are true and correct to the best of my information and belief.

Dated: October 2, 2023

Doanld K Purdie