

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-603 (Sub-No. 5X)

**V AND S RAILWAY, LLC
- ABANDONMENT EXEMPTION -
IN FRANKLIN COUNTY, MO.**

307368

ENTERED
Office of Proceedings
October 31, 2023
Part of
Public Record

**REQUEST TO EXTEND TIME TO NEGOTIATE INTERIM TRAIL USE
AND FEE WAIVER REQUEST**

Pursuant to 49 CFR § 1152.29(d)(1)(ii), the Missouri Department of Natural Resources (MDNR) hereby requests the Surface Transportation Board (Board) order a one-year extension of the Notice of Interim Trail Use (NITU), or **until November 18, 2024**, applicable to the rail line in the above-referenced abandonment proceeding. Pursuant to the decision served by the Board on November 18, 2022, the current period for negotiation of interim trail use/rail banking is set to expire on November 18, 2023. V and S Railway, LLC (V&S) has authorized MDNR to state that V&S agrees to an extension of the deadline. This request is the first extension request made by MDNR in this proceeding.

Since the Board's decision, MDNR and V&S have been in continuing discussions, but have not finalized their negotiations for interim trail use. The parties are optimistic that these negotiations will be resolved prior to the extension date requested.



GRANTED

Office of
Proceedings

DECISION ID NO.: 51937

DECIDED DATE: 11/1/2023

SERVED DATE: 11/1/2023

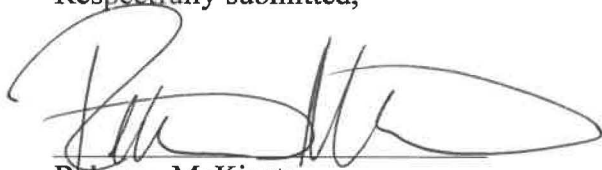
APPROVED: *MacArthur*

Director

FILING FEE WAIVED

Pursuant to 49 CFR § 1002.2(e)(1) and MDNR's status as a state agency, it is requesting waiver of the \$550.00 filing fee for extension of the period of time to negotiate a trail use agreement.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Rebecca McKinstry', written over a horizontal line.

Rebecca McKinstry
Deputy General Counsel
Missouri Department of Natural Resources
P.O. Box 176
Jefferson City, MO 65102-0176
(573) 751-0323

October 31, 2023

AB-603 (Sub-No. 5X)

CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of 2023, I caused a copy of the Missouri Department of Natural Resources Request to Extend Time to Negotiate Interim Trail Use and Fee Waiver Request to be served upon counsel for V and S Railway, LLC.

Respectfully submitted,



Rebecca McKinstry