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December 5, 2023

VIA ELECTRONIC FILING

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

Re: **Docket No. FD 35508 (Sub-No. 1)**
Iowa Northern Railway Company
– Lease Renewal Exemption – Rail Line of North Central Iowa Rail Corridor, LLC

Dear Ms. Brown:

The Verified Notice of Exemption filed in this docket on November 30th incorrectly indicated that the appropriate level of labor protection was set forth in *Mendocino Coast Ry. Inc. – Lease and Operate*, 354 I.C.C. 732 (1978), *modified*, 360 I.C.C. 653 (1980), *aff'd sub nom. Railway Labor Executives' Ass'n v. U.S.*, 675 F.2d 1248 (D.C. Cir. 1982).

Under 49 U.S.C. § 11326(c), no labor protection is provided for transactions under §§ 11324 and 11325 that involve only Class III rail carriers. The lease extension in this docket involves only Class III carriers and therefore the Verified Notice of Exemption should have indicated that the Board may not impose labor protective conditions here.

Thank you for your assistance on this matter.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Kevin M. Sheys".

Kevin M. Sheys
Attorney for Applicant