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April 11, 2025

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20024

Re: Portland & Western Railroad, Inc.
– Lease and Operation Exemption –
Including Interchange Commitment –
Union Pacific Railroad Company
Surface Transportation Board Finance Docket 36826

Dear Ms. Brown:

On April 4, 2025, Portland & Western Railroad, Inc. ("PNWR") filed a Notice of Exemption ("Notice") under the above referenced docket for PNWR to continue to lease and operate – via a lease amendment – lines of the Union Pacific Railroad Company ("UP"). PNWR is submitting this letter to provide the Board with a replacement Confidential Appendix A containing the lease agreement and to correct the description of the lines subject to the lease (the "Leased Lines").

In its Notice, PNWR stated that the transaction included, the 28.91-mile Tillamook Branch, between milepost 740.72 near Willsburg, OR and milepost 770.50 near Schefflin. This description should be revised to remove approximately 5.48 miles of rail line extending from milepost 749.95 to milepost 755.43. That portion of the Leased Lines is not subject to the lease because PNWR holds authority to operate this segment via a perpetual freight easement.¹

The Leased Lines subject to the Notice should be revised to say, "(1) the approximately 23.91-mile Tillamook Branch between milepost 740.72 near Willsburg, OR and milepost 749.95

¹ *Portland & Western Railroad, Inc. – Acquisition and Operation Exemption – Union Pacific Railroad Company*, STB Finance Docket No. 34792 (served Nov. 24, 2006) (granting PNWR authority to acquire a permanent, exclusive rail freight easement in place of the lease). See also *Washington County OR – Acquisition Exemption – Certain Assets of the Union Pacific Railroad Company*, STB Finance Docket No. 34810 *et al.* (served April 11, 2007) (granting Washington County and Tri-County Metropolitan Transportation District of Oregon authority to acquire rail assets of UP without obtaining a common carrier obligation because PNWR would hold the freight common carrier obligation.).

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near Tigard; And between milepost 755.43 near Beaverton, OR and milepost 770.50 near Schefflin.

Because these 5.48 miles should not be subject to this Notice, the total route miles to be leased and operated is now approximately 47.20.

If you have any questions related to this filing, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Justin J. Marks". The signature is fluid and cursive, with the first name "Justin" and last name "Marks" clearly legible.

Justin J. Marks
Counsel to for Portland & Western Railroad, Inc.

Enclosure

cc: Parties of Record