

Karl Morell & Associates

440 1st Street, NW, Suite 440
Washington, DC 20001
(202) 595-9045
karlm@karlmorell.com



December 3, 2018

246853

BY HAND DELIVERY

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

ENTERED
Office of Proceedings
December 3, 2018
Part of
Public Record

Re: Finance Docket No. 36235, Great Northwest Railroad, L.L.C. –
Amendment of Trackage Rights Exemption Containing
Interchange Commitment – Union Pacific Railroad Company

Dear Ms. Brown:

Attached for filing with the Board please find the original and ten copies of the Verified Notice of Exemption pursuant to 49 CFR 1180.2(d)(7) and a check covering the filing fee.

If you have any questions, please contact me.

Respectfully submitted,

Karl Morell

Enclosures

FEE RECEIVED
December 3, 2018

SURFACE
TRANSPORTATION BOARD

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FILED
December 3, 2018
SURFACE
TRANSPORTATION BOARD



BEFORE THE
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 36235

GREAT NORTHWEST RAILROAD, L.L.C.
-- AMENDMENT OF TRACKAGE RIGHTS EXEMPTION
CONTAINING INTERCHANGE COMMITMENT--
UNION PACIFIC RAILROAD COMPANY

VERIFIED NOTICE OF EXEMPTION
Pursuant to 49 C.F.R. § 1180.2(d)(7)

Karl Morell
Karl Morell and Associates
Suite 440
440 1st Street, N.W.
Washington, D.C. 20001
(202) 595-9045

Attorney for:
GREAT NORTHWEST
RAILROAD, L.L.C.

Dated: December 3, 2018



BEFORE THE
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 36235

GREAT NORTHWEST RAILROAD, L.L.C.
-- AMENDMENT OF TRACKAGE RIGHTS EXEMPTION
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VERIFIED NOTICE OF EXEMPTION
Pursuant to 49 C.F.R. § 1180.2(d)(7)

Great Northwest Railroad, L.L.C. ("GRNW"), submits this Notice of Exemption pursuant to the class exemption at 49 C.F.R. § 1180.2(d)(7), for an amendment of an overhead trackage rights agreement ("Original Agreement") over a rail line owned by Union Pacific Railroad Company ("UP") in the State of Washington.

The amended trackage rights are based on a written agreement and are not sought in a responsive application in a rail consolidation proceeding.

Pursuant to the Surface Transportation Board's regulations at 49 C.F.R. § 1180.4(g), GRNW submits the following information:

Section 1180.6 Supporting Information

(a)(1)(i) Description of Proposed Transaction

In STB Finance Docket No. 34474, *Great Northwest Railroad, L.L.C. – Acquisition and Operation Exemption – Camas Prairie RailNet, Inc.* (not printed), served March 19, 2004, GRNW acquired certain rail lines from Camas Prairie RailNet, Inc. ("CPR"). As part of the overall transaction, GRNW also acquire by assignment from CPR incidental overhead trackage rights over a 15.1-mile rail line owned by UP located between milepost 10.46, at Riparia and approximately milepost 267.1, at Ayer, WA ("TR Line"). The First Amendment To Original Trackage Rights Agreement ("First Amendment") grants GRNW the right to serve a new customer locating on the TR Line.

Name and address of tenant railroad:

Great Northwest Railroad, L.L.C.
325 Mill Road
Lewiston, ID 83501

Questions regarding this transaction are to be addressed to GNR's counsel:

Karl Morell
Suite 440
440 1st Street, N.W.
Washington, DC 20001
(202) 595-9045

(a)(1)(ii) Consummation Date

The amended trackage rights will be consummated on the effective date of this Notice of Exemption.

(a)(1)(iii) Purpose Sought to be Accomplished

The First Amendment will permit GRNW to provide local service to a new facility locating on the TR Line.

(a)(5) List of States in which the Party's Property is Situated

GRNW operates in the States of Idaho and Washington. The involved trackage rights are located in the State of Washington.

(a)(6) Map

A map illustrating the trackage rights is attached as Exhibit A.

(a)(7)(ii) Agreement

A copy of the First Amendment is being filed pursuant to 49 CFR 1104.14(b).

Interchange Commitments

(g)(4)(i)

(A) The interchange commitment is set forth in Section 2.1 of the First Amendment. The affected interchange point is Ayer Junction, WA.

(B) Filed pursuant to 49 CFR 1104.14(b).

(c) None. The First Amendment permits GRNW to serve a new customer locating along the TR Line.

(D) Filed pursuant to 49 CFR 1104.14(b).

(E) GRNW hereby certifies that GRNW has provided notice of the proposed transaction and interchange commitment to the new shipper locating on the TR Line.

(F) BNSF Railway Company

(G) Filed pursuant to 49 CFR 1104.14(b).

Labor Protection

GRNW is agreeable to the labor protection conditions generally imposed in trackage rights proceedings as found in Norfolk and Western Ry. Co. – Trackage Rights – BN, 354 I.C.C. 605 (1878), as modified by Mendocino Coast Ry., Inc. – Lease and Operate, 360 I.C.C. 653 (1980).

Environmental and Historic Matters

Environmental and historical impacts associated with trackage rights transactions generally are considered to be insignificant. Therefore, an environmental and historical report and documentation normally need not be submitted for this type of transaction, pursuant to 49 C.F.R §§ 1105.6(c)(4) and .8(b)(3).

Respectfully submitted,



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Washington, D.C. 20001
(202) 595-9045

Attorney for:
GREAT NORTHWEST
RAILROAD, L.L.C.

Dated: December 3, 2018

SURFACE TRANSPORTATION BOARD

NOTICE OF EXEMPTION

FINANCE DOCKET NO. 36235

**GREAT NORTHWEST RAILROAD, L.L.C.
-- AMENDMENT OF TRACKAGE RIGHTS EXEMPTION
CONTAINING INTERCHANGE COMMITMENT--
UNION PACIFIC RAILROAD COMPANY**

Union Pacific Railroad Company has agreed to amend a grant of trackage rights to Great Northwest Railroad, L.L.C. (GRNW). As amended, GRNW will have local trackage rights to serve a new customer locating on the rail line located between milepost 10.46, at Riparia and approximately milepost 267.1, at Ayer, WA.

The amended trackage rights will be consummated on or after the effective date of this notice of exemption.

This notice is filed under 49 C.F.R. § 1180.2(d)(7). Petitions to revoke the exemption under 49 U.S.C. § 10502(d) may be filed at any time. The filing of a petition to revoke will not stay the transaction.

Dated:

By the Board,

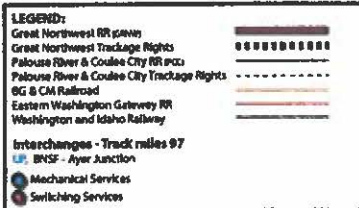
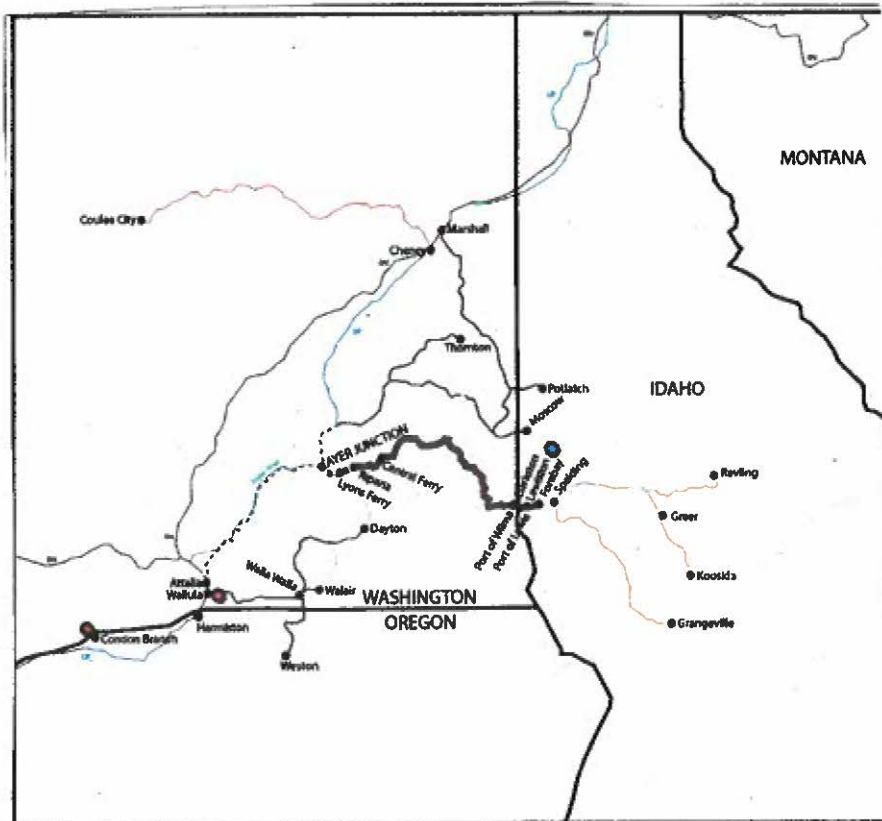


EXHIBIT A

VERIFICATION

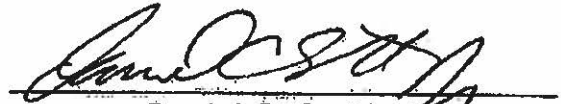
STATE OF KANSAS

COUNTY OF CRAWFORD

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ss.

I, Daniel C. Smith, Jr., being duly sworn depose and state that I am Chief Executive Officer of Great Northwest Railroad, L.L.C., that I am authorized to make this verification, and that I have read the foregoing Notice of Exemption and know the facts asserted therein are true and accurate as stated to the best of my knowledge, information, and belief.


Daniel C. Smith, Jr.

SUBSCRIBED AND SWORN TO before me this 31st day of October, 2018, in the County of Crawford, State of Kansas.