

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C.



TRI-CITY RAILROAD COMPANY, L.L.C.
--LEASE AND OPERATION EXEMPTION--
NORTHERN PACIFIC DEVELOPMENT, LLC

245273

FINANCE DOCKET NO. 36170

ENTERED
Office of Proceedings
March 6, 2018
Part of
Public Record

NOTICE OF EXEMPTION
UNDER 49 C.F.R. § 1150.41

Pursuant to 49 C.F.R. § 1150.41(b), Tri-City Railroad Company, L.L.C., a common carrier by rail, hereby provides notice of its class exemption from 49 U.S.C. § 10902 for its operation of a railroad line as a common carrier by railroad, pursuant to an Agreement with Northern Pacific Development, LLC, which owns the rail property as a non-rail carrier. This line, which consists of approximately .85 miles of track, is located in Benton County, Washington. There are no mileposts. The line connects with a Public Rail Line (which the STB determined to be excepted track) owned by the City of Richland, WA for approximately 200 feet then connecting with the Tri-City Railroad Company, LLC operating as a Class III rail carrier pursuant to a Railroad Lease with the Port of Benton, in Benton County WA.

FEE RECEIVED

March 6, 2018
SURFACE

TRANSPORTATION BOARD

FILED
March 6, 2018
SURFACE
TRANSPORTATION BOARD



Information required by 49 C.F.R. § 1150.43

(a) *The name and address of the Applicant is:*

Tri-City Railroad Company, L.L.C.

10 North Washington St.

P. O. Box 6000

Kennewick, WA 99336

(b) *The name, address and telephone number of the Applicant's representative is:*

Mr. Rhett Peterson

10 North Washington St.

P. O. Box 6000

Kennewick, WA 99336

(509) 727-8824

(c) *Consummation of transaction*

An Agreement for Rail Switching Services as a common carrier by rail has been reached. The term of the Agreement is currently scheduled to commence on April 30, 2018.

(d) Tri-City Railroad Company, L.L.C. will operate the line.

(e) *The following is a brief summary of the proposed transaction.*

(i) *The name and address of the non-railroad transferring the subject property to the Class III rail carrier applicant:*

The owner that is transferring operational authority over the line is Northern Pacific Development, L.L.C., P.O. Box 6106 Kennewick, WA 99336.

(i) *The proposed time schedule for consummation of the transaction:*

The term of the Agreement is currently scheduled to commence on April 30, 2018.

(ii) *The mileposts of the subject property, including any branch lines:*

There are no Milepost Numbers.

(iii) *The total number of miles being acquired.*

Approximately .85 miles.

- (f) *A map that clearly indicates the area to be serviced, including termini, stations, cities, counties, and states.*

The required map (s) are attached to this Notice as Appendix 1.

The rail line is located in Benton County, Washington.

- (g) The required certificate is contained in the Verification of Mr. Randolph Peterson, CEO and Manager of Tri City Railroad Company, LLC and is attached to this Notice as Appendix 2.
- (h) The operation of the rail line does not involve any provision or agreement that may limit future interchange commitments.

CAPTION SUMMARY

The Caption Summary required by 49 C.F.R. § 1150.44 is attached to this Notice as Appendix 3.

ENVIRONMENTAL AND HISTORIC MATTERS

By virtue of 49 C.F.R. § 1105.6(c)(1), no environmental assessment is required in conjunction with the proposed acquisition and operation. Also, by virtue of 49 C.F.R. § 1105.8(b)(1), no historic reporting is required.

LABOR PROTECTION

By virtue of 49 U.S.C. § 10902, no labor protection conditions are to be imposed in conjunction with this Notice.

ANNUAL REVENUES

The certificate required by 49 C.F.R. § 1150.43(g), confirming that Tri City Railroad Company, LLC's projected revenues as a result of the transaction will not result in the creation of a Class II or Class I rail carrier so as to require processing under 49 C.F.R. § 1150.45, is contained in Appendix 2 attached to this Notice.

CONCLUSION AND REQUESTED RELIEF

WHEREFORE, within 16 days after the filing of this Notice, the Director of the Board's Office of Proceedings should arrange for publication of notice of the filing of this Notice in the Federal Register.

Respectfully Submitted,

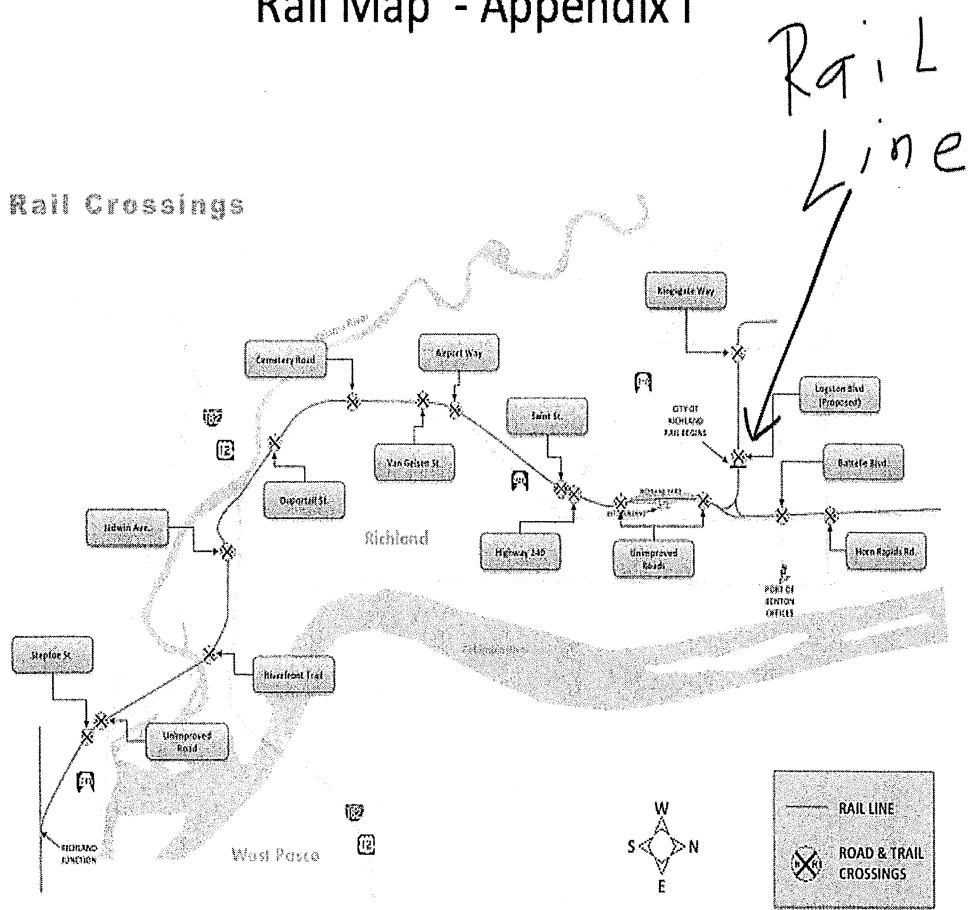


Rhett C. Peterson
Vice President
Tri City Railroad Company, LLC

Date: March 3, 2018

APPENDIX 1

Rail Map - Appendix I



APPENDIX 1



APPENDIX 1



APPENDIX 2

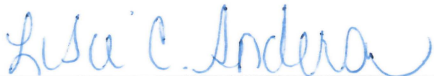
VERIFICATION

I, Randolph Peterson, having been duly sworn, state that I am the CEO and Manager of Tri-City Railroad Company, L.L.C., that I have read the foregoing Notice of Exemption under 49 C.F.R. § 1150.41; that the projected revenues of Tri-City Railroad Company, L.L.C. do not exceed those that would qualify it as a Class III rail carrier; that the projected annual revenue of the Tri City Railroad Company, LLC will not exceed \$5 million; and that all other facts set forth in the Notice of Exemption are true and correct.



Randolph Peterson
CEO and Manager

SUBSCRIBED and SWORN to
Before me this 2nd day of March,
2018.



Notary Public

Lisa C. Anderson

My Commission Expires: 8/01/18

resides in: Kennewick



APPENDIX 3

CAPTION SUMMARY

SURFACE TRANSPORTATION BOARD

Notice of Exemption

STB Finance Docket No. _____

TRI-CITY RAILROAD COMPANY, L.L.C.

--LEASE AND OPERATION EXEMPTION--

NORTHERN PACIFIC DEVELOPMENT, LLC

Tri City Railroad Company, LLC has filed a Notice of Exemption to operate approximately .85 miles of rail line, which has no milepost numbers, pursuant to an Agreement with Northern Pacific Development, LLC a non-carrier. The line is located in Richland, Washington. Comments must be filed with the Board and served on Tri City Railroad Company, LLC's representative, Rhett Peterson, P.O. Box 6000, 10 North Washington St., Kennewick, WA 99336.

The Notice is filed under 49 C.F.R. § 1150.41 *et seq.* If the Notice contains false or misleading information, the exemption is void *ab initio*.

Petitions to revoke the exemption under 49 U.S.C. § 10502(d) may be filed at anytime. The filing of a petition to revoke will not automatically stay the transaction.

By the Board