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SERVICE DATE – AUGUST 6, 2007

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-6 (Sub-No. 439X)

BNSF RAILWAY COMPANY—ABANDONMENT EXEMPTION—IN BOTTINEAU
COUNTY, ND

Decided: August 3, 2007

BNSF Railway Company (BNSF) filed a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments to abandon approximately 11.90 miles of rail line, extending from milepost 40.10, near Bottineau, to milepost 52.00, near Souris, in Bottineau County, ND. Notice of the exemption was served and published in the Federal Register on July 14, 2006 (71 FR 40190-01). Pursuant to 49 CFR 1152.29(e)(2), the notice stated that, if consummation had not been effected by BNSF's filing of a notice of consummation by July 14, 2007, the authority to abandon would automatically expire. That provision provides, however, that a railroad may file, for good cause shown, a request for an extension of time to file a notice of consummation in an abandonment proceeding.

By facsimile received on July 9, 2007, BNSF requests that the Board extend, for 2 months (until September 14, 2007), the time to consummate the abandonment. BNSF states that the extension is necessary because it has had scheduling difficulties with its salvagers, due to the large number of abandonments that it currently has in process. Good cause has been shown, and the deadline for filing the notice of consummation will be extended to September 14, 2007.

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. BNSF's request for a 2-month extension of time to exercise the abandonment authority is granted.
2. The authority to abandon must be exercised, and the notice of consummation must be filed, on or before September 14, 2007.

3. This decision is effective on its date of service.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary