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SEC

SERVICE DATE – OCTOBER 25, 2007

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-600

YAKIMA INTERURBAN LINES ASSOCIATION—ADVERSE ABANDONMENT—IN
YAKIMA COUNTY, WA

Decided: October 24, 2007

By petition filed on March 7, 2007, Kershaw Sunnyside Ranches, Inc. (Kershaw) asked the Board to reopen its application for adverse abandonment of a rail line in Yakima County, WA. Kershaw had filed the original adverse abandonment application on January 27, 2004. The Board denied the application in a decision served on November 19, 2004 (2004 Decision). On December 27, 2004, Kershaw filed a petition for reconsideration and clarification of the 2004 Decision, which was denied in a decision served on September 15, 2005.

By letter filed on October 17, 2007, Kershaw now requests leave to withdraw its pending petition to reopen. Kershaw states that it has entered into an agreement with Yakima County to settle matters in this docket and in the related STB Docket No. AB-600 (Sub-No. 1X) docket and, as part of the settlement, Kershaw seeks to withdraw its petition to reopen.¹ Leave to withdraw the petition to reopen will be granted, and this proceeding will be discontinued.

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

It is ordered:

1. Kershaw's request for leave to withdraw the petition to reopen is granted, and the proceeding in STB Docket No. AB-600 is discontinued.

¹ Kershaw also adds that it is dropping all opposition to interim trail use/rail banking in STB Docket No. AB-600 (Sub-No. 1X).

2. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary