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THOMAS F. McFARLAND

July 23, 2014

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Office of Proceedings  
July 23, 2014  
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Public Record

By e-filing

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

Re: Docket No. AB-1106X, *ABE Fairmont, LLC -- Abandonment Exemption -- in Fillmore County, NE*

Docket No. AB-6 (Sub-No. 488X), *BNSF Railway Company -- Discontinuance of Service Exemption -- in Fillmore County, NE*

Dear Ms. Brown:

Please refer to the Joint Petition for Exemption of abandonment and discontinuance of service filed in behalf of ABE Fairmont, LLC and BNSF Railway Company on July 7, 2014.

Joint Petitioners hereby respectfully request that proceedings on the Joint Petition be held in abeyance pending discussions between Joint Petitioners and The Andersons, Inc. designed to achieve a private resolution of the latter's concerns about the proposed abandonment and discontinuance. The Andersons, Inc., d.b.a. O'Malley Grain Company owns a grain loading facility and a private spur track which connects to the rail line proposed to be abandoned as regulated track and to be converted to private industrial track. Joint Petitioners would report to the Board on the status of the attempted private resolution of concerns.

Respectfully submitted,

*Tom McFarland*

Thomas F. McFarland  
One of the attorneys for  
Joint Petitioners

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| <br><b>GRANTED</b><br>Office of<br>Proceedings | DECISION ID NO.: <u>43936</u>                                                               |
|                                                                                                                                    | DECIDED DATE: <u>7-24-14</u>                                                                |
|                                                                                                                                    | SERVICE DATE: <u>7-24-14</u>                                                                |
|                                                                                                                                    | APPROVED: <u>Joseph C. [Signature]</u><br>Acting Director                                   |
|                                                                                                                                    | <input checked="" type="checkbox"/> Held in abeyance<br>pending further action of the Board |

THOMAS F. MCFARLAND

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