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SEC

SERVICE DATE – OCTOBER 3, 2003

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 30186 (Sub-No. 3)

TONGUE RIVER RAILROAD COMPANY, INC.–CONSTRUCTION
AND OPERATION–WESTERN ALIGNMENT

October 3, 2003

NOTICE TO THE PARTIES:

In a decision served July 7, 2003, and notice published in the Federal Register (68 FR 40331-32) on that same date, the Board, among other things, provided an opportunity for persons to become parties of record in this proceeding by submitting a notice of intent to participate. Only four notices were submitted, and only two of these required changes to the service list.¹ This involved changing the status of two persons² from non-parties to parties of record. The Board's July 7 decision also permitted current parties of record to update their addresses, and only one update was received.

Attached is a complete service list. This list reflects the changes made as a result of the responses to the Board's July 7 decision, as well as other changes in address, counsel, and party status that have occurred over the years since the Board issued the first service list in this proceeding in July 1998. The list also reflects the Board's policy of allowing only one official representative per party to be placed on the service list, as specified in Press Release No. 97-68 (dated August 18, 1997), announcing the implementation of the Board's "One Party-One Representative" policy for service lists. Persons should serve all future pleadings on those designated parties of record on the attached service list. Before a document filed in this proceeding may become part of the official record, it must be served on other persons designated as parties of record on the service list, and the document should so indicate.

¹ Notices were received from Mr. John Hamilton, Ms. Beth Kaeding, Mr. Terry Punt, and Mr. Gary Ryder. The Board's records show that Mr. Ryder, the representative of the City of Forsyth, MT, was already listed as a party of record. Mr. Punt faxed a letter on July 17, 2003, in which he expressed uncertainty as to the need to respond to the July 7 decision in order to remain on the service list. It does not appear that Mr. Punt or the other persons referred to in his letter want to become parties of record. Rather, they only want to ensure that they are not removed from the service list. No person has been removed from the service list by the July 7 decision. All non-parties will continue to receive copies of Board decisions, orders, and notices, but not copies of official filings.

² Mr. John Hamilton and Ms. Beth Kaeding.

In addition, any party of record who may have already filed written comments in this proceeding on or after May 1, 2003, must serve them on all parties of record who were not already served with the filings within 5 days after service of this Notice. By October 14, 2003, the parties of record who had already filed written comments will also be required to file with the Board an original plus 10 copies of a certificate of service indicating that the service required by this Notice has been accomplished.

Parties of record who file comments responsive to TRRC's May 1, 2003 supplemental evidence must serve them on the other parties of record and file an original plus 10 copies with the Board by November 12, 2003. TRRC must serve its reply on all parties of record and file an original plus 10 copies with the Board by December 2, 2003. Every filing made by a party of record after the service date of this Notice must have its own certificate of service indicating that all parties of record have been served with a copy of the filing.

Any requests for change of status, corrections of address information, or deletion from the service list must be filed in writing with the Board by October 17, 2003. An original and 10 copies of such requests should be directed to:

Surface Transportation Board
Re: STB Finance Docket No. 30186 (Sub-No. 3)
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Vernon A. Williams
Secretary

STB Finance Docket No. 30186 (Sub-No. 3)

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TONGUE RIVER RAILROAD COMPANY INC

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