



Davis Graham & Stubbs LLP

June 17, 2002



VIA FEDERAL EXPRESS

Vernon Williams, Secretary
Surface Transportation Board
1925 K Street NW
Washington, D.C. 20423-0001

Re: Docket No. AB-597X

Dear Mr. Williams:

This letter transmits the original and 10 copies of an Addendum to the Petition for Exemption for an Abandonment Exemption for the Butte Hill and Missoula Gulch Line in Silver Bow County, Montana for filing in Docket No. AB-597X, on behalf of Butte-Silver Bow County. The Addendum is intended to address deficiencies in the Petition identified by the Office of Proceedings.

I also have enclosed an extra copy of the Addendum to be date-stamped and returned to me in the enclosed self-addressed, stamped envelope. Please do not hesitate to contact me at the telephone number below if you have any questions or if you need anything further.

Sincerely,

Susan J. Geer

ENTERED
Office of the Secretary

JUN 18 2002

Part of
Public Record

SJG/amg
Enclosures

cc (w/ enc.): Jon Sesso, BSB
Eileen Joyce, BSB
D. Henry Elsen, EPA
Sara Sparks, EPA
Mary Capdeville, MDEQ
Phillis Johnson-Ball, SEA
Leo Berry, Esq., RR PRPs
Chuck Soule, RR PRPs
Gary Honeyman, Union Pacific
Mike Green, Montana Western
Dave Smith, BNSF
Mark Reavis, BSB Historic Preservation Officer

Susan J. Geer, Esq. • 303 892 7367 • susan.geer@dgsllaw.com

1550 Seventeenth Street • Suite 500 • Denver, Colorado 80202 • 303 892 9400 • fax 303 893 1379
www.dgsllaw.com

205649



BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-597X

BUTTE-SILVER BOW COUNTY
ABANDONMENT EXEMPTION
SILVER BOW COUNTY, MONTANA

ADDENDUM TO
PETITION FOR EXEMPTION

ENTERED
Office of the Secretary

JUN 18 2002

Part of
Public Record

BUTTE-SILVER BOW COUNTY

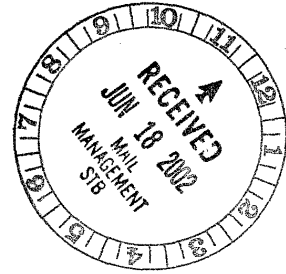
By Its Representative,

Susan J. Geer, Esq.
Davis Graham & Stubbs, LLP
1550 17th Street, Suite 500
Denver, Colorado 80202
(303) 892-7367

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-597X

BUTTE-SILVER BOW COUNTY –
ABANDONMENT EXEMPTION
SILVER BOW COUNTY, MONTANA



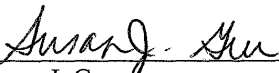
ADDENDUM TO
PETITION FOR EXEMPTION

Pursuant to 49 U.S.C. § 10502 and the Surface Transportation Board's (the "Board") regulations at 49 C.F.R. §§ 1121 and 1152.60, on May 17, 2002, Butte-Silver Bow County ("BSB") filed its Petition for Exemption with the Board for an exemption from the prior approval requirements of 49 U.S.C. §§ 10903-10904, for the abandonment of approximately 11 miles of railroad known as the Missoula Gulch and Butte Hill line ("MGBH") in and near Butte, in Silver Bow County, Montana. In that Petition, BSB did not clearly document its compliance with the requirements of 49 C.F.R. § 1152.60(d). First, BSB stated that based on the information in its possession, the MGBH does not contain federally granted rights-of-way. However, it failed to include the following sentence: Any documentation in petitioner's possession will be made available promptly to those requesting it. Second, BSB did not document in numbered paragraph 11 of its Petition that it had served notice on the persons listed at 49 C.F.R. § 1152.50(d). Attached to this Addendum is a revised Exhibit I to the Petition confirming that notice was provided to those persons by letter dated February 1, 2002. Finally, attached to this Addendum is a Certificate of Service indicating that the Petition and this Addendum were served on those persons listed at 49 C.F.R. § 1152.50(d), also as required by 49 C.F.R. § 1152.60(d).

I, Susan Geer, certify under penalty of perjury that the foregoing is true and correct.

Further, I certify that I am qualified and authorized to file this Addendum to the Petition for Exempt Abandonment.

Executed on June 17, 2002.


Susan J. Geer
Davis Graham & Stubbs LLP
1550 17th Street, Suite 500
Denver, CO 80202
(303) 892-7367

(Amended) EXHIBIT I

CERTIFICATION OF COMPLIANCE
WITH NOTICE REQUIREMENTS

In accordance with 49 C.F.R. §§ 1105.7(c) and 1105.11, I hereby certify that on January 28, 2002, copies of the draft Preliminary Draft Environmental Assessment were transmitted with the notice letter specified in 49 C.F.R. § 1105.11 to the agencies identified in 49 C.F.R. § 1105.7(b) with the exception of the Montana State Historic Preservation Office. The Montana State Historic Preservation Office has been involved in discussions concerning the abandonment of the MGBH and historic mitigation related thereto, and has been provided with a copy of the proposed historic mitigation plan, which is an attachment to the preliminary Draft Environmental Assessment.

In accordance with 49 C.F.R. § 1152.50(d), I hereby certify that on February 1, 2002, notice of the proposed abandonment and salvage of the MGBH was provided to the entities identified in that provision.

I, Susan Geer, certify under penalty of perjury that the foregoing is true and correct.

Executed on June 17, 2002.



Susan J. Geer, Esq.
Davis Graham & Stubbs, LLP
1550-17th St., Suite 500
Denver, Colorado 80202
as representative for Butte-Silver Bow County

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the Petition for Exemption and the Addendum thereto in Docket No. AB-597X by Butte-Silver Bow County was served on June 17, 2002 by mailing a copy, first class mail postage prepaid to the following:

Montana Public Service Commission
1701 Prospect Avenue
P.O. Box 202601
Helena, MT 59620-2601

Director
MTMC Transportation Engineering Agency
720 Thimble Shoal Blvd., Suite 130
Newport News, VA 23606-4537

Cynthia Szymanski
Rivers, Trail and Conservation Assistance
National Park Service
1849 C Street NW, MS-3622
Washington, DC 20240

Dale N. Bosworth, Chief
United States Forest Service
U.S. Dept of Agriculture
Sidney R. Yates Federal Building
201 14th Street at Independence Avenue SW
Washington, DC 20250

A handwritten signature in cursive script, appearing to read "Anna M. Sharkey", is written over a horizontal line.