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ORIGINAL



209787

January 6, 2004

VIA HAND DELIVERY - RETURN COPY

Hon. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, NW (7th fl.)
Washington, DC 20423-0001

ENTERED
Office of Proceedings

JAN - 6 2004

Part of
Public Record

Dear Secretary Williams:

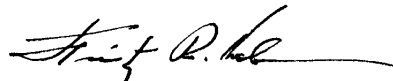
Enclosed for filing in STB Docket No. 863X, City of Venice-Abandonment Exemption-Between Branch Street Yard, MO. and McKinley Junction, IL are the original and ten copies of the Stay Petition of Terminal Railroad Association of St. Louis.

Additional copies of this letter and of the Stay Petition are enclosed for you to stamp to acknowledge your receipt of them and to return to me via the messenger.

Service of the this letter and the Stay Petition upon the City of Venice and Madison County Transit has been effected by facsimile transmitting copies of thereof to their representatives.

If you have any question concerning the foregoing which you believe I may be able to answer or if I otherwise can be of assistance, please let me know.

Sincerely yours,


Fritz R. Kahn

enc.

cc: Charles H. Montange, Esq. (206) 546-3739
Mr. Jerry Kane (618) 797-7547

ORIGINAL

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C.

STB Docket No. 863X

CITY OF VENICE
– ABANDONMENT EXEMPTION –
BETWEEN BRANCH STREET YARD, MO,
AND MCKINLEY JUNCTION, IL



STAY PETITION
OF
TERMINAL RAILROAD ASSOCIATION OF ST. LOUIS

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Attorneys for

TERMINAL RAILROAD ASSOCIATION OF ST. LOUIS

Dated: January 6, 2004.

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C.



STB Docket No. 863X

CITY OF VENICE
– ABANDONMENT EXEMPTION –
BETWEEN BRANCH STREET YARD, MO,
AND MCKINLEY JUNCTION, IL

STAY PETITION
OF
TERMINAL RAILROAD ASSOCIATION OF ST. LOUIS

Terminal Railroad Association of St. Louis ("TRRA"), pursuant to 49 C.F.R. 1152.50(d)(3) and the Decision of the Board, served December 29, 2003, petitions for the stay of the effective date of the Notice of Exemption of the City of Venice, filed December 9, 2003, and as grounds therefor states, as follows:

1. As detailed in TRRA's Comments, filed December 29, 2003, the text of which TRRA respectfully requests be incorporated by reference, the City of Venice is not, and never has been, a rail carrier, and, hence, it cannot avail itself of the two-year-out-of-service exemption of 49 C.F.R. 1152.50.

2. The railroad line between Branch Street Yard, MO, and McKinley Junction, IL, which the City of Venice would abandon and Madison County Transit, acquire, under the National Trails System Act, 16 U.S.C. 1247(d), long has been abandoned, pursuant to the Interstate

Commerce Commission's Decision and Notice of Interim Trail Use or Abandonment in Docket
No. AB-290 (Sub-No. 139X), Norfolk and Western Railway Company—Abandonment
Exemption—In Madison and St. Clair Counties, IL, and the City of St. Louis, MO, served April
25, 1994.

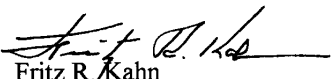
WHEREFORE, Terminal Railroad Association of St. Louis asks that the effective date of
the Notice of Exemption of the City of Venice be stayed.

Respectfully submitted,

TERMINAL RAILROAD ASSOCIATION OF ST. LOUIS

By its attorneys,

Rebecca R. Jackson
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211 No. Broadway (36th fl.)
St. Louis, MO 63102
Tel.: (314) 259-2217

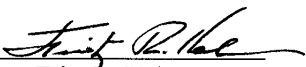

Fritz R. Kahn
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Dated: January 6, 2004.

CERTIFICATE OF SERVICE

I certify that I this day have served copies of the foregoing Stay Petition of Terminal Railroad Association of St. Louis upon the City of Venice and Madison County Transit by facsimile transmitting copies thereof to their representatives.

Dated at Washington, DC, this 6th day of January 2004.


Fritz R. Kahn