

210664

LAW OFFICE

MCLEOD, WATKINSON & MILLER

MICHAEL R. MCLEOD
WAYNE R. WATKINSON
MARC E. MILLER
RICHARD T. ROSSIER
CHARLES A. SPITULNIK
RICHARD PASCO
ALEX MENENDEZ
ELIZABETH A. HAWS
AMY B. JONES

ONE MASSACHUSETTS AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20001-1401
(202) 842-2345
TELECOPY (202) 408-7763

KATHRYN A. KLEIMAN*
OF COUNSEL
(*Admitted in Virginia only)

ROBERT RANDALL GREEN
LAURA L. PHELPS
GOVERNMENT RELATIONS

ENTERED
Office of Proceedings

APR 22 2004

Part of
Public Record

April 22, 2004



Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

Re: Notice of Consummation: Docket No. AB-416 (Sub-No. 3X), *San Bernardino Associated Governments – Abandonment Exemption – In San Bernardino County, CA*

Dear Sir:

In accordance with 49 C.F.R. § 1152.29(e)(2), this is to advise the Surface Transportation Board (“STB” or “Board”) that as of April 21, 2004, San Bernardino Associated Governments (“SANBAG”) consummated the abandonment of its line of railroad that was the subject of the above proceeding and for which abandonment authority was authorized in a decision served on November 25, 2003 (“Decision”). SANBAG provided no freight service on this line, and thus has no tariffs to cancel with respect to service on the line. Burlington Northern Santa Fe Railway Company previously provided freight service on this line segment. It received authority to discontinue that service and has advised the STB that it has consummated that discontinuance. Docket No. AB-6 (Sub-No. 398X), *The Burlington Northern and Santa Fe Ry. Co. – Abandonment Exemption – in San Bernardino, CA* (Service Date December 12, 2002; Consummation Notice Served April 1, 2003).

The Board’s Decision contained conditions that related to historic and environmental issues. SANBAG is complying with these conditions.

Copies of this letter will be served by first-class mail upon the California Public Service Commission and the Department of Transportation in Sacramento, California. An extra copy of this letter is attached for date-stamp and return to our messenger. Please do not hesitate to contact me if you have any questions.

Sincerely,

Charles A. Spitulnik

• **MCLEOD, WATKINSON & MILLER**

Honorable Vernon A. Williams
April 22, 2004
Page 2

cc: Michael Bair, SANBAG
Michael Smith, Esquire, Counsel for BNSF
Sarah Whitley Bailiff, BNSF