

BALL JANIK LLP

A T T O R N E Y S

1455 F STREET, NW, SUITE 225
WASHINGTON, D.C. 20005

www.balljanik.com

TELEPHONE 202-638-3307
FACSIMILE 202-783-6947

LOUIS E. GITOMER
OF COUNSEL
(202) 466-6532

ENTERED
Office of Proceedings

NOV 30 2004

Part of
Public Record lgitomer@dc.bjllp.com

November 30, 2004

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



RE: Docket No. AB-398 (Sub-No. 9X), *San Joaquin Valley Railroad Company—Discontinuance Exemption—in Kern County, CA (Between Levee and Taft)*
Docket No. AB-170 (Sub-No. 1X), *Sunset Railway Company—Abandonment - Exemption—in Kern County, CA (Between Levee and Taft)* - 212646

Dear Secretary Williams:

On November 19, 2004, a notice of exemption was filed in the above-entitled proceedings. The filing fee for the San Joaquin Valley Railroad Company ("SJVR") was paid at that time. The filing fee for the Sunset Railway Company ("SRC") was not paid until November 24, 2004, at which time the Board docketed the notice of exemption as filed. Because it was unclear at the time of filing when the final filing fee would be paid, the consummation date was not included in the notice of exemption. Now that the filing fee has been paid and the notice docketed as of November 24, 2004, SJVR and SRC notify the Board that the consummation date should be January 13, 2005.

Enclosed are the original and 10 copies of this letter. Please time and date stamp the additional copy of this letter and return it with our messenger. Thank you for your assistance.

If you have any questions, call or email me.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Louis E. Gitomer'.

Louis E. Gitomer
Attorney for San Joaquin Valley Railroad
Company