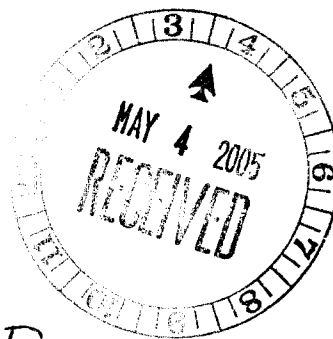


Before the
Surface Transportation Board



STB Docket No. AB-512X - 213920

SIERRA PACIFIC INDUSTRIES—ABANDONMENT EXEMPTION—
IN AMADOR COUNTY, CA

~~STB Docket No. AB-880X~~

~~SIERRA PINE—DISCONTINUANCE EXEMPTION—
IN AMADOR COUNTY, CA~~

NOTICE OF INTENT NOT TO FILE OFFER OF FINANCIAL ASSISTANCE

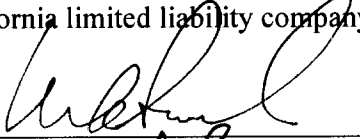
In previous submissions in these proceedings, Martell Industrial Center, LLC (“MIC”) advised the Board that it was considering making an offer of financial assistance (“OFA”) pursuant to 49 U.S.C. §10904 to acquire or subsidize rail service over a line of railroad between milepost 0.0 at Ione, CA and milepost 12.0 at Martell, CA (the “Line”), and MIC requested an extension of time to file an OFA to a period after Petitioners, Sierra Pacific Industries and Sierra Pine, provided MIC with certain information requested by MIC. By decision served March 11, 2005, the Board extended the time within which MIC could submit an OFA to 45 days after Petitioners provided the requested information to MIC.

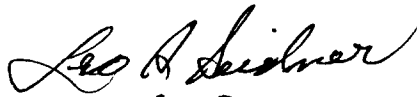
MIC hereby notifies the Board that, in consideration of a settlement agreement among MIC and Petitioners, MIC has agreed that neither MIC nor any party affiliated with MIC will submit an OFA to acquire or subsidize the Line, and MIC hereby waives

any right to submit such an OFA. MIC therefore has no objection to the Board's issuance of an order permitting the exemption granted by the Board's decision served on February 25, 2005 to become effective immediately.

Respectfully submitted,

MARTELL INDUSTRIAL CENTER, LLC,
a California limited liability company


By: MARK A. SEIDNER
Its: MEMBER


BY LEO S. SEIDNER
ITS MEMBER