

BEFORE THE SURFACE TRANSPORTATION BOARD

DOCKET NO. FD-34867
DOCKET NO. FD-34037

GENERAL RAILWAY CORPORATION,
D/B/A IOWA NORTHWESTERN RAILROAD

-EXEMPTION FOR ACQUISITION OF RAILROAD LINE-
IN OSCEOLA and DICKINSON COUNTIES, IOWA

MOTION TO CLARIFY DECISION
and
MOTION TO STAY

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Dated: July 5, 2007.

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On June 15, 2007 the Board entered a decision Dickinson-Osceola Railroad Association's Petition to Reject or Revoke General Railway Corporation's Notice of Exemption to acquire a rail line from a point west of Superior to a point west of Allendorf in Dickinson and Osceola Counties, Iowa, being approximately 37.21 miles long.

Dickinson Osceola Railroad Association ("DORA") respectfully requests that the Board clarify its decision, and, in the interim, to extend the Stay to prevent further confusion.

Specifically, the Board's decision leaves open to question what authority it has granted General Railway Corporation, d/b/a Iowa Northwestern Railway ("IANW"), over the already discontinued a scrapped portion of the line, as well as the de-facto discontinued remainder of the

line. DORA is informed and believes that IANW is in default of its property tax payments, has no intention or means of resuming service over any portion of the line, and, having apparently successfully completed one unauthorized abandonment, may well scrap the remainder of the line without authority.

A number of facts (including, but not limited to, the non-payment of property taxes, removal of all equipment from the Line, continued refusal to respond to customer requests), have come to light since DORA's last filing with the Board, all indicating that IANW has neither the intention nor the means of operating any of this rail line, in direct violation of the National Transportation Policy, and that its authority should be revoked.

The decision, as written, without clarification as to the authority and responsibility which IANW is retaining/being conferred, would only serve to reward a wrongdoer, to the detriment of the shippers, the public, and the National Transportation Policy, and would set a dangerous precedent that a rail operator does not need to file for abandonment before it carries out said abandonment, regardless of what federal statutes may provide. That is obviously not what the Board intends to do.

DORA is informed and believes that at least one shipper desires to join in this Motion, and DORA respectfully requests 21 days to prepare its brief and affidavits in support of this Motion, and requests, in the interest of maintaining the status quo, and discouraging IANW from scrapping any more of the Line, that the Board's decision of June 15, 2007 be stayed.

WHEREFORE, DORA respectfully requests that the Board stay its decision of June 15, 2007, and grant DORA 21 days to prepare its brief and affidavits for clarification of said decision.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing instrument was served by United States Mail, first class, postage fully pre-paid, this 5th day of July, 2007 upon all parties of record as disclosed by the filings of record herein.


