



FR-4915-01-P

## **SURFACE TRANSPORTATION BOARD**

**[Docket No. AB 303 (Sub-No. 49X)]**

### **Wisconsin Central Ltd.—Discontinuance of Service Exemption—in Oneida and Marinette Counties, Wis.**

Wisconsin Central Ltd. (WCL)<sup>1</sup> has filed a verified notice of exemption under 49 CFR part 1152 subpart F—Exempt Abandonments and Discontinuances of Service to discontinue service over a portion of WCL's line of railroad extending approximately 49.0 miles from milepost 220.0 on WCL's Bradley Subdivision in Rhinelander, Waupaca County, Wis., to milepost 269.0 on WCL's Pembine Subdivision at Goodman, Marinette County, Wis. (the Line). The Line traverses United States Postal Service Zip Codes 54125, 54103, 54511 and 54501.

WCL has certified that: (1) no local traffic has moved over the Line for at least two years; (2) there is no overhead traffic to be rerouted over other lines; (3) no formal complaint filed by a user of a rail service on the Line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the Line is either pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of a complainant within the two-year period; and (4) the requirements at 49 CFR 1105.12 (newspaper publication) and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the discontinuance of service shall be protected under Oregon Short Line Railroad—

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<sup>1</sup> WCL is a wholly owned subsidiary of Canadian National Railway Company.

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Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) to subsidize continued rail service has been received, this exemption will be effective on November 15, 2017, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues and formal expressions of intent to file an OFA to subsidize continued rail service under 49 CFR 1152.27(c)(2)<sup>2</sup> must be filed by October 26, 2017.<sup>3</sup> Petitions for reconsideration must be filed by November 3, 2017, with the Surface Transportation Board, 395 E Street, S.W., Washington, DC 20423-0001.

A copy of any petition filed with Board should be sent to WCL's representative, Audrey L. Brodrick, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, IL 60606.

If the verified notice contains false or misleading information, the exemption is void ab initio.

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<sup>2</sup> Each OFA must be accompanied by the filing fee, which currently is set at \$1,800. See Regulations Governing Fees for Servs. Performed in Connection with Licensing & Related Servs.—2017 Update, EP 542 (Sub-No. 25), slip op. App. C at 20 (STB served July 28, 2017).

<sup>3</sup> Because this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use conditions are not appropriate. Because there will be an environmental review during abandonment, this discontinuance does not require environmental review.

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Board decisions and notices are available on our website at “WWW.STB.GOV.”

Decided: October 10, 2017.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Kenyatta Clay

Clearance Clerk

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