

DIVIDER

STATE OF NORTH DAKOTA
INFORMATION TECHNOLOGY DEPARTMENT
SFN 2053 (4-2002)

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DESCRIPTION

RR-05-550
Mohall Central Railroad, Inc
Rail Line Transfer
Compliance
Filed 10/4/2005 Closed 10/18/2005 05

[Federal Register: December 29, 2005 (Volume 70, Number 3)]
[Notices]
[Page 77248-77249]
From the Federal Register Online via GPO Access [wais.access.gpo.gov]
[DOCID:fr29de05-135]

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34780]\1\

Northern Plains Railroad, Inc.--Operation Exemption--Rail Line of
Mohall Central Railroad, Inc.

\1\ A concurrently filed verified notice of exemption in STB
Finance Docket No. 34781, Mohall Central Railroad, Inc. and Gregg
Haug--Continuance in Control Exemption was withdrawn on December 22,
2005.

Northern Plains Railroad, Inc. (NPR), a Class III rail carrier, has
filed a verified notice of exemption under 49 CFR 1150.41 to operate
approximately 69.15 miles of railroad owned by Mohall Central Railroad,
Inc. (MCR), between

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milepost 72.9 at Sarles, ND, and milepost 3.75 near Lakota, ND.\2\

\2\ MCR was authorized to acquire the line of railroad from BNSF
Railway Company in STB Finance Docket No. 34759, Mohall Central
Railroad, Inc.--Acquisition and Operation Exemption--Rail Line of
BNSF Railway Company (STB served Oct. 25, 2005).

NPR certifies that its projected annual revenues as a result of the
transaction will not exceed those of a Class III rail carrier and will
not exceed \$5 million. The transaction was scheduled to be consummated
no earlier than December 6, 2005 (7 days after the exemption was
filed).

If the verified notice contains false or misleading information,
the exemption is void ab initio. Petitions to revoke the exemption
under 49 U.S.C. 10502(d) may be filed at any time. The filing of a
petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB
Finance Docket No. 34780, must be filed with the Surface Transportation
Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a
copy of each pleading must be served on Mark S. Radke, 220 South Sixth
Street, Suite 2200, Minneapolis, MN 55402.

Board decisions and notices are available on our Web site at
`http://www.stb.dot.gov.`

Decided: December 22, 2005.

By the Board, David M. Konschnik, Director, Office of
Proceedings.
Vernon A. Williams,
Secretary.

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Decision

by Surface Transportation Board
12/22/2005
CC Comm Legal

[FR Doc. E5-8087 Filed 12-28-05; 8:45 am]

BILLING CODE 4915-01-P

Motion

DATE 10-18-05
KMF

October 18, 2005

**Mohall Railroad, Inc.
Rail Line Transfer
Compliance**

Case No. RR-05-550

I move that the Commission close its investigation into the proposed transfer of approximately 70 miles of North Dakota rail line between Lakota, North Dakota and Sarles, North Dakota from BNSF Railway Company to Mohall Central Railroad, Inc without taking an official position on the proposal before the federal Surface Transportation Board.



MEMORANDUM

TO: Commissioners Clark, Wefald and Cramer
FROM: Bill Binek
DATE: October 7, 2005
RE: BNSF Sale of Railroad Branch Line from Lakota, ND to Sarles, ND

On October 4, 2004, the Mohall Central Railroad, Inc. (MCRI), an affiliate of Northern Plains Railroad (NPR), notified the Commission that it intends to acquire the railroad now owned by BNSF Railway Company (BNSF) from Lakota, North Dakota to Sarles, North Dakota. MCRI expects to purchase the line on or about October 11, 2005. The notice was filed as required under N.D.C.C. § 49-09-10 2

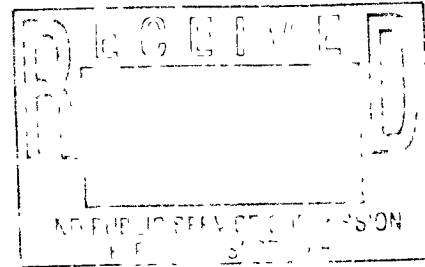
MCRI plans to enter into an agreement with NPR for operation of the line. MCRI advised that a new connection is being built near Munich, North Dakota to connect the line with NPR

There are six active grain elevators on the line being acquired. MCRI states that it will continue service to all active stations on the line. Those locations are the CHS elevators in Edmore, Hampden, Calvin and Sarles, the Brocket Equity Elevator in Brocket, and the Munich Elevator and Oil Co. in Munich. I have contacted the managers of each of these elevators, and they all support the sale.

The federal Surface Transportation Board (STB) will review the proposed sale transaction. I spoke with Larry Jameson, a company Vice President, and he advised that the application for approval of the sale is pending before the STB. He said that the sale will probably not be formalized until October 18th. He expects that NPR will begin operating the line by November 1st. He said that the line is presently under embargo by BNSF, but he said NPR believes the track be has dried out enough to allow operations over the line. Dirt work has started on the connection to the NPR at Munich. I also had a call from company president, Gregg Haug, who confirming the information I had received from Larry Jameson. Haug stated that the closing was postponed to October 18th because for administrative reasons BNSF was not ready to close on the 11th. He said that his attorney expects the STB to act on the application within a few days

I do not believe the matter warrants an investigation by the Commission. I recommend that the Commission close the case without taking an official position on the proposed sale before the STB. A corresponding motion is attached.

cc Licensing Division



October 3, 2005

GREGG F. HAUG

**MOHALL CENTRAL
RAILROAD, INC.**

William W. Binek
Chief Counsel
Public Service Commission
State of North Dakota
600 E. Boulevard Ave. Dept 408
Bismarck, ND 58505-0480

In re: BNSF Railroad line between Sarles and Lakota, ND.

100 RAILROAD AVE

Dear Mr. William W. Binek,

FORDVILLE

This letter is to inform the North Dakota Public Service Commission, and provide the notification required under North Dakota Statute 49-09-10.2, of the intention of Mohall Central Railroad, Inc. to acquire the railroad line now owned by Burlington Northern Santa Fe between the points mentioned below. Mohall Central Railroad, Inc. is a North Dakota corporation and expects to purchase this line on or about October 11, 2005. Mohall Central Railroad, Inc. plans to enter into an agreement for operation with Northern Plains Railroad (NPR).

The line of railroad being acquired extends from Milepost 3.75 near Lakota, ND to Milepost 72.9 at Sarles, ND. A new connection is being built near Munich, ND to connect the line with NPR. Mohall Central Railroad, Inc. will continue service to all active stations on the line being acquired.

I would be happy to provide any further information you may require, and to meet with you to discuss the acquisition. The address of Mohall Central Railroad, Inc. is as follows:

Mohall Central Railroad, Inc.
100 Railroad Avenue
Fordville, ND 58231

Sincerely,

Gregg F. Haug