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KARL MORELL

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June 20, 2008

The Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Re: STB Docket No. AB-471 (Sub-No. 4X), South Kansas and Oklahoma Railroad Company – Abandonment Exemption -- In Crawford, Wilson, Elk and Greenwood Counties, Kansas and Osage and Tulsa Counties, Oklahoma

Dear Acting Secretary Quinlan:

By notice served October 6, 2000, in the above-referenced proceeding, the Surface Transportation Board (“Board”) authorized the abandonment of: (1) the 35-mile rail line located between milepost 153.0, near Tulsa, and milepost 188.0, near Barnsdall, in Osage and Tulsa Counties, OK; (2) the 6-mile rail line located between milepost 359.0, at Pittsburg, and milepost 365.0, at Cherokee, in Crawford County, KS; and (3) the 23.5-mile rail line located between milepost 438.5, at Severy, and milepost 415.0, at Fredonia, in Wilson, Elk and Greenwood Counties, KS (“Severy-Fredonia Line”). By decision served November 3, 2000, the Board reopened the proceeding and imposed a number of salvage conditions recommended by the Board’s Section of Environmental Analysis.

Prior to April 23, 2008, the salvage conditions constituted a regulatory barrier to consummating the abandonment of the Severy-Fredonia Line. *See e.g.*, STB Docket No. AB-391 (Sub-No. 8X), *Red River Valley & Western Railroad Company – Abandonment Exemption – In Dickey County, ND and Brown County, SD* (not printed), served October 17, 2001. Under the terms of 49 C.F.R. § 1152.29(e)(2), a railroad may not consummate an authorized abandonment if there is a legal or regulatory barrier to consummation but that once the legal or regulatory barrier is removed after the 1-year time limit for consummation, the railroad has up to 60 days to file its notice of consummation.

In the policy statement in STB Ex Parte No. 678, *Consummation of Rail Line Abandonments That Are Subject to Historic Preservation and Other Environmental Conditions* (not printed), served April 23, 2008 (the “*Consummation Policy Statement*”), the Board stated

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that salvage conditions are no longer a regulatory barrier to the filing of a notice of consummation. In other words, the *Consummation Policy Statement* had the effect of removing salvage conditions as regulatory barriers to the consummation of abandonments.

Pursuant to the *Consummation Policy Statement*, South Kansas & Oklahoma Railroad, Inc. ("SKO"), hereby gives notice that SKO consummated the abandonment of the Severy-Fredonia Line as of June 19, 2008.

If you have any questions concerning this matter, please call me.

Respectfully submitted,

A handwritten signature in black ink that reads "Karl Morell". The signature is written in a cursive, flowing style.

Karl Morell
Attorney for South Kansas and Oklahoma Railroad
Company