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THOMAS F MCFARLAND

October 14, 2004

**VIA ELECTRONIC MAIL & FACSIMILE**

Mr. Vernon A. Williams, Secretary  
Surface Transportation Board  
1925 K Street, NW  
Washington, DC 20423-0001

LAW OFFICE  
**THOMAS F MCFARLAND, P.C.**  
208 SOUTH LaSALLE STREET - SUITE 1890  
CHICAGO, ILLINOIS 60604-1112  
TELEPHONE (312) 236-0204  
FAX (312) 201-9695  
mcfarland@aol.com



Re: *STB Finance Docket No. 34596, Wisconsin Northern Railroad Company, LLC - Lease and Operation Exemption - - Rail Lines of Wisconsin Central, Ltd. in Barron County, WI*

Dear Mr. Williams:

Applicant Wisconsin Northern Railroad Company, LLC. (WNRC), hereby seeks leave to withdraw the notice of exemption that it filed in the above proceeding on October 5, 2004.

The above notice of exemption was filed for a proposal to lease from Wisconsin Central, Ltd. (WCL) and operate approximately 23.97 miles of rail line between Cameron and Almena, WI, and between Cameron and Rice Lake, WI. Concurrently, two additional notice of exemption were filed, i.e.:

- (1) by Progressive Rail, Incorporated (PGR) in Finance Docket No. 34597 to lease from Union Pacific Railroad Company (UP) and operate approximately 38.3 miles of rail line between Cameron and Norma, WI.; and
- (2) by PGR in Finance Docket No. 34598 to continue in control of WNRC when WNRC becomes a rail carrier as a result of the lease and operation in Finance Docket No. 34596

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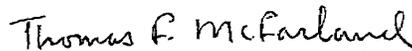
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In a decision in Finance Docket No. 34598 served October 8, 2004, the Board rejected the notice of exemption for continuance in control on the ground that the class exemption at 49 CFR §1180.2 (d)(2) is not applicable because the rail lines of WNRC and PGR connect with each other at Cameron, WI.

PGR proposes to file a new notice of exemption in its own behalf to lease the Cameron-Almena and Cameron-Rice Lake lines from WCL and operate them. PGR thus would be the applicant in that notice of exemption and in the notice of exemption in Finance Docket No. 34597 for lease from UP and operation of the Cameron-Norma rail line. There would be no common control in that circumstance that would require Board approval or exemption.

In view of the foregoing, the Board is respectfully requested to issue a decision granting leave to WNRC to withdraw the notice of exemption in Finance Docket No. 34596.

Sincerely,



Thomas F. McFarland  
Attorney for Wisconsin Northern  
Railroad Company and Progressive  
Rail, Incorporated

TFM/de

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Cc: Mr. David Konschnik  
Michael Barron, Esq.  
Mack Shumate, Esq.  
Mr. Tim Eklund

LAW OFFICE  
THOMAS F. MCFARLAND, P.C.  
208 SOUTH LASALLE STREET - SUITE 1890  
CHICAGO, ILLINOIS 60604-1112  
TELEPHONE (312) 236-0204  
FAX (312) 201-9695  
mcfarland@aol.com



THOMAS F. MCFARLAND

FAX TRANSMITTAL

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TO: VERNON A. WILLIAMS, SEC.  
FAX NO: 202 565 9004

FROM: THOMAS F. MCFARLAND

FAX NO: (312) 201-9695 TELEPHONE NO: (312) 236-0204

RE:  
E-mail counterpart of this is delayed due to  
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Tom McFarland

File # 1034

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