



**Department of
Transportation**

ANDREW M. CUOMO
Governor

MARIE THERESE DOMINGUEZ
Commissioner

JANICE A. McLACHLAN
Acting Chief Counsel

300093

December 6, 2019

ENTERED
Office of Proceedings
December 6, 2019
Part of
Public Record

The Honorable Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E Street. SW, Room #100
Washington, DC 20423-0001

Re: Bessemer and Lake Erie Railroad Company – Acquisition and Operation –
Certain Rail Lines of CSX Transportation, Inc. in Onondaga, Oswego, Jefferson, Saint
Lawrence and Franklin Counties, New York
STB Finance Docket No. 36347

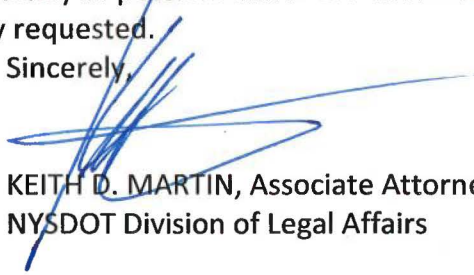
Dear Ms. Brown:

Please consider and grant this application on behalf of my client, NYS Department of Transportation, in which it seeks permission to late file a Notice of Intent to Participate in the captioned matter. Enclosed for reference please find my client's "Notice of Intent to Participate".

Notices were due on Nov. 25, 2019. I received a request to assist, from my client, late in the day on November 27th (most of the 27th was spent traveling out of town with family for the Thanksgiving holiday). I continued out of town on Thursday and Friday November 28th and 29th. Our office was closed on Monday December 2nd due to a snow emergency and travel advisory declared by our governor (please see also, attached notice from NYS *IntraDOT* News).

I have been working on this application as quickly as possible under the circumstances. Your indulgence and understanding are respectfully requested.

Sincerely,


KEITH D. MARTIN, Associate Attorney
NYSDOT Division of Legal Affairs

KDM/kdm
Enclosure

cc: Service List
R. Hessinger, Director of Freight and Passenger Rail Bureau, NYSDOT

NYS IntraDOT News

LATS Charge Code for Monday, December 2

On December 2, Governor Cuomo directed non-essential employees in Albany, Schenectady, Columbia, Greene, Fulton, Montgomery, Washington, Rensselaer, Ulster, Schoharie and Saratoga Counties not to report to work. Impacted employees should charge miscellaneous code 1301 'Excused Time by GOER' in LATS for the day. Employees do not need time and attendance coverage to charge this code. If you have any questions, please contact the Benefits Unit (HRBenefits@dot.ny.gov) or LATS Help (LATSHelp@dot.ny.gov).

Last Updated: 12/03/2019