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November 14, 2019

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20024

ENTERED
Office of Proceedings
November 14, 2019
Part of
Public Record

Re: **Docket No. AB 1107X, West Michigan Railroad Co. –
Abandonment Exemption – in Van Buren County, Mich.**

Dear Ms. Brown:

On November 13, 2019, West Michigan Railroad Co. (“WMI”) tendered in this proceeding a response to a “corrected” reply filing (the “Corrected Reply”) that the National Association of Reversionary Property Owners (“NARPO”) filed on November 4, 2019. WMI asks to withdraw its recommendation that the Corrected Reply be stricken due to failure to comply with the Board’s service requirements. NARPO did not fail to serve WMI.

NARPO’s Corrected Reply was sent to the undersigned counsel via email on November 3, 2019, and it was received via ordinary email service. However, for reasons unknown to the undersigned, the Corrected Reply was directed to a “Junk Email” folder on counsel’s Microsoft Outlook program. WMI discovered this turn of email events this morning. Counsel regrets that he had not checked his spam filter for NARPO’s email sooner.

Accordingly, WMI respectfully requests that discussion of inadequate compliance with the Board’s service requirements and its corresponding request to strike in its November 13 filing be disregarded, with apologies to the Board and to NARPO. WMI request that the Board accept and consider the balance of WMI’s November 13 response to the Corrected Reply.

Respectfully submitted,



Robert A. Wimbish
Attorney for West Michigan Railroad Co.

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cc: All Parties of Record