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**National Association of Reversionary Property Owners
(NARPO) IRS 501 (c)(3)**

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**STB, Office of Proceedings
Washington, DC 20423**

AB 290-335X Comment on Request for NITU Extension

On February 19, 2020 the City of Gadsden, Alabama requested another one year extension to a NITU issued in April 2013. The City of Gadsden misreads the Transitional Rules the STB wrote for the Final Rules in EP-749-1 which became effective on February 2, 2020. A copy of the Transitional Rules are printed below.

In the NPR, the Board stated that it may more liberally provide additional extensions for extraordinary circumstances in certain instances in which a CITU or NITU is pending when this rule takes effect. NPR, EP 749 et al., slip op. at 8. The Board clarifies now that, as a transitional measure, parties engaged in negotiations under an existing CITU or NITU that was originally issued before February 2, 2017, may request one additional extension of one year, beyond the four-year anniversary of the issuance of the CITU or NITU, without showing extraordinary circumstances.

The February 2, 2017 date the STB used in the Transitional Rules (see above) is three years from the date the Final Rules became effective. NARPO believes if you add one year to February 2, 2017, a February 2, 2016 original issue date is the date that allows an additional one year extension to a NITU (without showing extraordinary circumstances) if the NITU was issued after February 2, 2016. The

NITU in AB 290-335X was issued in April 2013 which is almost three years past the four years allowed in the new NITU extension rules.

The City of did not show any extraordinary circumstances in their request for another NITU extension so the STB should not allow another NITU extension.

NARPO has attempted to serve this Comment Letter on of Parties of Record that are still available.

Sincerely yours,

Richard Welsh, Executive Director NARPO