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June 23, 2020

The Honorable Ann D. Begeman
Chairman
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

The Honorable Patrick J. Fuchs
Member
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

The Honorable Martin J. Oberman
Vice Chairman
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

Re: Docket No. AB 1296X, *R. J. Corman Railroad Property, LLC – Abandonment Exemption – in Scott, Campbell, and Anderson Counties, Tennessee*

Dear Chairman Begeman, Vice Chairman Oberman, and Commissioner Fuchs:

The Evergreen Packaging respectfully submits this letter in support of the offer of financial assistance (“OFA”) filed herein by Arkansas-Oklahoma Railroad Co. (“AOK”).

R. J. Corman Railroad Property, LLC (“RJC Railroad Property”), filed a verified notice of exemption under 49 C.F.R. part 1152 subpart F—Exempt Abandonments and Discontinuances of Service to abandon a railroad line extending from milepost 0.95 at or near Oneida, Tenn., to the end of the line at milepost 42.0 at or near Devonia, Tenn., a distance of approximately 41.05 miles in Scott, Campbell, and Anderson Counties, Tenn. (the “Line”).¹ This Line has a single rail connection at Oneida, Tennessee with Norfolk Southern Railway. The notice of the exemption was served and published in the Federal Register on March 9, 2020 (85 Fed. Reg. 13,696). On March 19, 2020, AOK, a Class III rail carrier, timely filed a notice of intent to file an OFA to purchase the Line from RJC Railroad Property.

An OFA to acquire a line for continued rail service need not be detailed, but an offeror must show that it is financially responsible and that the offer is reasonable. *See Conrail Abandonments Under NERSA*, 365 I.C.C. 472 (1981). AOK is clearly financially responsible and has made a reasonable offer to purchase the Line.

Under 49 C.F.R. § 1152.27(c)(1)(iv)(E), an offeror must demonstrate that there is a continued need for rail service on the line. Loggers in our region, including suppliers to the Evergreen Packaging Royal Blue Chip Yard in Pioneer, Tenn., regularly harvest timber from the

¹ Notably, RJC Railroad Property did not include the Line from MP .95 to MP 0, the interchange point. This small portion is crucial to the Line as it connects it to the rest of the interstate rail system. NETRA believes this portion of the Line should be included in the OFA and abandonment as a result.

lands along the Line. Evergreen Packaging feels it would be of significant benefit to keep the line operational for these loggers to bring their goods to our plant and other locations.

In sum, keeping this Line in the national rail system would be crucial for our company that needs rail service and could use the Line to bring logs to the wood chip plant. In addition, granting of the OFA here would promote the Rail Transportation Policy by ensuring the development and continuation of a sound rail transportation system with effective competition and coordination between rail carriers and other modes, reducing regulatory barriers to entry into and exit from the industry, encouraging honest and efficient management of railroads, and encouraging and promoting energy conservation. 49 U.S.C. § 10101(4), (7), (9), and (14).

Respectfully, *Roger Alley*

Roger Alley

Royal Blue Chip Mill Supervisor

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CERTIFICATE OF SERVICE

I hereby certify that on June 23, 2020, I served the foregoing Letter of Support using the below email addresses on all parties of record in this proceeding:

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