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July 2, 2020

By E-Filing

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

Re: Docket No. FD No. 35692 – *Eastside Community Rail, LLC –
Acquisition and Operation Exemption – GNP Rly, Inc.*

Docket No. FD 35730 – *Ballard Terminal Railroad Co. LLC –
Lease Exemption – Eastside Community Rail, LLC*

Dear Ms. Brown:

This letter is being filed in the referenced dockets on behalf of CWalla Building Materials Company ("CWalla"), a rail shipper whose address is 12815 NE 178th Street Woodinville, WA 98072. CWalla owns a facility that has been located on the line at issue in these proceedings since the early 1970s, and was purchased by its current owner, SCAFCO, in 2011. The facility has for some time received rail service in the form of shipments of gypsum boards. CWalla does not at this time take a position on what it perceives to be the overarching issue raised in the various filings in these dockets, which is who or what is the proper entity in which the common carrier obligation to provide service over this line should reside. Until this Board decides otherwise, CWalla understands that the entity with that obligation is Ballard Terminal Railroad Co., LLC ("Ballard"), which has provided rail service to this facility in recent years. In June 2020 Ballard informed CWalla that Ballard intended to cease providing common carrier service to CWalla at or near the end of that month and was considering embargoing the

GKG Law, P.C.

Ms. Cynthia T. Brown
July 2, 2020
Page 2

line. On June 26, 2020 CWallA informed Ballard that it objected to Ballard's plans. See Attachment 1 to this letter. As of the date of this letter Ballard has not responded to CWallA's correspondence.

The purpose of this letter is to inform the Board that CWallA reserves all of its rights to obtain freight rail service from Ballard or any other entity the Board determines possesses the common carrier obligation attached to this rail line. CWallA also reserves its rights to acquire the rail freight easement at issue in the proceedings or the rail line pursuant to 49 U.S.C. §10904 and the Board's regulations implementing that statute should any party seek to formally abandon either the easement or the line pursuant to 49 U.S.C. §10903.

CWallA also respectfully requests to be made a party to these proceedings and be added to the official service list for receipt of filings made in them.

Please do not hesitate to call me if you have any questions.

Sincerely,



Thomas W. Wilcox
Attorney for CWallA Building Materials Company

Enclosures
Cc: All Parties of Record



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ATTACHMENT 1

From: Larry Stone <Stone@StoneGCO.com>
Sent: Friday, June 26, 2020 5:49 PM
To: jr.forgette@bdtlrr.com
Subject: Rail service in Woodinville, Washington

Hello James,

I am the owner of CWalla Building Materials Company and I own the facility that CWalla operates in Woodinville, Washington.

This email responds to your email of June 2, 2020 to Pedro Lopez, CWalla Woodinville Branch Manager, and the issues you discussed with Nina Saunders at our Spokane office by telephone on the same day.

While we appreciate the difficulties your railroad has faced recently, CWalla does not agree to your proposal to cease providing rail service to our facility. We still desire to receive rail freight service over this rail line, and our business requires such service to stay in operation. We therefore object to any plans you may have to embargo the line, and we do not agree that your railroad can legally refuse our requests to transport our railcars in and out of our facility. CWalla accordingly asks you to reconsider your plans and we reserve any and all rights to protect our interests and maintain freight rail service to our facility over this rail line.

Please feel free to call Alejandro Barrientos at 509-789-8624 at your convenience to discuss this matter further.

Sincerely,

LAWRENCE B. STONE, *President*

*Stone Group of Companies
Owner and President CWalla*

Direct Phone: 509-343-9008
E-mail: Stone@StoneGCO.com
www.StoneGCO.com

CERTIFICATE OF SERVICE

I do hereby certify that on this 2nd day of July 2020, a true and correct copy of the foregoing Letter was delivered via electronic email, on all the parties of record in STB Docket Nos. FD 35692 and 35730.

A handwritten signature in blue ink that reads "Thomas W. Wilcox". The signature is written in a cursive style with a small dot above the 'i' in Wilcox.

Thomas W. Wilcox