

AB-55-763-X

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Office of Proceedings
September 11, 2020
Part of
Public Record

Earlier today, NARPO filed a Comment Letter with the STB in AB 55-763X, but in the body of the letter we mistakenly inserted AB 55-736X for AB 55-763X. Below is the Comment letter corrected with the correct AB number.

On September 10, 2020, CSX filed a letter with the STB requesting an extension of the NITU with GHLR (Georgetown and High Line Railway Company) in AB 55-763X. As of September 26, 2020, four years have gone by since the original NITU was issued to GHLR.

According to the STB final rulemaking in EP-749 in late 2019, no more NITU extensions would be issued after four years expired unless extraordinary circumstances were articulated by the entity requesting the NITU extension.

GHLR nor CSX have articulated any extraordinary circumstance(s) to warrant an extension of the NITU.

NARPO assumes that the STB realizes the GHLR is a sham entity used by CSX to drag out abandonment timetables for CSX's own purpose(s). The CSX abandonment and GHLR's NITU request in Pinellas County, Florida is another example of GHLR's and CSX's hidden agenda in jointly requesting the STB to issue a NITU for railbanking the rail line. By having a rail line under a NITU, the abandoning railroad does not have to consummate the abandonment within the one year normally required of an abandoning railroad.

The requirements of the EP-749 rulemaking, at least puts a stop to the railroad's NITU sham after four years. The EP-749 rulemaking recognized the finality in property titles of abutting reversionary property owners that are held in limbo for years with the issuance of a NITU. In the instant abandonment, CSX hold little if any title to the underlying right of way to the rail line.

NARPO requests the STB to cancel the NITU in AB 55-763X on September 27, 2020 and not extend the NITU any longer.

Today NARPO has served a courtesy copy of this comment on CSX and GHLR which in reality are one and the same entity.

September 11, 2020 Dick Welsh--NARPO

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According to the STB final rulemaking in EP-749 in late 2019, no more NITU extensions would be issued after four years expired unless extraordinary circumstances were articulated by the entity requesting the NITU extension. GHLR nor CSX have articulated any extraordinary circumstance(s) to warrant an extension of the NITU.

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