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September 14, 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 FD No. 35692, *Eastside Community Rail, LLC – Acquisition and Operation Exemption – GNP RLY, INC.*

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

Dear Ms. Brown:

On September 11, 2020, Snohomish County ("SnoCo") filed a pleading styled "Snohomish County's Opposition to CWalla 8 September Filing (corrected)" in the captioned dockets.¹ This pleading suggests in two places that CWalla Building Supply Materials Company's ("CWalla") Reply to Motion for Leave to File Notice and Notice of Recent Development (Embargo) should be "stricken." To the extent SnoCo's pleading is construed as a motion to strike, it has no merit. First, 49 C.F.R. §1104.13(a) permits the timely filing of a reply to "any pleading," which is simply what CWalla did. Second, SnoCo's assertions that CWalla's reply raises irrelevant and/or extraneous material are belied by the fact that the reply addresses matters concerning the responsibility for maintenance and service over the railroad line at issue that were raised by SnoCo in its Motion and accompanying Notice.

¹ This pleading appears to have been intended to supersede a similar filing made by SnoCo the same day that erroneously stated that CWalla's reply was untimely.

GKG Law, P.C.

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The undersigned certifies that this letter is being served on all parties of record. Please do not hesitate to call me if you have any questions.

Sincerely,



Thomas W. Wilcox
*Attorney for CWallA Building Supply Material
Company*



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