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

Re: Michael Williams – Verified Notice of Exemption --
Control Exemption, F.D. 36460; and related proceeding:
S&S Shortline Leasing, LLC – Acquisition Exemption –
City of Ely and Nevada Northern Railway Foundation,
F.D. 36461

Dear Ms. Brown:

Enclosed for filing please find the following for filing in the above referenced F.D. 36460 on behalf of Michael Williams: Supplemental Comments and Verified Statement of Michael Williams. Enclosed for filing in the above referenced F.D. 36461 please find a Verified Correction for the Acquisition Exemption. These pleadings are tendered to address issues posed in this Board's Decision in the above proceedings served January 26, 2021. Mr. Williams and S&S Shortline Leasing hope that these filings will resolve the issues such that the Notices of Exemption may be allowed.

By my signature below, I certify service by email attachment Jeffrey Moreno and Jason Tutrone, Thomson Hine LLP, 1919 M St., NW, Suite 700, Washington, D.C. 20046, counsel for City of Ely, Foundation, and Great Basin.

Thank you for your assistance in this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C. Montange', with a stylized flourish at the end.

Charles Montange
Counsel for Michael Williams and
S&S Shortline Leasing, LLC

Attachments:

FD 36460 – Supplemental Comments and Verified Statement
FD 36461 – Verified Correction

cc. as indicated above

BEFORE THE SURFACE TRANSPORTATION BOARD

S&S Shortline Leasing, LLC –)
Acquisition Exemption –) F.D. 36461
City of Ely and Nevada Northern Railway Foundation)

Verified Correction

S&S Shortline Leasing, LLC, hereby makes the following verified corrections to its Notice of Exemption filed in this Proceeding on November 13, 2021:

On page 3, third and fourth lines -- the language after the words “pursuant to” in the third line is hereby stricken and the following language substituted:

“a lease for car storage purposes only and not for common carrier purposes. S&S acknowledges that this Board authorized common carrier use pursuant to S&S Shortline Leasing, LLC – Operation Exemption – City of Ely, FD 35284 (STB served Aug. 14, 2009). However, S&S never exercised this authority, in that it (a) never had a property interest to provide common carrier services and (b) in fact did not provide common carrier services.”

Conclusion

In light of the correction above addressing inconsistencies, S&S respectfully requests this Board to allow the acquisition exemption in this proceeding.

Respectfully submitted,

s/ Chas. Montange

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Attorney for S&S Shortline Leasing, LLC

Verification

I, Michael Williams, Manager of S&S Leasing, LLC, verify under penalty of perjury that the foregoing Verified Correction and the Verified Notice of Exemption as corrected thereby is true and correct to the best of my knowledge, information and belief. Further, I certify that I am qualified and authorized to file this Verified Notice of Exemption on behalf of S & S Shortline Leasing, LLC.

Executed on February 12, 2021.


Michael Williams, Manager