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Town Justice

302478

ENTERED
Office of Proceedings
June 8, 2021
Part of
Public Record

June 7, 2021

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

Docket No. AB 1261 NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION —ADVERSE ABANDONMENT— SARATOGA AND NORTH CREEK RAILWAY IN TOWN OF JOHNSBURG, N.Y.

Dear Chairman Begeman,

On May 18, 2020, Allison C. Davis, Director, Office of Proceedings approved the request of William A. Brandt, Jr., chapter 11 Trustee for the bankruptcy estate of the San Luis & Rio Grande Railroad, Inc. ("SLRG"), the parent of Saratoga and North Creek Railway, LLC, to continue to hold the proceeding in abeyance "given the ongoing bankruptcy proceeding."

In the most recent filings of Mr. Brandt, entered into the Public Record on April 30, 2021, a subsequent request asked that the proceeding be placed in abeyance until September 30, 2021. According to Mr. Brandt, "five separate entities have signed (or are in the process of signing) Non-Disclosure Agreements with the Trustee in order access the data room." Mr. Brandt also reported, "the number of potential parties who have expressed an interest in purchasing the SNCR rail line has increased substantially in the past couple of months, and that "the Trustee is increasingly optimistic that he will be able to effectuate a sale of SNCR as an operating rail line."

The Essex County Board of Supervisor and the Newcomb Town Board steadfastly opposes the adverse abandonment application filed by the New York State Attorney General's Office on behalf of the New York State Department of Environmental Conservation and continue to support the efforts of Mr. Brandt. We do not consider or believe that "public convenience or necessity" require or permit the abandonment of this rail line and admonish the Surface Transportation Board for its interest in both preserving and promoting continued rail service of this line.

Shaun Gilliland - Chairman Essex County Board of Supervisor

Robin DeLoria - Supervisor Town of Newcomb

CERTIFICATE OF SERVICE

I hereby certify that on June 7, 2021, I caused a true and correct copy of the response to the Protest/Opposition Statement filed on behalf of William A. Brandt, Jr., solely in his capacity as the chapter 11 trustee, Docket No. AB 1261, NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION--ADVERSE ABANDONMENT--SARATOGA AND NORTH CREEK RAILWAY IN TOWN OF JOHNSBURG, N.Y. to be filed electronically with the Surface Transportation Board's E-Filing System and sent via First- Class mail to the following Parties of Record:

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