

ENTERED
Office of Proceedings
August 4, 2021
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Public Record

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-1296X

**R. J. CORMAN RAILROAD PROPERTY, LLC
– ABANDONMENT EXEMPTION –
IN SCOTT, CAMPBELL, AND ANDERSON COUNTIES, TENNESSEE**

**APPLICANT’S REPLY TO ARKANSAS-OKLAHOMA
RAILROAD CO.’S MOTION TO WITHDRAW**

R. J. Corman Railroad Property, LLC (“RJC Railroad Property” or “Applicant”), by counsel, submits its Reply to the Motion to Withdrawal filed by Arkansas-Oklahoma Railroad Co. (“AOK”) on August 3, 2021.¹ Currently pending in the above referenced proceeding is a petition to reopen or vacate filed by Anderson County, Tennessee (“Petition”). On June 1, 2021, AOK filed a one-page Joinder Petition to Reopen and/or Vacate providing no case law or other authority, simply indicating its support of the prior filed Petition. RJC Railroad Property responded to the Petition on June 15, 2021.

AOK’s current filing makes clear its intent to immediately withdraw as a party and/or participant in this proceeding, effectively withdrawing its Joinder Petition. RJC Railroad Property has no objection to AOK’s request to immediately withdraw.

However, AOK further states its intent to submit a confidential filing providing the reason for this decision and accompanying information. At this point, AOK’s involvement is limited to its having filed a one-page joinder petition. The fact that it has now withdrawn from its current

¹ AOK’s filing states it was filed on July 31, 2021 and served on July 13, 2021. The undersigned received service of the filing at her old email address of record on August 3, 2021. The Office of Proceedings docketed the filing on August 3, 2021.

limited involvement in these proceedings does not immediately signify the need for a confidential submission with includes accompanying information.

Nonetheless, 49 CFR §1104.14 allows for parties to file a motion for protective order when it believes materials are entitled to be kept confidential. To the extent that AOK believes it necessary to provide a reason for its decision to file a notice to withdrawal with the Board as well as provide accompanying documentation, and to also maintain the confidentiality of same, RJC Railroad Property respectfully requests that AOK file a motion for protective order providing sufficient grounds such that the general substance of the proposed confidential filing be ascertainable. Moreover, RJC Railroad Property reserves the right to respond to a motion for protective order filed by AOK.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on August 4, 2021, I served the foregoing Reply using the below email addresses on all parties of record in this proceeding:

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