

TRAC

Train Riders
Association
of California

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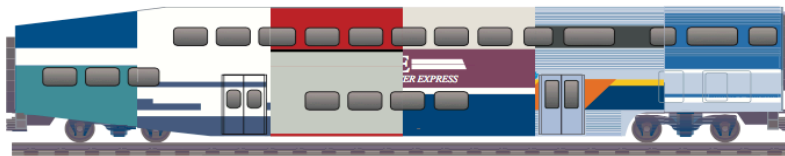
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August 11, 2021

ENTERED

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
Washington, DC 20423-0001

Office of Proceedings
August 12, 2021
Part of
Public Record

Re: Docket # AB-1310X and Docket # AB 1310 (Sub-No. 1X)
Northwestern Pacific Railroad Company - Discontinuance of Service
Exemption in Mendocino County, CA

Dear Ms. Brown:

The Train Riders Association of California ("TRAC") offers this short response to NWPCO's most recent filing:

1. TRAC asserts that NWPCO has failed to perfect the service of its July 13, 2021 Notice of Exemption. TRAC is clearly on the service list for its previous Notice of Exemption. NWPCO's decision to file a second action under the same docket number should not give it the ability to ignore the previous service list under that docket number. TRAC had commented in that earlier proceeding specifically on service to Mendocino County, the subject of NWPCO's recent filing, making its interest obvious. The failure to properly serve TRAC should restart the exemption timeline.
2. TRAC provided two verified statements from rail shippers desiring service in its March 31, 2021 filing in this proceeding (Exhibits 5, 8 and 9; PDF pp. 122, 137 and 139), contradicting NWPCO's certification (b) in paragraph 9 of its Notice of Exemption.
3. TRAC had asserted in the earlier proceeding that there was no reason to defer the resolution of the fate of the Mendocino segment of the line. NWPCO's recent filing offers no excuse for unnecessarily burdening the STB and parties like us with a second proceeding.

Sincerely yours,

/s/ DAVID SCHONBRUNN

David Schonbrunn, President
David@Schonbrunn.org
415-370-7250

1025 Ninth Street Suite 200
Sacramento CA 95814-3000

(916) 557-1667
www.calrailnews.org
president@calrailnews.org

Proof of Service

I certify that I have this day served copies of the TRAC Response of August 11, 2021 upon all parties of record in this proceeding, by email.

Justin J. Marks
Clark Hill PLC
1001 Pennsylvania Ave. N.W.
Suite 1300 South
Washington, DC 20004
(202) 772-0916
jmarks@clarkhill.com

Kevin M. Sheys
Hogan Lovells US LLP
Columbia Square, 555
Thirteenth Street NW
Washington, DC 20004
(202) 637-5600
Kevin.Sheys@hoganlovells.com

Eric M. Hocky
Clark Hill PLC
Two Commerce Square
2001 Market St., Suite 2620
Philadelphia, PA 19103
(215) 640-8523
ehocky@clarkhill.com

Signed on August 11, 2021



David Schonbrunn, President of TRAC