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May 20, 2022

BY E-FILING

Cynthia T. Brown
Chief, Section of Administration, Office of
Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20024

Re: AB 167 (Sub-No. 1195X)
Consolidated Rail Corporation - Abandonment Exemption - In Schuylkill &
Carbon Counties, PA

Dear Ms. Brown:

Reading Blue Mountain & Northern Railroad Company ("RBMN") originally wrote to the Board on January 21, 2022, to request that the Board hold this proceeding in abeyance until RBMN is able to confirm that its property interests and operating rights will not be affected by the proposed abandonment.

It appears from Conrail's Supplemental Reply filed on January 27, 2022 that Conrail does not own, and never owned, any property associated with the Line (USRA Line Code 0523) in Carbon County, including the portion of the Line where it crosses RBMN's Shimer Running Track (sometimes referred to now as the Hazleton Line).

Unfortunately, property records research by RBMN show that although Conrail apparently never owned property in Carbon County, it purported to convey the property relating to USRA Line Code 0523 to Norfolk Southern Railway Company ("NSR"). This transfer leaves the ownership of the property where it crosses RBMN's line in a confused state. RBMN has requested the Conrail correct the deed to NSR remove the property that Conrail now acknowledges it never acquired.

RBMN acknowledges the letters from Congressman Meuser and Senator Toomey asking for prompt action by the Board. However, until Conrail corrects the property records to comport with the claims in its Supplemental Reply, it remains unclear whether Conrail's proposed abandonment would have an effect on RBMN's interest in the Shimer Running

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Track, and the Board should not take any action with respect to the abandonment. RBMN hopes that Conrail will take the necessary actions quickly so that the Board will be in a position to act on Conrail's abandonment.

I certify that a copy of this letter is being served by e-mail on all parties of record.

Respectfully,

CLARK HILL

/s/ Eric M. Hocky

Eric M. Hocky
*Counsel for Reading Blue Mountain &
Northern Railroad Company*

EMH:e

cc: Michael L. Rosenthal, Counsel for Conrail
Jolene Busher, RBMN