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Office of Proceedings
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Public Record

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August 18, 2022

VIA E-FILING

Cynthia T. Brown
Chief of the Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington DC 20423-0001

Re: North Coast Railroad Authority – Abandonment Exemption – In Mendocino, Trinity, and Humboldt Counties, Cal., AB-1305X.

Dear Ms. Brown:

I am writing on behalf of Mendocino Railway (“MR”) in the above-referenced railroad abandonment proceeding to provide the Board with an update concerning MR’s forthcoming Offer of Financial Assistance (“OFA”). As the Board is aware, on May 31, 2022, MR timely filed a notice of intent to file an OFA to purchase a 13-mile portion of the Line proposed for abandonment. Concurrently on May 31, 2022, and pursuant to 49 C.F.R. §1152.27(a), MR sent a letter to Great Redwood Trail Agency/North Coast Railroad Authority (“GRTA”) requesting information required for formulating and submitting an OFA. The Board accepted MR’s OFA on June 10, 2022. See North Coast Railroad Authority – Abandonment Exemption – In Mendocino, Trinity, and Humboldt Counties, Cal., AB-1305X, slip op. at 3 (STB served June 10, 2022).

After GRTA failed to timely provide the financial information necessary for MR to proceed with its OFA, on June 14, 2022, MR petitioned to toll the OFA filing deadline. In a decision served on June 24, 2022, the Board granted MR’s petition to toll the OFA deadline until August 18, 2022, or 30 days after GRTA notified the Board in writing that it has provided MR with the requested information.

As of today, and notwithstanding the requirement in the regulations that GRTA provide MR with the requested information “promptly,” GRTA has not provided any of the information

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MR requested in its May 31, 2022, letter. As such, MR is writing to notify the Board that it continues to wait on such information. GRTA should be required to comply with the Board's regulations and provide the information promptly. If an order from the Director or the Board is necessary to compel GRTA to provide the information required by the regulations, then MR requests that such an order be issued. As directed by June 24, 2022, decision, MR will file its OFA 30 days after receipt of the required information.

If you have any questions, please contact me by phone at (202) 663-7823, or by email at WMullins@bakerandmiller.com.

Respectfully submitted,

/s/ William A. Mullins

William A. Mullins
Attorney for Mendocino Railway

cc: Parties of Record