

February 7, 2023

Ms. Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E. Street, S.W.
Washington, D.C. 20423

 GRANTED Office of Proceedings	DECISION ID NO.: <u>51606</u>
	DECIDED DATE: <u>2/15/2023</u>
	SERVED DATE: <u>2/16/2023</u>
	APPROVED: <u><i>MacBain</i></u> Director
☒ Extended to 2/18/2024	

RE: Docket No. AB 1294X / Eighteen Thirty Group, LLC - Abandonment Exemption
In Allegany County, Maryland

Dear Ms. Brown:

I am legal counsel for Allegany County, Maryland, and I am filing this extension request on behalf of the Board of Commissioners of Allegany County, Maryland, a political subdivision of the State of Maryland ("Allegany County").

Pursuant to a Decision dated February 17, 2021, the Board issued a Notice of Interim Trail Use to Allegany County, as Sponsor, to enable the State of Maryland Department of Natural Resources ("DNR"), working in a cooperative relationship with Allegany County and on behalf of Allegany County, to proceed to negotiate with Eighteen Thirty Group, LLC, to rail bank the identified Corridor for interim trail use. Pursuant to the Decision, an agreement for interim trail use/rail banking was required to be reached by February 18, 2022. Pursuant to a Decision dated February 2, 2022, the Board approved an extension of one year until February 17, 2023, to allow the parties to continue to work towards an agreement for interim trail use.

DNR and the Eighteen Thirty Group, LLC have not yet finalized negotiations for interim trail use, but have been engaged in active discussions in preparation for being able to negotiate a final agreement, and need additional time in order to be able to do so.

Allegany County therefore respectfully requests a second one-year extension of the negotiating deadline, to February 16, 2024. Eighteen Thirty Group, LLC is aware that Allegany County is requesting this extension, and is in support of it.

Allegany County requests a waiver of the filing fee pursuant to §49 C.F.R. 1002.2(e)(1), based on Allegany County being a local government entity.

FILING FEE WAIVED

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By my signature below, I certify service upon Eighteen Thirty Group, LLC to the following individuals:

John R. Wise, Esq.,
Thomas & Libowitz, P.A.
JWise@tandllaw.com

and

Lou Gitomer, Esq.
The Law Offices of Louis E. Gitomer, LLC
lou@lgraillaw.com

Respectfully submitted,

OFFICE OF THE COUNTY ATTORNEY

T. Lee Beeman, Jr.,
County Attorney

Cc: Eighteen Thirty Group, LLC to the attention of John R. Wise, Esq., Thomas & Libowitz, P.A.

FILING FEE WAIVED