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LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE
ENVIRONMENTAL PROTECTION BUREAU

February 27, 2023

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

 GRANTED Office of Proceedings ☐	DECISION ID NO.: <u>51620</u>
	DECIDED DATE: <u>2/28/2023</u>
	SERVED DATE: <u>2/28/2023</u>
	APPROVED: <u><i>Madair</i></u> Director

Re: *New York State Department of Environmental
Conservation – Adverse Abandonment – Saratoga and
North Creek Railway in Town of Johnsbury, NY*
STB Docket No. AB 1261

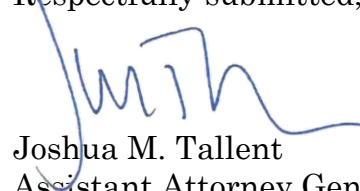
Dear Ms. Brown:

On September 10, 2018, the New York State Department of Environmental Conservation (DEC) filed an application for authorization to abandon approximately thirty miles of railroad commonly known as the Tahawus Line (the Line), running from milepost NC 0.0 at North Creek, New York to milepost NC 29.71 near the former Tahawus Mine. The purpose of this letter is to withdraw that application without prejudice.

On April 20, 2022, Revolution Rail Holding Company, LLC (Revolution) filed a verified notice of exemption to acquire the Line. At DEC's request and for the reasons described in its May 19, 2022 order, the Board stayed the effective date of the exemption. By letter dated July 19, 2022, DEC informed the Board that it had entered into a mutually acceptable railcar storage agreement with Revolution. In exchange for Revolution's promise not to store railcars on the Line, DEC agreed to withdraw its abandonment application upon the occurrence of certain preconditions. Those preconditions having been met, DEC now wishes to withdraw without prejudice the abandonment application that is the subject of Docket No. AB 1261.

DEC thanks the Board and its staff for their care and professionalism throughout these proceedings.

Respectfully submitted,



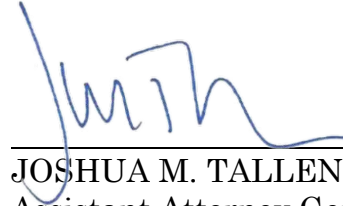
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cc: service list

CERTIFICATE OF SERVICE

In accordance with 49 C.F.R. § 1104.12(a), I certify that I served a copy of the foregoing letter upon all parties of record in this proceeding.

Dated: February 27, 2023
Albany, New York



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