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December 20, 2023

By e-mail and first-class mail

Judge - Thomas McCarthy
Administrative Law Judge
Federal Mine Safety and Health Review Commission
1331 Pennsylvania Avenue, N.W.
Suite 520N
Washington, DC 2004-1710

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Re: *CSX Transportation, Inc. – Acquisition and Operation – Rail Line of Meridian & Bigbee Railroad, L.L.C.*, STB Docket No. FD 36727 (the “CSXT Application”)¹
and
Canadian Pac. Kansas City Limited and the Kansas City Southern Railway Company, D/B/A/ CPKC – Acquisition and Operation – Certain Rail Line of Meridian & Bigbee Railroad, L.L.C. in Lauderdale County, Miss., and Choctaw and Marengo Counties, Ala., STB Docket No. 36732 (the “CPKC Application”)²

Dear Judge McCarthy:

In accordance with the Surface Transportation Board's (“STB”) Decision No. 5 served on December 19, 2023, in the above referenced dockets (and their related proceedings), Meridian & Bigbee Railroad, L.L.C. (“MNBR”) and Alabama & Gulf Coast Railway (“AGR”) are submitting a copy of each of following filings submitted by AGR and MNBR to the STB in the proceedings described below:

In the *CSXT Application* and related proceedings:

- MNBR Notice of Exempt Discontinuance in STB Docket No. AB 1335X

¹ In the *CSXT Application* proceeding the STB has embraced *Meridian & Bigbee Railroad, L.L.C. - Discontinuance of Incidental Overhead Trackage Rights - In Lowndes and Montgomery Counties, Ala*, STB Docket No. AB 1335X and *Alabama & Gulf Coast Railway – Trackage Rights Exemption – CSX Transportation, Inc.*, STB No. FD 36724.

² In the *CPKC Application* proceeding, the STB has embraced, as relevant here, *Alabama & Gulf Coast Railway – Trackage Rights Exemption – Kansas City Southern Railway d/b/a Canadian Pacific Kansas City*, STB Docket No. FD 36731.

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- MNBR Supplement to its Notice of Exempt Discontinuance in STB Docket No. AB 1335X
- MNBR Reply to NS motion to extend procedural schedule in STB Docket No. FD 36727 [also filed in Docket No. FD 36732 as noted below]
- AGR-CSXT Trackage Rights Notice of Exemption in STB Docket No. FD 36724

In the *CPKC Application* and related proceedings:

- AGR-KCS Trackage Rights Notice of Exemption in STB Docket No. 36731
- MNBR Reply to NS motion to extend procedural schedule in STB Docket No. FD 36732 [also filed in Docket No. FD 36727 as noted above]

Respectfully submitted,



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Enclosures

cc: Parties of Record (without enclosures)
Surface Transportation Board (without enclosures)