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March 1, 2024

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

Re: State of Oklahoma by and through the Oklahoma Department of Transportation
and Blackwell Industrial Authority – Alternative Rail Service –
Line of Blackwell Northern Gateway Railroad Company
Surface Transportation Board Docket No. FD 36762

Dear Ms. Brown:

On February 26, 2024, the Oklahoma Department of Transportation ("ODOT") and the Blackwell Industrial Authority ("BIA") filed a Petition for Emergency Service seeking a Board order allowing the Chicago, Rock Island & Pacific Railroad, LLC (the "Rock Island") to provide local rail service as an alternative to the Blackwell Northern Gateway Railroad Company ("BNGR") due to a February 3, 2024, Federal Railroad Administration Emergency Order prohibiting BNGR from operating.

Under 49 C.F.R. § 1146.1(b)(2)-(4), an incumbent railroad has three business days to file a reply to a petition for emergency service order. The party requesting relief may file a rebuttal no more than two business days later and the Board will endeavor to issue a decision within five business days after receiving a rebuttal.

The reply deadline has expired and BNGR has not filed a reply. The ODOT/BIA petition is therefore unopposed and no rebuttal is necessary. For this reason, ODOT and BIA respectfully request that the Board expeditiously grant the Petition for Emergency Service to allow the Rock Island to serve customers that have now been without rail service since February 3rd.

If there are any questions related to this filing, please let me know.

Sincerely,



Justin J. Marks
Counsel to the Oklahoma Department of
Transportation

cc: All 49 C.F.R. § 1146.1(e) parties.