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Via Electronic Filing

308419

June 26, 2024

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Room 1034
Washington, DC 20423-0001

ENTERED
Office of Proceedings
June 26, 2024
Part of
Public Record

RE: Docket AB-180X
Lowville & Beaver River Railroad Company
Request for Waiver

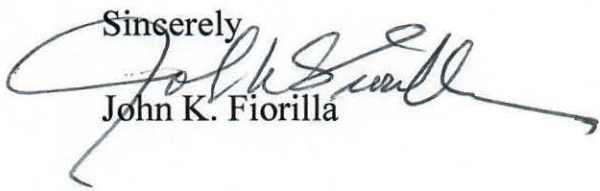
Dear Ms. Brown:

This firm represents the applicant the Lowville & Beaver River Railroad Company in the above captioned matter.

This filing is in response to a Decision of the Board in Docket AB-180X in which it suggested that the applicant file for a waiver of the two year out of service requirement.

Please note that I hereby certify that I have sent copies of this letter and the filing to the seventeen (17) parties listed in Docket AB-180X by US Mail.

Sincerely


John K. Fiorilla

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB 180X

**ABANDONMENT EXEMPTION
THE LOWVILLE & BEAVER RIVER RAILROAD COMPANY**

REQUEST FOR WAIVER

On April 4, 2024 the Lowville & Beaver River Railroad Company filed an Acquisition Exemption in the docket FD 36763. In this docket the applicant explained that it had reacquired the line of railroad from the Lewis County Industrial Development Authority on or about July 14, 2016 and that it had failed to file to obtain authority to purchase and continue operating. Applicant requested that this authority be granted to it Nunc pro tunc.

In its decision served on April 19, 2024 the Board granted this request and the decision became effective on May 4, 2024.

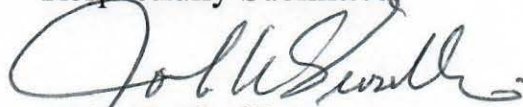
The applicant has made application to abandon this line in Docket AB 180X and that application is currently pending with the Board.

In its Decision in Docket AB 180 X served on January 22, 2024, the Board suggested that the applicant apply for a waiver of the two year out-of-service requirement found under 49C.F.R part 1152 Subpart F.

The applicant hereby requests this waiver due to the fact that there has been no service nor request for service for at least fifteen (15) years on this line and there would seem to be no reason to wait an additional two years now that the Board has granted the Acquisition Exemption in this docket.

Applicant requests that the Board grant the waiver of the two years out of service requirement and then consider the request for abandonment filed in Docket AB 180X.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "John K. Fiorilla".

John K. Fiorilla

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Attorney for Lowville & Beaver
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