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Office of Chief Counsel
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Public Record

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December 10, 2025

Chief of Case Administration
Office of Chief Counsel
Surface Transportation Board
395 E Street S.W.
Washington, DC 20423-0001

Re: STB Docket No. FD 36833 Lampwrights LLC– Construction and Operation
Exemption–In Elk and Jefferson Counties, PA

Dear Chief of Case Administration:

On September 29, 2025, Lampwrights LLC submitted to the Board a petition for exemption under 49 U.S.C. § 10502 from the prior approval requirements of 49 U.S.C. § 10901 to construct and operate approximately 20,427 feet of common carrier rail line in Elk and Jefferson Counties, PA. At present, the Board's Office of Environmental Analysis ("OEA") is analyzing the impacts of the Proposed Line. Once its analysis is complete, OEA will publish a draft of its analysis – an Environmental Assessment ("EA") – for public comment. Following the public comment period, OEA will finalize its EA and may – if appropriate – recommend mitigation measures to reduce the environmental impact of the Lampwrights Proposed Line.

On November 20, 24, 28, and December 3 and 9, members of the community – including the Horton Township Board of Supervisors – submitted comment letters in opposition to the Lampwrights petition. Generally speaking, the comments in opposition to the Proposed Line are based on the impacts of the Proposed Line.

The initial comment was filed with the Board on November 20, 2025. The Board's regulations at 49 C.F.R. § 1104.13(a), state that a party may reply to any pleading within 20 days after the pleading is filed with the Board. Therefore, a reply from Lampwrights would be due on December 10. However, because the November 20 comments and the comments that follow are filed in opposition due to concerns over the apparent environmental impacts of the Proposed Line, Lampwrights is not filing a reply at this time.

In the interest of administrative efficiency, due to the various filings, and the potential for additional similar filings, Lampwrights respectfully requests that the Board follow the procedures established for exemption proceedings under 49 C.F.R. § 1121.4. Under this section, the Board may consider, during its deliberation, any public comments filed in response to a petition for exemption and can direct that additional information be filed. 49 C.F.R. §§ 1121.4(a), 1121.4(c)(1)(i). As the Board has explained in past petition for exemption proceedings for construction authority – the Board will decide the transportation merits of a construction proposal

when it has a complete record – including an environmental record.¹ Therefore, a Lampwrights reply to these comments is premature.

However, if the Board finds, as a result of these comments, that it is in need of additional information, Lampwrights would respond to any Board inquiry and/or is willing to file a reply to any of the comments submitted in this proceeding, if directed by the Board to do so. See *Green Eagle Railroad, LLC – Construction and Operation Exemption – in Maverick County, Tex.*, STB Finance Docket No. 36652 (served Aug 29, 2025)(directing a petitioner to respond to a comment from Union Pacific Railroad).

For the reasons set forth above, at this time, Lampwrights is not responding to the individual comments submitted to date. Lampwrights reserves the right to respond if prompted to do so by the Board or if the Board establishes a procedural schedule.

If you have any questions related to this filing, please let me know.

Sincerely,



Justin J. Marks
Counsel to Lampwrights LLC

cc: Parties of Record

¹ See *Savage Tooele Railroad Co. – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah*, STB Finance Docket No. 36616, slip op. at 3 (served March 30, 2023).