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ENTERED
Office of Chief Counsel
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STB
Office of Proceedings
Washington, DC 20423

RE AB 55-794X CSX Abandonment Exemption in Pinellas County, Florida

Attached below is a copy of a letter NARPO sent to the STB on April 5, 2024. Here we are 20 months later and the same issue is before the STB. NARPO has the same argument as the April 24, 2024 letter in that the STB is disregarding their own rules by allowing any extension of the NITU past four years from the initial NITU issuance. The four years of this NITU expired on January 12, 2024, see the STB's own words on NITU extensions:

Effective February 2, 2020, the Board has modified its rules regarding the number and duration of, and standard for granting, extensions of the NITU negotiating period (as well as the duration of the initial NITU negotiating period). See Limiting Extensions of Trail Use Negotiating Periods, EP 749 (Sub-No. 1) et al. (STB served Dec. 4, 2019).

Just because the NITU entity has changed does not mean the four year NITU period can keep getting changed so as to completely nullify the STBs own regulations. It doesn't take too much thought for anyone to realize how to easily circumvent the STB regulation on NITU extensions.

NARPO requests the STB to terminate the NITU in AB 55-763X as of January 12, 2024 which is four years after the NITU was issued..

All Parties of Record and the Department of Justice have been served via email on 12.31.2025.

Richard Welsh--NARPO dick156@earthlink.net

NARPO letter from April 5, 2024 to the STB Office of Proceedings.

On April 5, 2024 the STB Acting Director, Office of Proceedings issued a Decision denying NARPO's January 12, 2024 request for the STB to deny an extension of a NITU in AB 55-794X.

As the STB is well aware, CSX and GHL, have more then 10 abandonments in which they have had or still have NITUs between themselves. GHL is a subsidiary of CSX. The STB established

a rule from EP-749 that basically allows the NITU holder four years to consummate a Trail Use Agreement with the abandoning railroad. If the STB allows the kind of scheme that CSX and GHL are trying to pull off in AB 55-794X, then the four year rule established in EP-749 will end up as a farce. The STB is aware that even the federal Department of Justice is examining the cozy relationship between CSX and GHL—see <https://www.courtlistener.com/docket/17350231/collective-edge-llc-v-united-states/>. If the STB allows the one year extension of the NITU, then that will be a blueprint for other railroads and trails groups to find alter egos to pass over the STB rules at 49 CFR 1152.29(d).

NARPO requests the STB to terminate the NITU in AB 55-763X as of January 12, 2024 which is four years after the NITU was issued..

All Parties of Record and the Department of Justice have been served via email on 4/5//2024.

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