

310925

ENTERED
Office of Chief Counsel
March 2, 2026
Part of
Public Record

March 2, 2026

VIA E-FILING

Chief of Case Administration
Office of the Chief Counsel
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Re: *Lampwrights LLC—Petition for Exemption to Construct and Operate a Line of Railroad in Elk and Jefferson Counties, PA*, STB FD No. 36833

Dear Sir or Madam:

The First Apostles' Doctrine Church ("Church") respectfully requests that the Board strike Lampwrights LLC's ("Lampwrights") Response filed on February 25, 2026, in the above captioned proceedings as an impermissible Reply to a Reply.

The Board's rules clearly provide that "[a] reply to a reply is not permitted."¹ While the Board has previously accepted such filings upon a showing of good cause, lately it has indicated that it intends to enforce this rule more strictly in order to promote "the orderly and efficient administration of cases."² This rule applies to filings regardless of how a filing is labeled.³ The appropriate remedy for violation of this rule is to strike an impermissible reply to a reply from the record.⁴

Although styled as "Response" to a reply, Lampwrights' February 25, 2026, filing clearly serves as a Reply to Reply. It responds to the specific arguments made by the Church in its February 5, 2026, Reply to Lampwrights' Notice of Exemption filing. Moreover, Lampwrights' response provides additional detail on aspects of its petition for relief from the board, such as

¹ 49 C.F.R. § 1105.13(c).

² *Sunflower State Indus. Ry.—Pet. for Declaratory Order*, FD 36714 (Sub-No. 1), slip op. at 2 n.3 (STB served March 28, 2025); *see also US Rail Corp.—Construction & Operation Exemption—Brookhaven Rail Terminal*, FD 35141, slip op. at 5 n.11 (STB served Sept. 22, 2025); *Norfolk S. Corp., et al.—Acquis. of Control—Norfolk & Portsmouth Belt Line R.R.*, FD 36836, slip op. at 10 (STB served Mar. 14, 2025) (Board Member Fuchs, concurring) ("While I acknowledge that the Board has liberally accepted replies to replies over the years, going forward I plan to ask the Board to more strictly enforce this rule.").

³ *Sunflower*, FD 36714 (Sub-No. 1), slip op. at 2 n.3.

⁴ *U.S. Rail Corp.*, FD 35141, slip op. at 5 n.11.

March 2, 2026

Page 2

property ownership status, that it should have but chose not to include in its original petition.⁵ Lampwrights does not seek leave to file its Response, nor does it argue that good cause exists to admit it into the record.

In keeping with the Board's new policy of complying with its regulations, and in the interest of orderly and efficient case administration, the Church requests that the Board continue to enforce its prohibition on replies to replies by striking Lampwrights' February 25, 2026, Response from the record.

Sincerely,



Allison I. Fultz

cc: All parties of record

⁵ See Church Reply at 8 (noting the requirement under 49 C.F.R. § 1150.43(c) that filers under the Board's class exemption procedures must include a "statement that an agreement has been reached or details about when an agreement will be reached" regarding acquisition of property.