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ENTERED
Office of Chief Counsel
April 9, 2026
Part of
Public Record

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April 9, 2026

By E-Filing

Ms. Cynthia T. Brown
Chief of Case Administration
Office of Chief Counsel
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

Docket No. FD 36909, *TransloadX Railroad Company, Inc. - Acquisition and Operation Exemption – CSX Transportation, Inc.*

Dear Ms. Brown:

This letter is submitted on behalf of the applicant in this proceeding, TransloadX Railroad Company, Inc. (“TransloadX-RR”) in response to the “Letter of Update” filed in this proceeding by Mr. Chalmers Hardenbergh, who is participating in this proceeding as an alleged “interested member of the public.” Mr. Hardenbergh’s filing continues what appears to be a personal vendetta against the principals of TransloadX-RR. The Board should either reject the “Letter of Update” or disregard it as it provides no grounds for rejecting the Notice of Exemption in this proceeding, and in fact lends support for it.

As an initial reason to reject the filing, it is procedurally deficient. First, Mr. Hardenbergh certified that he served a copy of the filing on counsel for TransloadX-RR via email on April 6, 2026, but this was false. The document was not served on the undersigned counsel by any means on April 6, 2026. Moreover, a complete version of the filing has *still* not been served on the undersigned, as Mr. Hardenbergh did not include the two exhibits to his filing in the version he emailed to the undersigned next day after counsel discovered a filing had been made and contacted him.

Second, the filing is clearly a prohibited reply to the Verified Reply to Petition for Stay filed by TransloadX-RR on April 1, 2026. 49 C.F.R. §1104.13(c). Mr. Hardenbergh specifically references that filing and improperly attempts to rehash arguments made in his petition. Moreover,

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his claims about allegedly newly discovered American Short Line and Regional Railroad Association (ASLRRA) directory entries are also an obvious and weak attempt to respond to TransloadX-RR's reply, which pointed out that his petition makes no allegations that anything in the Notice of Exemption is false or misleading. TransloadX-RR Reply at 6. In addition, Mr. Hardenbergh admits that his own lack of diligence is the reason for the late and improper reply to a reply, as demonstrated by his stamp on page 6 of the filing, which states "Petition searched on ASLRRA members in New Hampshire 26-04-05," a date 10 days after Mr. Hardenbergh's initial filing. The filing should therefore be rejected because it is an unauthorized reply to a reply under section §1104.13(c).

Finally, if the filing is not rejected, the Board should disregard it because it adds nothing of substance to this proceeding. If anything, it undercuts Mr. Hardenbergh's claims and provides additional support for the proposed transaction. Specifically, as the attached email correspondence shows, TransloadX-RR sought, obtained, and followed the advice of the ASLRRA on how to become a member of that organization once authorization to operate as a Class III carrier is obtained from this Board. The fact that TransloadX-RR is pursuing full membership in ASLRRA – the largest shortline railroad industry association in the United States – confirms TransloadX-RR's intent to conduct operations as a Class III railroad on the tracks it will lease through this proceeding. As for Mr. Hardenbergh's strained allegations of impropriety, the designation of "switching railroad" that forms the basis for his "Letter of Update" was recommended by ASLRRA. His alleged confusion with ASLRRA's directory could have been alleviated by simply contacting ASLRRA, TransloadX or TransloadX-RR instead of burdening the Board with another frivolous filing continuing his personal attacks.

The Board should therefore either reject the "Letter of Update" or disregard it. The Board should also summarily dismiss any motion for leave to submit a sur-reply on these topics, should Mr. Hardenbergh file one as his "Letter of Update" intimates.

Respectfully submitted,

A handwritten signature in blue ink that reads "Thomas W. Wilcox". The signature is written in a cursive, flowing style.

Thomas W. Wilcox

Attorney for TransloadX Railroad Company, Inc.

EXHIBIT A

From: [Danialle Lovik](#)
To: [John DeWaele](#)
Subject: RE: TransloadX Membership Inquiry
Date: Monday, December 22, 2025 3:36:48 PM

Hi John,

Based on the information you provided and assuming you'd need access to compliance templates or other safety resources, I would encourage you join as a railroad member. That being said, we typically onboard new railroad members only after they have filed with STB. Once complete, you'll want to submit a membership application for each railroad.

While we do not offer membership for holding companies, a holding company would benefit from free access if all subsidiaries are members. From your website it looks as though you could currently qualify for a switching membership. That would allow you access to webinars, training, staff, committees, and some templates. Once everything is in order on the railroad properties, we can apply the funds paid for the switching membership over to the railroad membership(s) at a prorated rate.

I hope that makes sense. Please let me know if you have any questions.

Danialle Lovik

Vice President, Membership
American Short Line and Regional Railroad Association
(202) 585-3443 | aslrta.org

From: John DeWaele <DeWaele@transloadx.com>
Sent: Wednesday, December 17, 2025 6:37 AM
To: Danialle Lovik <dlovik@aslrta.org>
Subject: Re: TransloadX Membership Inquiry

CAUTION: External

Good morning!

Some answers to your questions below! Thanks for your quick reply.

Thank you,

John P. DeWaele

From: Danialle Lovik <dlovik@aslrra.org>
Sent: Tuesday, December 16, 2025 5:56 PM
To: John DeWaele <DeWaele@transloadx.com>
Subject: RE: TransloadX Membership Inquiry

Hi John,

We'd be happy to have you join and to help in any way we can. How far along are you in the process?

Have you filed with the STB? [No, we are expecting to file any time between Jan 1 and Feb 28](#)

Do you have a reporting mark/railroad identifying code? [Not yet \(we do own railcars under TLXX\)](#)

Is the rail operation(s) under a name that differs from the application? [We will have 3 small railroads under the holding company name.](#)

Sorry for the rapid-fire questioning. I'd like to make sure we categorize your organization correctly and get you in touch with the right individuals.

Danialle Lovik

Vice President, Membership

American Short Line and Regional Railroad Association

(202) 585-3443 | aslrra.org

From: John DeWaele <DeWaele@transloadx.com>
Sent: Tuesday, December 16, 2025 10:29 AM
To: Danialle Lovik <dlovik@aslrra.org>
Subject: TransloadX Membership Inquiry

CAUTION: External

Hi Danialle!

I wanted to reach out and let you know that we are interested in joining the ASLRRA. I was previously a member under various railroads that I've worked and now we are starting a shortline and could certainly use the help of the organization to get started. I've attached a membership app for your review. I wanted to let you know that TransloadX Railroad Holding Company, Inc. is a new entity that we are starting to manage the shortline operation. The lines we are operating have little or no revenue due to years of inactivity. We are not officially a railroad yet, but we are working through the process.

How would you like to proceed and what else do you need from me to get started?

Thank you,

John P. DeWaele

signatureImage



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CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of April, 2026, a copy of the foregoing Letter served on all parties of record on the official service list for Docket No. FD 36909.

/ss/ Thomas W. Wilcox
Thomas W. Wilcox