

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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DOCKET NO. FD 36909

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TRANSLOADX RAILROAD COMPANY, INC. – ACQUISITION AND OPERATION  
EXEMPTION — CSX TRANSPORTATION, INC.

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VERIFIED REPLY TO PETITIONS TO REJECT NOTICE OF EXEMPTION

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Pursuant to the decision of the Surface Transportation Board (“Board”) served in this proceeding on April 14, 2025 (“April 14 Decision”), TransloadX Railroad Company, Inc., (“TransloadX-RR”) hereby replies to the filings submitted by Mr. Charles Hardenbergh (“Hardenbergh”) in his personal capacity that were accepted by the Board into this docket by its April 14 Decision. TransloadX-RR also further replies to the Petition to Reject Notice of Exemption or, in the Alternative, for a Stay of Effectiveness filed by the Cumberland and Knox Railroad (“C&K” and “C&K Petition”). Pursuant to the April 14 Decision, this Reply is directed to the Hardenbergh filings and C&K Petition to the extent they request the Board to reject/revoke the Notice of Exemption.<sup>1</sup>

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<sup>1</sup> The Brotherhood of Railroad Signalman and the Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters also filed comments in this proceeding on April 10, 2026 and April 21, 2026, respectively. These comments, which are nearly identical, argue that the lease transaction proposed in this proceeding should be subject to labor protection conditions placed on CSX Transportation, Inc.’s (“CSXT”) acquisition of the lines of Pan Am Systems, Inc. in Docket No. FD 36472, *CSX Transp., Inc. – Conrail – Pan Am Sys., Inc.* (served April 14, 2022)(“*Pan-Am*”). Neither of these filings claim TransloadX-RR’s Notice of Exemption does not meet all the requirements of 49 U.S.C. §10501(b) or that the Notice of

## **I. Background**<sup>2</sup>

This exemption proceeding involves the proposed lease by TransloadX-RR of two railroad branch lines located in Penobscot and Kennebec counties, Maine totaling approximately 37.1 miles (the “Maine Lines”). TransloadX-RR, which was created to be the Class III operator of the Maine Lines, filed the Notice of Exemption after negotiating the terms of a letter of intent that established the framework for future potential lease agreements for the Maine Lines. TransloadX-RR seeks to lease the branch lines to restore service over them by working with former railroad customers and developing new online business through transloading and economic development in concert with local economic development offices in each of the cities and towns located adjacent to the Maine Lines.

TransloadX-RR is affiliated with TransloadX, a separate and distinct corporate entity which operates a transloading facility in Framingham, Massachusetts on 5.39 acres of property. TransloadX began leasing from CSXT in April, 2024. In Framingham, TransloadX transloads various commodities from railcars to trucks, including construction and building materials and aggregates. TransloadX does not store or transload garbage or solid waste at the facility.

## **II. Responses to Petitions to Reject the Notice of Exemption**

### **A. Hardenbergh**

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Exemption is defective in any way, and nor do they specifically question the qualifications and ability of TransloadX-RR to lease, operate and maintain the Maine Lines. On April 13, 2026, CSXT replied to the comments of Brotherhood of Railroad Signalman, and those responses appear to apply to the nearly identical points made in the subsequent filing by Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters. TransloadX-RR adds only that any fears that the leased track will not be adequately maintained and operated safely are unfounded.

<sup>2</sup> The factual statements in this Reply are verified by Mr. John P. DeWaele III, President of TransloadX Railroad Company, Inc.

Hardenbergh is a self-described “former rail journalist” who has no direct ties to or interests in either of the Maine Lines. Nevertheless, Hardenbergh has taken it upon himself as an alleged “interested member of the public” to file numerous pleadings opposing the transaction. As demonstrated below, the filings are replete with knowingly false and misleading information presented for the sole purpose of trying to impugn the “fitness” and character of the principals of TransloadX-RR, as well as their motives and intent.

More specifically, in the span of just 10 days between March 31, 2026 and April 9, 2026, Hardenbergh filed a “Combined Petition for Stay & Petition to Revoke Exemption” (“Combined Petition”), a “Letter of Update Regarding Material Facts Discovered After Filing of Petition for Stay and Revocation,” (“Update Letter”), and a “Motion for Leave to File Supplemental Pleading,” (“First Motion”) to which was attached a “Supplemental Pleading in Support of Motion to Reject Notice as *Void Ab Initio* and Motion to Petition to Revoke Notice of Exemption.” (“Supplement”). For good measure, the proffered Supplemental Pleading included within it yet another motion; styled a “Motion to Reject Notice as *Void Ab Initio*.” (“Second Motion”). In the April 14 Decision the Board accepted all this material into the record.

Hardenbergh’s filings are solely focused on making unfounded allegations that the principals of TransloadX-RR are of insufficient personal character to lease and operate a branch line of railroad.<sup>3</sup> He cites no precedent where the Board has rejected a Notice of Exemption on these grounds, and there appears to be none. Moreover, Hardenbergh has little or nothing to say about the merits of the proposed transaction itself or to justify his unfounded assertion that it does not meet the statutory requirements and the elements of the Rail Transportation Policy. As

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<sup>3</sup> Neither Hardenbergh nor C&K have specifically alleged that TransloadX-RR is not sufficiently financially fit to acquire by lease and operate and maintain the Maine Lines. As such, lack of financial fitness is not alleged as a reason to reject the Notice of Exemption.

demonstrated below, despite Mr. Hardenbergh's efforts to knowingly mislead the Board and bombard it with extraneous, repetitive filings, his submittals do not state any valid grounds for the Board to reject the Notice of Exemption.

Hardenbergh's collective submissions contain four general reasons for the Board to reject the Notice of Exemption, all of which are baseless. Specifically, he claims that rejection is necessary because (1) TransloadX is allegedly currently operating without a "required municipal permit" and violating a "cease and desist" order issued to it by the City of Framingham. Combined Petition at 3-4. *Cf.* Supplement at 4 (which directly contradicts the latter assertion); (2) he personally believes, without any evidence, that when TransloadX-RR receives exemption authority to lease and operate the Maine Lines as a Class III rail carrier, it intends to "immediately" assert that §10501(b) preempts all state and local laws applicable to TransloadX's transloading operations in Massachusetts, Combined Petition at 5; (3) two prior court rulings that have no relation to the lease transaction covered by the Notice of Exemption allegedly demonstrate the principals of TransloadX-RR are unfit to lease and operate a railroad line, Combined Petition at 4, 6, *See also* Update Letter at 3-4; and (4) the American Short Line and Regional Railroad Association ("ASLRRA") published on its website that TransloadX successfully became a "Switching Railroad" member of that organization, which Hardenbergh bizarrely alleges constituted "a material misrepresentation of [TransloadX-RR's] operational status," which in turn somehow means the Notice of Exemption contains false or misleading information. Letter Update at 2-3; Second Motion at 3-4. Each of these assertions is refuted in turn below.

**1. TransloadX's Transload Operations in Framingham**

Stated succinctly, Hardenbergh's allegations that TransloadX is operating its transload facility in Framingham without proper permits and is violating a "cease and desist" order are

patently false. Addressing the second allegation first, none of Hardenbergh’s many filings include the alleged “cease and desist” letter directed to TransloadX, and there is no such letter. The nonexistence of a “cease and desist” letter directed to TransloadX is a fact that was either known to or easily ascertained by Hardenbergh prior to filing his Combined Petition.

Hardenbergh weakly attempts to cover his misrepresentation by trying to tie to TransloadX a “cease and desist” letter issued to another party in June of 2025 related to its separate operations on another part of the larger site.<sup>4</sup> Combined Petition at 4; Supplement at 4. However, Hardenbergh offers no support for this alleged connection, and there is none. Finally, the belated attempt in Hardenbergh’s Supplement to speculate that the City of Framingham erred by issuing the “cease and desist” letter to the wrong party (Supplement at 4) is wholly unsupported.

Hardenbergh’s other claim that TransloadX is operating without a required “municipal permit” is also unfounded. He vaguely alleges that operations are being conducted “in violation of zoning laws.” Supplement at 4. However, none of Hardenbergh’s filings include any citations to local laws or regulations that are allegedly being violated or to any alleged specific permitting requirements. Instead, they attach documents that have been selectively assembled by (or for) Hardenbergh for the purpose of creating an inference that a permit is required, while excluding documents that state the opposite is true. For example, Exhibit G to the Supplement includes an “excerpt” of the minutes from a Framingham City Council meeting on July 16, 2024, in which TransloadX’s principals appeared in person to discuss their future operations.<sup>5</sup> However, the

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<sup>4</sup> See Petition, Exhibit C, PDF pages 49-50 (discussing how the “cease and desist” issue was related to a separate operation on property not possessed or controlled by TransloadX involving dumpsters, not TransloadX’s transload operations).

<sup>5</sup> The principals of TransloadX have had many other positive and productive interactions with City of Framingham leadership subsequent to the July 16, 2024 meeting and the start of TransloadX’s operations.

“excerpt” excludes the entirety of the discussion, which concluded with the Chairman of the Framingham City Council stating unambiguously that “the [TransloadX] operation did not need permits to run.” Exhibit A. TransloadX’s operation has not changed since the July 2024 meeting.

As for the other documents attached to Hardenbergh’s filings, neither the anonymous document dated February 7, 2026 (Combined Petition, Exh. C, PDF page 46) nor the December 10, 2025 letter (*id.* at 47-48) state that TransloadX must have a “municipal permit” to operate and/or that TransloadX is refusing to comply with an applicable permitting requirement. And, neither document references any actual specific law that allegedly would apply to TransloadX’s operations. Both documents ask only that the City investigate further, an unnecessary request given that these issues were already addressed during the July 2024 meeting. Moreover, Hardenbergh again hid probative information from the Board: he failed to inform the Board that the December 10, 2025 letter was substantively amended by its author in favor of TransloadX’s principals on December 29, 2025 and was again revised on April 3, 2026.<sup>6</sup> Tellingly, the April

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<sup>6</sup> See letters attached as Exhibit B. The December 10, 2025 letter was submitted by a Framingham City Councilor with family ownership of abutting parcel to the site. This is the same Councilor referenced above that had stated in 2024 Transload X-RR “did not need permits to run.” The original letter contained many misstatements of applicable law and facts as well as inflammatory language, including the reckless allegation that TransloadX obtained an Industrial Rail Access Program (“IRAP”) grant from the Massachusetts Department of Transportation (“MassDOT”) (with the support of the Mayor of Framingham) through “misrepresentation and fraud.” Exhibit C, PDF page 48. This allegation was based upon the author’s misunderstanding of the rules governing preemption under §10501(b) coupled with his view, unsupported by any facts or law (and contrary to his own prior statement), that TransloadX’s operations require a local permit. TransloadX’s statement in its application to MassDOT that additional permits were unnecessary was merely contrary to the Councilor’s uninformed personal views, not a misrepresentation or fraud. Perhaps recognizing this fact, on December 29, 2025 the author resubmitted the letter deleting this defamatory allegation and other similarly reckless language directed at the principals of TransloadX. The author inexplicably submitted the letter a third time on April 3, 2026 amending it to reveal his family-owned residential property adjacent to the site and thereby establishing his opposition stems from his personal interests.

revision still did not name any specific permitting requirements or applicable laws that TransloadX is allegedly violating. Exhibit B. Moreover, although transloading operations at TransloadX's facility have continued into 2026, Hardenbergh does not cite any other correspondence or other evidence that the City maintains the operations must be pursuant to a permit or comply with local zoning laws, and TransloadX is not aware of any such correspondence or evidence.

Viewed most generously, the record indicates there may be an internal disagreement and/or misunderstanding on the part of a single City Councilor who owns residential properties adjacent to the TransloadX operations regarding the extent to which any local permits are required for TransloadX's operations and, even if so, whether such local permitting laws are nevertheless preempted by 49 U.S.C. §10501(b) since the operations are taking place on property owned by a railroad lessor. Be that as it may, this issue involving TransloadX – to the extent there even *is* an issue beyond the missives of one disgruntled City Councilor - is not currently before the Board or any other forum. If the City does raise concerns with the transload operations in the future, any rights and defenses of TransloadX, including preemption, if applicable, can be considered at that time. But regardless, Hardenbergh's allegation that TransloadX is currently operating in violation of local laws is patently false and again made by Hardenbergh solely to try to disparage the reputations of the principals of TransloadX-RR. There is no basis for rejecting the Notice of Exemption.

**2. Hardenbergh's Claims Concerning §10501(b) Preemption Make no Sense and are Wrong in Any Event**

Hardenbergh's filings after the Combined Petition are silent on his charge that he personally believes TransloadX-RR, upon receiving the lease and operating authority related to the Main Lines, would seek to claim that TransloadX's operations preempted local and state law,

Combined Petition at 5,7, so this claim appears to have been abandoned. Regardless, Hardenbergh has produced zero evidence to try to support this personal speculation and TransloadX-RR has stated that it has no intention of attempting such a thing. TransloadX-RR Reply to Stay at 4. It also assumes that TransloadX could not assert preemption on its own, which as stated above TransloadX would have the right to raise at the appropriate time. In the end, Hardenbergh's uninformed speculation about the intent of TransloadX-RR provides absolutely no basis for rejecting the Notice of Exemption.

### **3. Court Cases**

Hardenbergh next argues that the Notice of Exemption should be rejected because of two court rulings against the principals of TransloadX-RR in a “hard-fought case”<sup>7</sup> in Massachusetts involving business transactions, facts and circumstances completely different than the proposed lease transaction in the Notice of Exemption. The decisions attached to the Combined Petition arose from a highly contentious<sup>8</sup> case commenced in 2023 over the enforceability of a right of first refusal (“ROFR”) to acquire the Grafton and Upton Railroad Company (“Grafton”) that dated back to 2009. In the first Decision and Order (Combined Petition, Exh. C at PDF 9-25), the court concluded from the facts presented to it that the principals of TransloadX-RR could not exercise contractual rights to acquire Grafton they had acquired pursuant to a letter of intent because of the pre-existing ROFR, the enforceability of which had been contested. *Id.* at 19-20. TransloadX-RR's principals disagreed with some of the court's other factual conclusions and *dicta*, but they

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<sup>7</sup> Combined Petition at PDF page 26.

<sup>8</sup> To provide additional context to the Board as to the nature of the litigation, the Court stated it was “troubled that [the holder of the ROFR] seems to have made sworn statements to the STB that are directly contrary to his assertions in this case, and are directly contrary to the plain meaning of the Dana LOI signed in early 2009.” Combined Petition at PDF page 17.

did not appeal the ruling.<sup>9</sup>

The second ruling from the Massachusetts court issued in June 2024 arose out of disagreements over the scope and terms of a preliminary injunction issued in October 2023, as well as disputes over the enforceability of employment contracts that were allegedly breached by Grafton. Also at issue was whether the rail transload operations alleged to be in violation of the October 2023 order could immediately cease due to regulatory and liability issues. The principals of TransloadX-RR strongly disagree with the court's conclusions of fact and law contained in the June 2024 decision and regret the court's final ruling. Despite this disagreement, TransloadX-RR's principals timely complied with the court's order by paying approximately \$32,000 in attorneys' fees and costs awarded by the court and settled the remaining items outside of court a short time later, ending that dispute.

The foregoing decisions must also be read with the additional context that the principals of TransloadX-RR and TransloadX have extensive experience operating shortline railroads and transload facilities. Their experience spans decades, starting in the early 2000's and they have worked in all facets of short line railroading including managerial roles in shortline railroads, regional railroads, and commuter rail operations; all in the northeast. Additionally, Exhibit C to this reply contains letters of support from other short line railroads and vendors that further refute Hardenbergh's heavy reliance on the court decisions to seek rejection of the Notice of

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<sup>9</sup> As TransloadX-RR noted previously in this proceeding, the Decision and Order was only made available to the parties to that litigation and not available on the public docket. This raises questions about whether Hardenbergh is truly simply an "interested member of the public" or if he is acting on behalf of one or more of the litigants in the Massachusetts cases who continue to pursue their issues with TransloadX-RR's principals.

Exemption.<sup>10</sup>

Moreover, since negotiating the Letter of Intent to lease the Maine Lines, TransloadX-RR has engaged in customer development with former users of the Maine Lines who are eager to use rail again. TransloadX-RR has also met with new transloading customers, and local economic development directors. TransloadX-RR has also invested in railroad specific maintenance equipment, pursued locomotive leases, and developed operating and maintenance plans after onsite inspections and detailed analysis of future operations.

Hardenbergh's attempts to thwart the proposed lease transaction by extrapolating two court rulings from one highly contentious past transaction into a claim that the principals of TransloadX-RR are unfit to operate a Class III railroad going forward are accordingly patently unfair, unspecific to the merits of the lease transaction set out in the Notice of Exemption, and appear to be motivated purely by personal animus or an undisclosed agenda of Hardenbergh or others. The rulings provide no grounds for the Board to reject the Notice of Exemption under all the relevant facts and circumstances.

#### **4. ASLRRRA**

Finally, Hardenbergh's entire premise for his bizarre claim of false representation by TransloadX-RR through ASLRRRA's publication of TransloadX's membership status on its website is facially wrong, thereby undercutting the argument at the outset. To summarize, Hardenbergh claims that by ASLRRRA listing TransloadX in the online ASLRRRA directory as a Switching Railroad member, TransloadX is holding out to be an "operating switching railroad" or claiming to operate a "railroad switching service" (Update Letter at 2). From this assertion,

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<sup>10</sup> The letters are addressed to the Board and were provided to TransloadX-RR for filing and service with this Reply.

Hardenbergh extrapolates that the failure of TransloadX-RR to disclose this supposed “material fact” in the Notice of Exemption renders it void *ab initio*. Update Letter at 2, 4; Second Motion at 2-3.

This entire strained attempt is refuted by the fact that, by definition, a Switching Railroad member of the ALSRRA *is not, and cannot be an operating railroad*. The ASLRRA membership form<sup>11</sup> plainly and unambiguously defines a “Switching Railroad” member as “*any non-railroad or transload facility or insular operation that provides switching services to private industry and is not deemed a common carrier railroad by the Surface Transportation Board.*” (emphasis supplied). Thus, railroad operations of any kind are excluded from the definition. In contrast, a “Full Railroad” membership is for “any Common Carrier, Class II or III Freight railroad located in North America.” The distinction between the two membership categories is clearly explained by ALSRRA’s website. Hardenbergh’s alleged confusion that “[t]he term ‘switching railroad’ misleads one to believe TransloadX *is* a railroad in New Hampshire,” Second Motion at 2 (emphasis in original), lacks credibility. Finally on this point, nothing on TransloadX’s website<sup>12</sup> states or implies that it is holding out to provide *any* railroad operations of any kind.

In summary, Hardenbergh’s allegations about a lack of “fitness” due to alleged noncompliance with local law, intent to exert federal preemption, and supposed misrepresentations on the ASLRRA website, are a combination of outright falsehoods, misrepresentation of critical facts, and utterly unsupported (and nonsensical) theories. Stripped of these facially invalid arguments, Hardenbergh’s numerous filings boil down to his view that

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<sup>11</sup> [https://www.aslrra.org/ASLRRA/document-server/?cfp=/ASLRRA/assets/File/public/join/Railroad\\_Membership\\_Application.pdf](https://www.aslrra.org/ASLRRA/document-server/?cfp=/ASLRRA/assets/File/public/join/Railroad_Membership_Application.pdf)

<sup>12</sup> <https://transloadx.com/>

the two court rulings summarized above regarding a prior business dispute somehow make TransloadX-RR unfit to currently lease and operate the Maine Lines despite its principals' combined decades of railroad experience and willingness to apply that experience to develop freight rail service on the Main Lines. Hardenbergh's biased interpretation of the decisions in the cases and his apparent personal animus toward TransloadX-RR's principals provides no basis for the Board to reject the Notice of Exemption.

More significantly, other than his meritless claim that publication of TransloadX's membership status on the ASLRRRA website being a "material misrepresentation" by TransloadX-RR, Hardenbergh's filings contain no criticisms of the Notice of Exemption itself. They do not dispute the accuracy of the description of the Maine Lines in the Notice of Exemption. Nor do they assert that the Notice of Exemption is contrary to any of the 15 components of the Rail Transportation Policy listed in 49 U.S.C. §10101. In fact, at a minimum, exempting the proposed transaction is consistent with §§10101(1), (2), (4), (7), (8), (14) and (15).

Hardenbergh's Combined Petition and related filings seeking the rejection of the Notice of Exemption should be denied.

### **III. C&K Petition**

On April 9, 2026 TransloadX-RR filed an initial reply to the C&K Petition, which reply is incorporated by reference into this reply. In response to the Board's invitation in the April 14 Decision, TransloadX-RR briefly provides the following additional reasons for why the C&K Petition should also be denied.

First, as discussed in TransloadX-RR's reply, C&K's Petition mostly seeks rejection of TransloadX-RR's Notice of Exemption because of certain broad complaints C&K apparently has about CSXT. Specifically, C&K expresses concern that CSXT has not fulfilled its plans to

upgrade all of the 808 miles of railroad lines it acquired in *Pan-Am*. C&K Petition at 5. However, C&K’s global complaint has little relevance to the transaction covered by the Notice of Exemption, which covers only 37.1 miles of those tracks. Notably, C&K does not establish that CSXT made any specific plans to upgrade the Maine Lines that it has not fulfilled. *Id.* at 6. And in fact, CSXT subsequently confirmed that it “did not make any specific commitments regarding capital improvements on the two line segments that are the subject of TransloadX-RR’s notice of exemption.” CSXT Letter to STB Case Administrator dated April 13, 2026, at 2. CSXT also informed C&K and the Board that, although it did not make commitments specific to the Maine Lines, it “has completed improvements on these lines” including “significant bridge investments” and “spot tie and surfacing improvements” on the Augusta Branch, and “spot tie and surfacing improvements” on the Bucksport Branch,” which CSXT determined was sufficient to provide safe and efficient service. *Id.* C&K’s alleged concerns over CSXT’s compliance and the condition of the tracks to be leased by TransloadX-RR are therefore misplaced. Upon the requested exemption authority to lease and operate the tracks becoming effective, TransloadX-RR will assume responsibility for maintaining the tracks, subject to CSXT’s rights and obligations as owner of them. Notably, C&K has raised no concerns over the ability of TransloadX-RR to operate and maintain the tracks or adequately finance such activities.

Second, TransloadX-RR provides this additional, brief response to C&K’s argument for rejection because TransloadX-RR did “not mention the CSX acquisition” in the *Pan-Am* proceeding, C&K Petition at 5. Specifically, although the C&K Petition declares “[o]bviously, this merger is relevant here,” *Id.* at 7, it offers no explanation whatsoever in its petition on why this might be so. Nor does C&K offer any reason why not mentioning the *Pan-Am* transaction in the Notice of Exemption “could impact the [proposed lease] transaction.” *Id.* Instead, these

broad statements are merely followed by a string citation to Board decisions, with no actual arguments or evidence as to why any of the cited decisions are relevant to the facts of this proceeding or dispositive on the point raised. In actuality, the *Pan-Am* proceeding should have very little impact on TransloadX-RR's leasing of the Maine Lines. CSX will remain the owner of the lines, and the Board's oversight of the *Pan-Am* transaction will not be affected. C&K's unsupported declarations to the contrary should be rejected.

Finally, TransloadX-RR reiterates that C&K's argument that the Notice of Exemption "materially mischaracterizes the nature of the transaction" simply because the word "acquisition" appears in the case caption – is frivolous for the reasons and supporting decisions set forth in TransloadX-RR's April 9, 2026 reply to the C&K Petition.

In summary, C&K's attempt to manufacture "substantial controversy" and "unresolved issues" to cause the Notice of Exemption to be rejected should be seen for what it is, and the C&K Petition denied. Despite C&K's efforts, TransloadX-RR's lease and operation of the Maine Lines is a routine transaction involving only 37.1 miles of tracks that meets all the requirements of 49 U.S.C. §10502(b) and the Board's regulations and precedent.

#### **IV. Conclusion**

For all the foregoing reasons and those stated in TransloadX-RR's other pleadings, Hardenbergh's Combined Petition and related filings must all be denied, as should the C&K Petition. The alleged issues they both raise to try to create controversy where none exists are either based on false or misleading factual statements, unsupported by any evidence, frivolous, or, in the case of Hardenbergh, nonsensical. Despite their strained efforts, the lease of the Maine Lines by TransloadX-RR is a routine lease of branch lines to a Class III carrier, and it will enable TransloadX-RR to resume common carrier rail service on the Maine Lines, which it is well-

positioned to do. Accordingly, the Board should deny the Petitions to Reject and permit the exemption authority to go into effect.

Respectfully submitted,

/ss/ Thomas W. Wilcox

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May 4, 2026

## EXHIBIT A

**CITY COUNCIL****MINUTES****APPROVED 9/17/24****YEAS: Alexander, Cannon, Leombruno, Long, Mallach, Ottaviani****NAYS: Bryant, Steiner, Ward****ABSTAIN: King****JULY 16, 2024 7:00 PM****BLUMER ROOM, MEMORIAL BUILDING 150 CONCORD STREET, FRAMINGHAM, MA 01702****COUNCIL MEMBERS**

Philip R. Ottaviani, Jr., Chair

Noval Alexander *remote late 7:26PM*Tracey Bryant, Vice Chair *late 7:05PM*

Michael P. Cannon

George P. King, Jr.

Janet Leombruno

Christine A. Long

Leora Mallach

Adam C. Steiner

Brandon Ward

Leslie White Harvey

**STAFF ATTENDING & PARTICIPATING**

Emily Butler, Assistant City Clerk

Lisa Ferguson, City Clerk

Dr. Robert Tremblay, Superintendent of Framingham Public Schools

Michael Tusino, Chief Operating Officer

**OTHERS PARTICIPATING**

Jessica Barnhill, School Committee Chair

**CALL TO ORDER****7:00PM** Chair Ottaviani called the meeting to order.**PUBLIC PARTICIPATION**

Chair Ottaviani called for anyone in person or via Zoom to speak on items not listed on the agenda.

The Chair announced public participation would be fifteen minutes. He stated four people had signed in to speak and there was one person on Zoom. Chair Ottaviani called on Dawn Reynaud.

Ms. Reynaud introduced herself and stated she was a resident of Windsor Green. She requested the Council right the wrong in water billing. Ms. Reneau explained the rates had been increased to industrial rates when the new meter had been installed. She advocated for herself and neighbors.

7:05PM Councilor Bryant arrived.

Chair Ottaviani recognized Ms. Stacey Wilgoren.

Dr. Tremblay thanked Councilor King for his comments. He made some suggestions to the Council on how members could reach out and be involved instead of waiting for annual meetings to discuss all issues. Dr. Tremblay invited Council members to visit schools. He was happy to discuss education anytime.

Chair Ottaviani called on Councilor Steiner.

Councilor Steiner stated much of what Councilor King said had resonated with him. He expressed his appreciation to all the School Committee members in attendance. Councilor Steiner wanted to celebrate the positives in school and reinforce positive behavior.

Chair Ottaviani recognized Councilor Leombruno.

Councilor Leombruno agreed with a lot of what had already been said. She thought Councilor King's remarks were spot on. Councilor Leombruno stated whenever she had an issue, she would reach out to Dr. Tremblay or Ms. Barnhill and had received a response fairly quickly. She explained being an At-Large Councilor she and Councilor King may receive more emails. Councilor Leombruno encouraged other Council members to reach out to the Superintendent or School Committee Chair when they heard issues before they hit social media. She thanked Dr. Tremblay and Ms. Barnhill for attending.

Chair Ottaviani called on Councilor Bryant.

Councilor Bryant also agreed with Councilor King's comments. She felt the public did not want to sit through a meeting with 15 different people discussing. Councilor Bryant expressed the need to have open conversation for the public to hear. She stated the more they communicate the better, but felt a joint meeting was not necessary. Councilor Bryant thought Subcommittees were a good idea. She believed a "three strikes" approach had been proven in the past to not work.

Chair Ottaviani thanked Dr. Tremblay, Ms. Barnhill and the entire School Committee for being in attendance. Dr. Tremblay thanked the Council and stated he looked forward to ongoing conversation.

## 2. **INFORMATIONAL**

**An informational meeting with Michael Milanoski of TransloadX regarding plans for the CSX site on Hollis Street. [Final\\_TransloadX-Framingham-update\\_IRAP\\_FY25.pdf](#)**

Chair Ottaviani read the item. He welcomed Mr. Michael Milanoski of TransloadX.

Mr. Milanoski introduced himself and Mr. John DeWaele. He explained after meeting with the Mayor and Sarkis Sarkisian, Planning and Community Development Director, TransloadX was in their second week of operation in Framingham and working out of 480 Hollis Street. Mr. Milanoski explained TransloadX would receive approximately three rail cars per day. He said they would unload from the rail car and reloading to trucks,

approximately 10 to 12 trucks leaving the site daily.

**9:15PM** Councilor Bryant stepped out of the room.

Mr. Milanoski explained some safety, privacy and lighting initiatives for the property. He spoke about grant money which would pay for those initiatives.

Chair Ottaviani asked if they were operating. Mr. Milanoski said yes, they were two weeks into the operation. Chair Ottaviani asked if there were any permits necessary. Mr. Milanoski said they were not building anything, just transloading. He said a scale would be installed at some point.

Mr. Milanoski stated business had been done in the location for a hundred years. He explained CXS was not doing the work and TransloadX wanted to be visible, upfront and accessible to the public.

Mr. Milanoski showed a photo of the site. He stated they were to receive a grant; they were waiting for the Mayor to write a letter saying the improvements were good for the neighbors. Chair Ottaviani did not believe there had been activity on the site in years. He called on Councilor Steiner.

Councilor Steiner had hoped with the lack of activity in the location, something more useful would have been made of the site. He expressed his concerns. Councilor Steiner felt they should have been able to push back.

Mr. Milanoski explained the operation was under Federal laws of operation. He again stated they were not building anything. Mr. Milanoski said they were trying to build a private/public partnership. He stated they would be willing to facilitate meetings for the rail trail groups.

Chair Ottaviani recognized Councilor White Harvey.

Councilor White Harvey expressed her concern being the District's councilor.

Chair Ottaviani called on Councilor Cannon.

Councilor Cannon was confused what the ask was. Mr. Milanoski said there was no ask, they were just sharing information to make the public aware of the project. He said the Mayor was a separate component. Mr. Milanoski stated he had emailed the district councilor using the email address on the City's website. He apologized if Councilor White Harvey did not receive the email. He offered to have any Councilor who wished tour the site.

Councilor Cannon was not sure what to do. Chair Ottaviani restated they were just there to give the Council information. He recognized Councilor Ward.

Councilor Ward shared his thoughts and hoped TransloadX would be good neighbors.

**9:27PM** Councilor Bryant returned.

Chair Ottaviani called on Councilor Mallach.

Councilor Mallach appreciated the information. She asked if extra trains would be added to the lines or if they would be adding three cars to existing trains. Mr. Malanoski stated cars would be added to existing trains which travel through Framingham. Chair Ottaviani stated the site was where cars used to come through. He called on Councilor Bryant.

Councilor Bryant asked which trains the extra cars would be added to. Mr. Malanoski explained where the cars came from. Councilor Bryant asked how the train would affect traffic in the area. Mr. DeWaele said there would only be three to five cars and would not tie up traffic.

Chair Ottaviani recognized Mr. Tusino, Chief Operating Officer.

Mr. Tusino explained the City was not a partner on the property. He stated Mr. Sarkisian may have gone out and made some suggestions, but there was no partnering with the Mayor's office. Mr. Milanoski apologized and stated he did not mean to insinuate a partnership with the city.

**9:29PM** Councilor Cannon stepped out of the room.

Chair Ottaviani asked Mr. Chick if he wanted to speak.

Mr. Ron Chick introduced himself. He spoke on the vision of rail trails. Mr. Chick spoke of a collaboration of a rail with trail. Mr. Malanoski said he was in favor of a rail with trail. He made it clear he did not speak for CXS, they owned the land. He hoped there would be a solution given the area was not a high-speed area. Mr. Chick spoke inaudibly off microphone.

Chair Ottaviani called on Councilor Mallach.

Councilor Mallach wanted to know how many people would be employed once the grant was received. Mr. Malanoski hoped to have about 6 employees, qualified forklift operators. He explained by bringing lumber in it should lower the cost of lumber and hopefully lower the cost of housing. Councilor Mallach asked if the company worked in other locations. Mr. Malanoski said no. Discussion continued.

**9:36PM** Councilor Cannon returned.

Chair Ottaviani recognized Councilor Alexander.

Councilor Alexander thanked the presenters. He asked why Framingham had been chosen over the rail yard in Southboro. Councilor Alexander wanted to know how many tractor trailers would go in and out of the property. Mr. Malanoski again stated 10 to 12 tractor trailers per day. He explained the location in Southboro was operated by

Transflow, which dealt with chemicals. Councilor Alexander asked about extending the privacy screening further to the south. Mr. Malanoski stated they had walked the property and concluded the south side had vegetation naturally blocking the site where the North side did not. He said if something more needed to be looked at in the future, there were multiple grants available.

Chair Ottaviani recognized Ms. Cathy McCarthy via Zoom.

Ms. McCarthy felt the business would impact the traffic and noise in Framingham. She expressed concern for rails being used which had previously been unused and promised for trails. Mr. Milanoski explained the rail being used was south of route 135. He said the lumber was coming in on the main line, the East West connector from Worcester. Ms. McCarthy was concerned for extra loads coming through neighborhoods.

Chair Ottaviani explained the operation did not need permits to run. Ms. McCarthy was thankful for the information.

7. **ORDER 2024-042-001**

**Upon request of the Rules, Ordinances and Ethics Subcommittee, a report and recommendation regarding the Final Charter Review Report with its recommendations.**

[Framingham\\_Charter\\_Review\\_Committee\\_Report\\_to\\_Council.pdf](#)

[Final\\_Charter\\_Red\\_Lines\\_proposed.pdf](#) [ROE\\_Charter\\_Review\\_Memo.pdf](#)

[ROE\\_Charter\\_Review\\_Recs.pdf](#)

Chair Ottaviani stated he would take the item out of order. Councilor Bryant, Chair of the Rules, Ordinances and Ethics Subcommittee had to leave. The Chair read the item and gave the floor to Councilor Bryant.

Councilor Bryant reported the Rules, Ordinances and Ethics Subcommittee had approved all of the Charter Review Committee's final recommendations except one. She stated there was a minor issue under Article 2, Legislative Branch found on page six. Councilor Bryant explained the Subcommittee's recommendation.

Chair Ottaviani reminded the Council they were only allowed to accept or reject the recommendations made by the Charter Review Committee. He recognized Councilor Cannon.

Councilor Cannon thanked everyone for their work. He requested they not vote on the item that evening. Councilor Cannon wanted more time to digest and review the Charter.

Councilor Bryant felt Councilor Cannon had valid reasons to hold off on a vote until the next meeting.

Chair Ottaviani asked Ms. Kelly, Secretary of the Council when the next Council Meeting was. Ms. Kelly replied August 20, 2024. The Chair stated he would have the item as one of the first to discuss on the agenda.

## EXHIBIT B



# CITY OF FRAMINGHAM

## CITY COUNCIL

o 508-532-5655  
f 508-532-5409

w [www.framinghamma.gov/CityCouncil](http://www.framinghamma.gov/CityCouncil)

**MEMORIAL BUILDING**  
150 Concord Street  
Framingham, MA 01702

December 29, 2025

Dear Solicitor Fallon and Building Commissioner Bray,

I am writing to formally express strong concerns for issues that have arisen at the CSX Central Mass Transloading and Logistics Center at 480 Hollis Street in Framingham, MA. In July of 2024, Mr. Michael Milanoski and John DeWaele of Transload X appeared before the Council to provide an informational presentation of the operations and services they were to begin at the CSX location.

In the year or so following, the residents and businesses in the area have brought to our attention great concern for strong odors of garbage spreading well beyond the immediate location, as well as an increase in large truck traffic.

The Interstate Commerce Act 1980 governs preemption. Since 1995, the ICCTA now fully governs all rail authority- nothing rests with State or Local Government. However, to be subject to this law and act you must be an existing railroad fully authorized by the Federal Government. Transload X is simply a transload contractor, NOT a railroad.

These are undisputed facts:

1. Transload X is NOT a railroad and can not become a Railroad for the sole purpose of preemption- this would be a Surface Transportation Board (STB) matter and would never be allowed as it would make a mockery of the purpose of the law.
2. CSX owns the land, however, CSX is NOT in control of the site. The site has been leased to Transload X.
3. These employees are NOT CSX employees. They work for a NON-Railroad called Transload X.
4. Transload X is operating with NO Local or State permits whatsoever. They are NOT permitted. They need local permitting. Without City approval, Transload X is in gross violation of the Zoning Laws, and since this activity has been ignored by the City Enforcement Officials, there is nothing stopping anyone else from ignoring City Zoning Laws as Transload X has done.

5. Transload X represented to the State Department of Transportation (DOT) in their IRAP grant that they had all permits and were preempted hence they were awarded a \$700,000 taxpayer grant (free money with limited oversight) and the grants were based on misinformation. Once again, they are NOT a Railroad, and this violation is now approaching two years.

6. The Transload X principles, Michael Milanoski and John DeWaele also have recent court decisions in the Business Litigation Sessions that states by the Chief Justice of the Superior Court that they both have "unclean hands" and on a related action they were found in contempt of court and were fined and had to pay damages.

7. The City of Framingham essentially sponsors/condones this operation. The judge pointed out "unclean hands" and states numerous misrepresentations to the State by allowing them to run this business with no permits whatsoever. These two principles of Transload X continue to operate with total disregard for the City. Yet, here they are, even with an unenforced letter from the City, continuing to operate, putting the City and its residents at great risk. It is hard to believe this type of activity is allowed to continue in this day and age.

I look forward to a response from each of you regarding efforts to address this very concerning matter.

Thank you,



Philip R. Ottaviani, Jr.  
District 6 Councilor  
Chair  
(774) 245-1055  
[pottaviani@framinghamma.gov](mailto:pottaviani@framinghamma.gov)

CC: Charlie Sisitsky, Mayor

Michael Tusino, COO  
City Council

Maurice O'Connell, Regional Vice President- Western Region, CSX

Attachments:

Relevant court cases with insights

Unenforced letters from the City



# CITY OF FRAMINGHAM

## CITY COUNCIL

o 508-532-5655  
f 508-532-5409

w [www.framinghamma.gov/CityCouncil](http://www.framinghamma.gov/CityCouncil)

**MEMORIAL BUILDING**  
150 Concord Street  
Framingham, MA 01702

April 3, 2026

Dear Solicitor Fallon and Building Commissioner Bray,

I am writing to formally express strong concerns for issues that have arisen at the CSX Central Mass Transloading and Logistics Center at 480 Hollis Street in Framingham, MA. My family owns two residential properties in the immediate area at 12-14 and 16-18 Thayer Street. In July of 2024, Mr. Michael Milanoski and John DeWaele of Transload X appeared before the Council to provide an informational presentation of the operations and services they were to begin at the CSX location.

In the year or so following, the residents and businesses in the area have brought to our attention great concern for strong odors of garbage spreading well beyond the immediate location, as well as an increase in large truck traffic.

The Interstate Commerce Act 1980 governs preemption. Since 1995, the ICCTA now fully governs all rail authority- nothing rests with State or Local Government. However, to be subject to this law and act you must be an existing railroad fully authorized by the Federal Government. Transload X is simply a transload contractor, NOT a railroad.

These are undisputed facts:

1. Transload X is NOT a railroad and can not become a Railroad for the sole purpose of preemption- this would be a Surface Transportation Board (STB) matter and would never be allowed as it would make a mockery of the purpose of the law.
2. CSX owns the land, however, CSX is NOT in control of the site. The site has been leased to Transload X.
3. These employees are NOT CSX employees. They work for a NON-Railroad called Transload X.
4. Transload X is operating with NO Local or State permits whatsoever. They are NOT permitted. They need local permitting. Without City approval, Transload X is in gross violation of the Zoning Laws, and since this activity has been ignored by the City Enforcement Officials, there is nothing stopping anyone else from ignoring City Zoning Laws as Transload X has done.

5. Transload X represented to the State Department of Transportation (DOT) in their IRAP grant that they had all permits and were preempted hence they were awarded a \$700,000 taxpayer grant (free money with limited oversight) and the grants were based on misinformation. Once again, they are NOT a Railroad, and this violation is now approaching two years.

6. The Transload X principles, Michael Milanoski and John DeWaele also have recent court decisions in the Business Litigation Sessions that states by the Chief Justice of the Superior Court that they both have "unclean hands" and on a related action they were found in contempt of court and were fined and had to pay damages.

7. The City of Framingham essentially sponsors/condones this operation. The judge pointed out "unclean hands" and states numerous misrepresentations to the State by allowing them to run this business with no permits whatsoever. These two principles of Transload X continue to operate with total disregard for the City. Yet, here they are, even with an unenforced letter from the City, continuing to operate, putting the City and its residents at great risk. It is hard to believe this type of activity is allowed to continue in this day and age.

I look forward to a response from each of you regarding efforts to address this very concerning matter.

Thank you,



Philip R. Ottaviani, Jr.  
District 6 Councilor  
(774) 245-1055  
pottaviani@framinghamma.gov

CC: Charlie Sisitsky, Mayor  
Michael Tusino, COO  
City Council  
Maurice O'Connell, Regional Vice President- Western Region, CSX

Attachments:  
Relevant court cases with insights  
Unenforced letters from the City

## EXHIBIT C

# Kelly Electric LLC

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April 16, 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 in support of the Notice of Exemption filed in this proceeding by TransloadX Railroad Company, Inc. ("TransloadX-RR"). The transaction for which approval is sought is TransloadX-RR's lease from CSX Transportation Inc. ("CSX") of approximately 37.1 miles of branch lines consisting of (a) approximately 18.3 miles of CSX track known as the Augusta Branch running from Waterville, Maine (Milepost ("MP") WVT 0.7) to Augusta, Maine (MP WVT 19.0), in Kennebec County, Maine; and (b) approximately 18.8 miles of CSX track known as the Bucksport Branch running from Bangor, Maine (MP WVB 0.2) to Bucksport, Maine (MP WVB 19.0) in Penobscot & Hancock Counties, Maine.

Kelly Electric is proud to support this transaction based on our longstanding and positive working relationship with TransloadX, TransloadX Railroad Company, and their leadership team.

We have worked directly with TransloadX at their Framingham, Massachusetts facility, where operations have consistently been conducted in a neat, professional, and, most importantly, safe manner. Their commitment to excellence is evident in every aspect of their work. In addition, all invoices were paid promptly and without issue, demonstrating a high level of reliability and professionalism. These projects were consistently completed on time and within budget and scope, reflecting strong project management, coordination, and execution.

Our experience with the principals of TransloadX extends beyond this facility. We have worked with them in prior management roles at other shortline railroad companies, where they

maintained the same safety-first mindset and strong operational discipline. Their focus on investing in core infrastructure has always translated into meaningful benefits for customers and improved service performance.

Kelly Electric has also known John DeWaele for several decades, dating back to his time as a conductor with the Providence and Worcester Railroad. Throughout his career, Mr. DeWaele has demonstrated an unwavering commitment to customer service and operational safety. As he progressed into leadership roles, he consistently mentored employees in these principles while driving growth across all aspects of railroad operations we have directly supported.

Mr. DeWaele has a clear passion for the railroad industry, and we view his transition to owning and operating a railroad as a natural progression in his professional growth. As a business owner, he possesses the character, experience, and leadership qualities necessary to build upon his past success and continue delivering excellence going forward.

Based on our experience, we can confidently recommend TransloadX and its leadership team as professional, dependable, and safety-focused operators.

In conclusion, the Board should expeditiously approve the proposed lease transaction.

Respectfully submitted,

A handwritten signature in black ink that reads "Malaina M. Kelly" followed by the date "4/16/24". The signature is written in a cursive, flowing style.

Malaina M. Kelly- President and Director of Operations



April 16, 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 in support of the Notice of Exemption filed in this proceeding by TransloadX Railroad Company, Inc. ("TransloadX-RR"). The transaction at issue involves TransloadX-RR leasing from CSX Transportation, Inc. ("CSX") approximately 37.1 miles of branch line track. This includes (a) about 18.3 miles of track known as the Augusta Branch, extending from Waterville, Maine (Milepost ("MP") WVT 0.7) to Augusta, Maine (MP WVT 19.0) in Kennebec County, Maine; and (b) about 18.8 miles of track known as the Bucksport Branch, running from Bangor, Maine (MP WVB 0.2) to Bucksport, Maine (MP WVB 19.0) across Penobscot and Hancock Counties, Maine.

Aberdeen Carolina & Western Railway strongly supports this transaction for several compelling reasons. ACWR and TransloadX have developed a close and productive partnership over the past several years, working collaboratively on business development, freight operations, transload collaboration, locomotive support, and equipment solutions—bringing together the full spectrum of expertise required to operate a successful railroad.

Mr. John DeWaele of TransloadX is a highly respected industry professional whose knowledge, integrity, and leadership are of the highest caliber. ACWR regards TransloadX and John DeWaele as a trusted partner and valued resource. Our organizations engage regularly to develop new business opportunities, exchange strategic insights, and advance initiatives that strengthen both companies and the broader freight rail network.

The depth of experience, commitment, and operational expertise demonstrated by John and the TransloadX team provides strong assurance in their ability to manage these leased branch lines effectively, responsibly, and with the highest level of professionalism.

In conclusion, the Board should expedite approval of the proposed lease transaction.

Respectfully submitted,

Jennifer White  
President  
Aberdeen Carolina & Western Railway

# CLARK'S WESTSIDE SCRAP HALLOWELL

April 17, 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 in support of the Notice of Exemption filed in this proceeding by TransloadX Railroad Company, Inc. ("TransloadX-RR"). The transaction for which approval is sought is TransloadX-RR's lease from CSX Transportation Inc. ("CSX") of approximately 37.1 miles of branch lines consisting of (a) approximately 18.3 miles of CSX track known as the Augusta Branch running from Waterville, Maine (Milepost ("MP") WVT 0.7) to Augusta, Maine (MP WVT 19.0), in Kennebec County, Maine; and (b) approximately 18.8 miles of CSX track known as the Bucksport Branch running from Bangor, Maine (MP WVB 0.2) to Bucksport, Maine (MP WVB 19.0) in Penobscot & Hancock Counties, Maine.

John Clark III, Clark's Scrap Metals supports this transaction for the following reasons:

Our company Clark's Scrap Metals (Clark's Cars and Parts) supports this transaction because the closing of this line is detrimental to our business operations and growth. We as a company have invested \$550k as well as a match from the federal grant program, IRAP to get our facility up to standards to start moving material by rail. We were counting on being able to use our investment in our rail property to expedite our shipment of scrap metal to domestic locations around the United States. This would allow for growth in our company and reduction of trucks driving on local and state roads. I have been impressed with John Dewaele and his company,

Letter to Ms. Cynthia Brown  
April 9, 2026  
Page 2

Transload X's genuine interest in this project. We've had many discussions about this line reopening and I personally helped him contact 2 other customers (at John DeWaele's request) on this line who are elated that service is about to resume. I was also impressed with Transload X property in Framingham, it speaks volumes of their capability and I am sure that is why CSX chose them. The closure of this line has been extremely frustrating and we are eagerly waiting for the re-opening so we can begin to use our investment and see a return. Please expedite the favorable decision for Transload X and the 3 customers waiting service.

In conclusion, the Board should expeditiously approve the proposed lease transaction.

Respectfully submitted,

John Clark III  
207-462-0248

--

**FROM THE DESK OF ANDREW LAWTON**  
**703 DRYTOWN ROAD, UNIT B, HOLTWOOD, PENNSYLVANIA 17532**

April 17, 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:

I am writing in strong support of the Notice of Exemption filed in this proceeding by TransloadX Railroad Company, Inc. ("TransloadX-RR"). The transaction seeks approval for the TransloadX-RR's lease from CSX Transportation Inc. ("CSX"). The lease is for approximately 37.1 miles of branch lines consisting of:

- a) approximately 18.3 miles of CSX track known as the Augusta Branch running from Waterville, Maine (Milepost ("MP") WVT 0.7) to Augusta, Maine (MP WVT 19.0), in Kennebec County, Maine; and
- b) approximately 18.8 miles of CSX track known as the Bucksport Branch running from Bangor, Maine (MP WVB 0.2) to Bucksport, Maine (MP WVB 19.0) in Penobscot & Hancock Counties, Maine.

Short line railroads are better positioned to grow traffic on lower-density routes through local engagement and operational flexibility. By placing these lines into the hands of a motivated startup operator with a demonstrated focus on customer service and transload development, this transaction will help attract new shippers, expand existing customer markets/volumes, and stimulate economic growth along the corridor.

The founders of TransloadX have a proven history of developing railroad and transload customers. Milanoski led a team that grew annual carloads from 800 in 2017 to 3200 in 2022. This growth was accomplished by developing transload facilities, partnerships with trucking companies, and securing grants for capital projects. Starting in 2023, TransloadX in Framingham was created to provide full-service transload services including unloading/loading of railcars, trucks, and delivery options to meet customer needs. With a career in railroading DeWaele understands the logistics of railroad transportation including loading, routing, delivery, and billing. The services and knowledge simplify shipping and make transload more attractive to a wider range of customers.

I encourage the Board to approve the proposed lease transaction to TransloadX-RR who have the energy, experience and knowledge to safely operate and grow these lines. The proposed lease and operation by TransloadX-RR will deliver substantial public and economic benefits to the region.

Regards,  
Andrew Lawton

# JRWW CONSULTING, LLC

April 20, 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 in support of the Notice of Exemption filed in this proceeding by TransloadX Railroad Company, Inc. (“TransloadX-RR”). The transaction for which approval is sought is TransloadX-RR’s lease from CSX Transportation Inc. (“CSX”) of approximately 37.1 miles of branch lines consisting of (a) approximately 18.3 miles of CSX track known as the Augusta Branch running from Waterville, Maine (Milepost (“MP”) WVT 0.7) to Augusta, Maine (MP WVT 19.0), in Kennebec County, Maine; and (b) approximately 18.8 miles of CSX track known as the Bucksport Branch running from Bangor, Maine (MP WVB 0.2) to Bucksport, Maine (MP WVB 19.0) in Penobscot & Hancock Counties, Maine.

JRWW Consulting, LLC supports the proposed transaction for the following reasons:

1. I support the reinstitution of service over this line, as rail remains a critical transportation mode for customers and regional commerce.
2. John’s extensive experience working with short line railroads, along with his leadership at Transload X, demonstrates a proven ability to drive value through increased volumes and revenue growth.
3. I have worked closely with John on rail and transload development initiatives since 2021. I hold his character in high regard and have consistently observed his ability to engage with customers, listen effectively, and deliver outcomes that benefit all stakeholders.

I encourage the Board to move forward with prompt approval of the proposed lease transaction

Respectfully submitted,



Ryan Williams  
Managing Partner  
JRWW Consulting, LLC

[Ryan@jrwwconsulting.com](mailto:Ryan@jrwwconsulting.com)

620.240.3646



By E-Filing – April 22, 2026

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 in support of the Notice of Exemption filed in this proceeding by TransloadX Railroad Company, Inc. ("TransloadX-RR"). The transaction for which approval is sought is TransloadX-RR's lease from CSX Transportation Inc. on the Augusta Branch which we are a future customer of.

Phoenix Feeds of Maine, LLC supports this transaction for the following reasons:

Phoenix Feeds of Maine, LLC is a critical supplier to the agricultural economy of the state, currently feeding over 80% of the dairy cows in Maine and other livestock species. Reliable and cost-effective transportation is essential to maintaining this supply chain. However, we have not had rail service from CSX into our Augusta feed mill for over two years. This loss of service has significantly impacted our operations, forcing increased reliance on trucking, raising costs to our agricultural customers, and placing additional strain on local and state infrastructure.

The restoration of rail service through TransloadX-RR would provide immediate and substantial benefits to our business and the broader agricultural community. Rail access would allow us to move large volumes of feed ingredients more efficiently and sustainably, improving supply reliability for Maine's dairy farms while reducing truck traffic on public roads.

We are encouraged by TransloadX's demonstrated interest and commitment to restoring service on this line. Their experience and investment in similar operations give us confidence in their ability to successfully rehabilitate and operate the Augusta Branch. The reopening of this line is not only important for our company but also for the many farmers and agricultural producers who depend on us.

The prolonged lack of rail service has been extremely challenging, and we are eager to see service restored so that we can operate more efficiently and continue supporting Maine's dairy industry at scale.

In conclusion, the Board should expeditiously approve the proposed lease transaction to enable the prompt restoration of rail service to Augusta and other affected customers.

Respectfully submitted,

David J. Santos  
President-General Manager & Owner  
Phoenix Feeds of Maine, LLC  
802-453-6684



Sustainability in Action

April 28, 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 in support of the Notice of Exemption filed in this proceeding by TransloadX Railroad Company, Inc. (“TransloadX-RR”). The transaction for which approval is sought is TransloadX-RR’s lease from CSX Transportation Inc. (“CSX”) of approximately 37.1 miles of branch lines consisting of (a) approximately 18.3 miles of CSX track known as the Augusta Branch running from Waterville, Maine (Milepost (“MP”) WVT 0.7) to Augusta, Maine (MP WVT 19.0), in Kennebec County, Maine; and (b) approximately 18.8 miles of CSX track known as the Bucksport Branch running from Bangor, Maine (MP WVB 0.2) to Bucksport, Maine (MP WVB 19.0) in Penobscot & Hancock Counties, Maine.

Republic Services supports this transaction for the following reasons:

- a. Past working experience with Mr. DeWaele of TransloadX has proven to be a positive experience in which professional and reliable service was provided.
- b. Anticipated future work on the Bucksport Branch relating to a Republic project would benefit from TransloadX’s commitment of service.

In conclusion, the Board should expeditiously approve the proposed lease transaction.

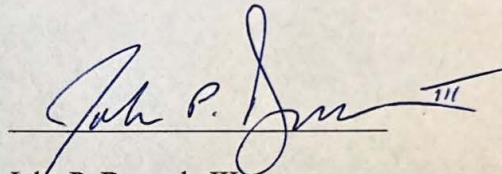
Respectfully submitted,

*Wayne Hinton-Republic Services*  
Wayne Hinton – Manager Rail Equipment and Operations

### VERIFICATION

I, John P. DeWaele III, President of TransloadX Railroad Company, Inc., state, under penalty of perjury, that the facts set forth in the foregoing Reply to Petitions to Revoke Notice of Exemption are true and correct to the best of my knowledge. Further, I certify that I am qualified and authorized to execute this verification.

Executed: May 4, 2026



John P. DeWaele III

### **CERTIFICATE OF SERVICE**

I hereby certify that on this 4th day of May, 2026, a copy of the foregoing Reply to Petitions to Reject Notice of Exemption was served by email on all parties of record on the official service list for Docket No. FD 36909.

/ss/ Thomas W. Wilcox  
Thomas W. Wilcox