

ENTERED
Office of Chief Counsel
May 13, 2026
Part of
Public Record

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April 30, 2026

VIA ELECTRONIC FILING

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

**PURSUANT TO SURFACE TRANSPORTATION BOARD STAFF
REQUEST, THIS TRANSMITTAL LETTER (ORIGINALLY FILED
AS OF APRIL 30, 2026) HAS BEEN RE-SUBMITTED AS OF
MAY 13, 2026, WITHOUT THE HIGHLY CONFIDENTIAL
ATTACHMENTS FOR PURPOSES OF THE PUBLIC DOCKET.**

**Re: FD 36916, Northeast Atlanta Railroad, LLC—Lease and Operation Exemption with
Interchange Commitment—Norfolk Southern Railway Company**

Dear Chief:

Attached, pursuant to the Board's decision served on April 29, 2026, are highly confidential copies of the two outstanding exhibits to the Lease Agreement between Northeast Atlanta Railroad, LLC ("NEAR") and Norfolk Southern Railway Company ("NSR"), which was submitted to the Board on March 31, 2026. *See Ne. Atlanta R.R., LLC—Lease and Operation Exemption with Interchange Commitment—Norfolk S. Ry. Co.*, FD 36916 (STB served Apr. 29, 2026). Specifically, these documents are Exhibit B (Assignment and Assumption Agreement) and Exhibit C (Thoroughbred Through Freight Agreement). Pursuant to 49 C.F.R. §§ 1104.14 and 1150.33(h)(1)(ii), these documents are filed under seal.

We are providing these documents to ensure full compliance with the Board's order of April 29. We note that during our previous communications with Board staff, we were requested to provide Exhibit A (Draft Interchange Agreement), which was submitted promptly on April 14, 2026. Had we understood the Board also required Exhibits B and C to consider our filing complete, we would have submitted them alongside Exhibit A to avoid procedural delay.

With this submission, we believe the Board now possesses all documents and information necessary to review the notice of exemption, and we respectfully submit the notice of exemption is complete and ready for processing. Please let me know if you require any further information to process NEAR's exemption.

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Sincerely yours,

/s/Stephen J. Foland

Stephen J. Foland
Attorney for Northeast Atlanta Railroad, LLC

Attachment (Under Seal per 49 C.F.R. §§ 1104.14 and 1150.33(h)(1))