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June 1, 2026

**VIA E-FILING**

Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

**ENTERED**  
**Office of Chief Counsel**  
**June 3, 2026**  
**Part of**  
**Public Record**

**In Re: Finance Docket 36894 – AJAK RAIL, LLC Acquisition Exemption**  
**Finance Docket 36923 – Colby Nitterhouse -- Continuance in Control**  
**Finance Docket 36925 – AJAK Rail, LLC**

Dear Chief of Case Administration:

On December 15, 2025, under Finance Docket 36894, AJAK Rail filed a notice of exemption to acquire right of way located at 4950 Advantage Avenue, Chambersburg, Pennsylvania.

On March 27, 2026, the Board granted a petition to reject or revoke filed by Pennsylvania Railroad. The Board rejected FD 36894 without prejudice.

Colby Nitterhouse's Verified Notice of Exemption - Continuance in Control – under FD 36923 was pending at the time of the rejection and is currently still pending.

Subsequently, AJAK Rail requested a new Finance Docket number to re-file an acquisition exemption under FD 36925 (under which docket no filings have been made to date). Colby Nitterhouse and AJAK Rail, LLC hereby advise the Board that AJAK Rail, LLC does not intend to pursue the acquisition contemplated in FD 36894 nor to file a verified notice of exemption for acquisition of right of way located at 4950 Advantage Avenue, Chambersburg, Pennsylvania, under FD 36925. Nothing herein should be construed as a waiver of AJAK Rail, LLC's right to pursue a future transaction involving the property upon such notice, filings, and approvals as may be requested by the Board.

Colby Nitterhouse and AJAK Rail, LLC hereby advise this Board that AJAK Rail, LLC does not presently intent to pursue acquisition of the right of way located at 4950 Advantage Avenue, Chambersburg.

Colby Nitterhouse will file an Amended Verified Notice of Exemption - Continuance in Control - removing reference to the AJAK acquisition/transaction.

Please direct any question to counsel for Colby Nitterhouse and AJAK Rail, LLC, Mr. Max Callahan, Fulcrum Rail, 141 West Jackson Boulevard, Chicago, Illinois, 60604. 312-629-0222, [max@prptax.com](mailto:max@prptax.com)

Respectfully submitted,

Max Callahan

cc: Eric Hocky, Clark Hill PLC  
Louis E. Gotimer, Attorney at Law