

OAKLAND LAW GROUP, PLLC

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January 22, 2020

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By E-Filing

Ms. Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423

ENTERED
Office of Proceedings
January 22, 2020
Part of
Public Record

Re: STB Docket No. FD 36376, *Spectrum Holdings, LLC – Operation
Exemption – Railroad Line in the Town of Brookhaven, N.Y.*

Dear Ms. Brown:

This letter is submitted on behalf of Oakland Transportation Holdings LLC (“OTH”), which is the owner of Brookhaven Rail, LLC (“BHR”), a Class III railroad that provides common carrier rail services to the Brookhaven Rail Terminal (“BRT”) in New York pursuant to authority granted to BHR’s predecessor-in-interest by the Surface Transportation Board (the “Board”).

On January 17, 2020, OTH became aware of a Decision issued in the above-referenced proceeding by the Acting Director of the Office of Proceedings. As summarized in the Decision, a December 20, 2019 Verified Notice of Exemption (the “Notice”) filed by Spectrum RR Holdings, LLC (“SRHL”) sets forth a proposed scenario in which BHR would be replaced by SRHL as the common carrier railroad for the BRT. Further, the Notice suggests that BHR has agreed to the transaction. In the Decision, the Acting Director determined that the Notice raised certain questions that must be answered before the Board can take further action.

OTH had no knowledge of the Notice or the proposed transaction prior to receiving the Decision. Neither OTH nor BHR were served with a copy of the Notice when it was filed. OTH has an interest in this proceeding because it is the current owner of BHR and BHR has no intention of asking the Board to discontinue its common carrier obligations at the BRT or to hand over operations to SRHL.

In order to protect its interests in BHR, OTH reserves the right to file its own response to the Decision on or before the February 6, 2020 date established for SRHL to provide additional information to the Board, and to otherwise participate in this proceeding.

Please do not hesitate to contact the undersigned at (248) 536-3285 or wclifford@oaklandlawgroup.com if you have any questions.

Sincerely,

OAKLAND LAW GROUP, PLLC

/s/ William B. Clifford, Jr.

William B. Clifford, Jr.

Attorney for Oakland Transportation Holdings, LLC

Cc: Counsel for Spectrum RR Holdings, LLC
Scott M. Zimmerman, Esq.
Parties on the Official Service List