



**Michigan  
Agri-Business  
Association**

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Office of Proceedings  
July 03, 2017  
Part of  
Public Record

July 3, 2017

**VIA E-FILING**

Ms. Cynthia T. Brown  
Chief, Section of Administration – Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W., Room 1034  
Washington, D.C. 20024

Re: *Grand Elk Railroad, Inc. – Acquisition Exemption – Norfolk Southern Railway Company*, Docket  
No. 36127

*Grand Elk Railroad, Inc. – Petition for Board Order Pursuant to 49 U.S.C. § 1321*, Docket No. FD  
36127 (Sub-No. 1)

Dear Ms. Brown:

I am writing on behalf of The Michigan Agri-Business Association (“MABA”) in response to the above-referenced proceeding. MABA urges the Surface Transportation Board to act quickly and decisively to restore Grand Elk Railroad (“Grand Elk”) operations in Grand Rapids, Michigan. MABA members rely upon Grand Elk’s transportation services, and we are harmed by the ongoing railroad service disruption. While we understand that Grand Elk has gone to great lengths to restore the historical levels of service and competition in Grand Rapids, we understand that it may take additional action by the STB to correct the situation. MABA has a vested interest in seeing that happen. Accordingly, your prompt attention to this matter is urgently requested.

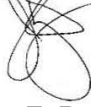
MABA began as The Michigan Grain Dealers Association in 1903, evolving over the years to more broadly encompass agricultural interests. MABA comprises the heart of the industry—seed, fertilizer, and crop protection manufacturers, retailers and advisers; grain handlers; feed suppliers; and food processors. All major commodity groups in Michigan are represented as well. Membership has grown to include many supporting sectors, including truck and rail transportation, energy providers, legal services, accounting firms, and insurance providers. MABA has never had reason to believe that Grand Elk service would be disrupted without advance warning, particularly not without the STB’s permission. As we stated in an earlier, evidently unsuccessful proceeding before the STB: Because Grand Elk has been prohibited from accessing certain lines in Grand Rapids, despite years of operation over those lines, several of our members have lost opportunities, seen costs skyrocket and face an uncertain future regarding rail service to their facilities. Because the STB’s efforts thus far have fallen short in our opinion, our members have been forced to seek alternative, more costly, and less desirable transportation options.

For a short line operator such as Grand Elk could be forced for reasons of a contract dispute with another railroad to cease service on lines over which it has operated for several years is baffling. MABA does not believe that the Board would sanction such service disruptions, or allow shippers that have come to depend upon Grand Elk

to be deprived of railroad transportation due to an apparent contract dispute. It appears to MABA that the Board can and should direct the restoration of Grand Elk service, and that it should order the railroads in this dispute to negotiate new terms of operation in Grand Rapids.

MABA looks forward to your prompt action. We urge your expedited consideration of Grand Elk's filings in these proceedings, and look to the STB to take all necessary action to restore our members' access to Grand Elk's service as soon as possible. Thank you for your consideration.

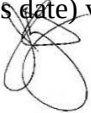
Sincerely,



James E. Byrum, President  
Michigan Agri-Business Association

### **CERTIFICATE OF SERVICE**

I hereby certify that I have caused the foregoing reply to be served upon all parties of record listed on the Surface Transportation Board's service list in the foregoing dockets (as those parties are listed on the STB's website as of this date) via USPS first-class service, postage prepaid, or via more expeditious means of delivery:



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[James Byrum]

July 3, 2017