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September 26, 2017

By E-Filing

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

Re: AB-1106X, *ABE Fairmont, LLC – Abandonment Exemption – In Fillmore County, NE*

AB-6 (Sub-No. 488X), *BNSF Railway Company – Discontinuance of Service Exemption – In Fillmore County, NE*

Dear Ms. Brown:

This letter is submitted on behalf of The Andersons, Inc., which owns and operates a grain handling facility located along a segment of the railroad lines that are the subject of the captioned proceedings (the O'Malley Grain Facility). More specifically, the industry tracks of the O'Malley Grain Facility are connected to the segment of track extending from the point of connection to the BNSF Railway ("BNSF") main line at Milepost .93, to Milepost 1.7. The Joint Petitioners have referred to this segment as the "Northern Segment" of the tracks at issue. To

date, BNSF has provided rail service to the O'Malley Grain Facility pursuant to trackage rights it retained over the Northern Segment when it sold this segment to ABE Fairmont, LLC in 2012.

These proceedings were held in abeyance in July of 2014 in reaction to the concerns on the part of The Andersons that the proposed transactions could adversely affect rail service by BNSF to the O'Malley Grain Facility on a going forward basis. Subsequently, the Joint Petitioners, The Andersons and other involved parties engaged in lengthy negotiations that culminated in a series of agreements that in pertinent part (1) preserve the current levels of rail service provided by BNSF to the O'Malley Grain Facility, and (2) provide adequate protections to The Andersons that the same or comparable service levels will be maintained for the facility and future additions to the facility as long as it is operating and requires rail service.

In light of the presence of the final executed agreements, The Andersons supported the Joint Petitioners' request to reinstate these proceedings to the Board's active dockets filed on June 16, 2017. The Andersons also supports the Board's timely consideration of the Supplement to the July 7, 2014 Joint Petition submitted by Joint Petitioners in response to the Board's decision served August 17, 2017. It also supports the Board's ultimate approval of the relief sought by the Joint Petition.

Sincerely,



Thomas W. Wilcox
Attorney for The Andersons, Inc.

CERTIFICATE OF SERVICE

I do hereby certify that on this 26th day of September, 2017, I have served a copy of the foregoing letter on all parties on the official service lists for the referenced dockets.

Thomas W. Wilcox

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