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June 8, 2018

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

245905

ENTERED
Office of Proceedings
June 11, 2018
Part of
Public Record

Re: CSX Transportation Inc.
Abandonment Exemption – in Trumbull County, OH
STB Docket No. AB-55 (Sub-No. 779X)
Notice of Intent to Make Offer of Financial Assistance

Dear Ms. Brown:

Please be advised that BDM Warren Steel Holdings, LLC has a potential interest in providing financial assistance in the form of the purchase of interest of CSX Transportation, Inc. ("CSX") in the line described in the above-referenced proceeding. The line would be operated by Offeror or a contract operator. This letter shall serve as the formal expression of intent to file an offer of financial assistance pursuant to 49 C.F.R. §1152.27 (c)(1).

By letter dated June 8, 2018, a copy of which is enclosed herewith, Offeror requested by CSX, pursuant to 49 C.F.R. §1152.27(a), provide it with necessary information to enable it to determine whether to make an offer of financial assistance, and, if so, what that offer should be.

In accordance with 49 C.F.R. Section 1152(c)(1)(ii), Offeror submits the following in support of its financial responsibility. Offeror had in place an Amended Purchase Order from TMS for the purchase of 3' rail at a price of \$385.00 per gross ton for shipments between May 4, 2018 and May 31, 2018. Based upon this scrap price per ton times 132 short tons times 13.9 miles of rail, the scrap value of the line is \$630,711.74. The additional sum pursuant to 49 C.F.R. Section 1152(c)(1)(ii) of \$4,000 times 13.9 is \$55,600 times 2

FEE RECEIVED

June 11, 2018

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June 8, 2018
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equals \$111,200.00. The total preliminary financial responsibility is \$741,911.74 (\$630,711.74 + \$111,200.00 = \$741,911.74). Offeror has cash available in excess of that amount to pay the purchase price.

Very truly yours,

DILLON McCANDLESS KING COULTER & GRAHAM L.L.P.


Donald P. Graham, Esquire

DPG/rep
Enclosure
cc (via email): Steven C. Armburst, Esq.
Louis E. Gitomer, Esq.

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June 8, 2018



Steven C. Armburst, Esq.
CSX Transportation Inc.
500 Water Street
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Louis E. Gitomer, Esq
Law Offices of Louis E. Gitomer, LLC
600 Baltimore Avenue, Suite 301
Towson, MD 21204

Re: CSX Transportation
Abandonment Exception – in Trumbull County, OH
STB Docket No. AB-55 (Sub-No. 779X)
Notice of Intent to Make Offer of Financial Assistance

Dear Mr. Armburst and Mr. Gitomer:

Please be advised that BDM Warren Steel Holdings, LLC is considering making an offer of financial assistance to acquire the line described in the above-referenced proceeding.

Pursuant to 49 C.F.R. §1152.27(a) CSX Transportation, Inc. ("CSX") is requested promptly to provide the undersigned with the following information:

1. Minimum purchase price.
2. CSX's most recent reports on the physical condition of the involved line.
3. A description of any rail, crossings or crossing structures that have been removed, and any estimates of the cost of rebuilding or re-installing such rail or structure(s).
4. Traffic, revenue and other data, including CSX's estimate of the net liquidation value of its interest in the line and supporting data reflecting available real estate appraisals, assessments as to the quality and quantity of track materials in the line, and removal cost estimates (including the cost of transporting removed materials to point of sale or point of storage for relay use). Such data should also

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include a description of the nature of the title to the real estate involved, including disclosure of all revisionary interests.

5. Copies of any and all environmental audits of the real estate involved, and a description of (a) all sites under investigation by, or being remediated under the supervision of the U.S. Environmental Protection Agency or the Ohio Environmental Protection Agency, (b) all known potential environmental liabilities arising out of conditions on the property, (c) all releases of hazardous materials on or about the property, and (d) a history of all customers and industrial users along the line.
6. Offeror and its advisors may wish to inspect the line and property. Please let us know who we should contact to make arrangements for access to the property.

Your prompt attention is appreciated.

Very truly yours,

DILLON McCANDLESS KING COULTER & GRAHAM L.L.P.



Donald P. Graham, Esquire

DPG/rep

cc: BDM Warren Steel Holdings LLC