

Sept 13, 2018

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Office of Proceedings
September 20, 2018
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Public Record



STB-Washington,DC 20423

Re: STB Docket AB-1261 North Creek RR

Sir/Madam:

With respect to the recent application of the NYStateDEC

- 1) No fee was paid and the alleged waiver letter was not attached to the Sept 7, 2018 Application.
- 2) NY State DEC is not the proper Party to proceed in this matter.

Accordingly and respectfully request said Application be dismissed with prejudice.

I thank you in advance.


William Kuntz, III

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Cc: NYState DEC

NYState Attorney General

Iowa Pacific RR