

September 10,2017
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244534

ENTERED
Office of Proceedings
October 12, 2017
Part of
Public Record

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

Re: Docket No, 36137
City of Fishers,City of Noblesville, and Hamilton County Indiana
Petition for Partial Revocation of Exemption

----- MOTION TO
DENY PETITION

Dear Ms. Brown,

Enclosed for the above-captioned proceeding is an e-filing with this captioned MOTION TO DENY THE PETITION

It has also been served to the attorney Robert Wimbish who is representing the collective owners the City of Fishers, Indiana, the City of Noblesville, Indiana, and Hamilton County, Indiana. (the Owners") jointly filed a petition (the "Petition") with the Surface Transportation Board (the "Board") seeking partial revocation of exemption.

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Background

The railroad line ("the Line") extends roughly 37.56 miles from Tipton, Indiana milepost I-21.3 to Indianapolis, Indiana to Milepost I-39.69. Known as the Nickel Plate Line

49 U.S. Code section 70101 - National multimodal freight policy

New Evidence : Crown Technology, Inc. comment October 4, 2017

"Our company serves both national and international markets. A continuing impediment to growth is the lack of access to rail transportation and the competitive advances it offers. Rail access guided the decision to locate our facility near "Nickel Plate" rail road corridor from the beginning (in 1983). The company once shipped by rail and still retains a private sidetrack spur".

U.S. Code section 70101 (1) to identify infrastructure improvements, policies, and operational innovations that-

- (c) increase productivity, particularly for domestic industrial and businesses that create high-value jobs.
- (5) to improve economic efficiency and productivity of the National Multimodal Freight Network.

Clearly use of the Line for freight transportation must be identified infrastructure that requires improvement for freight transport. Regarding 49 U.S. Code section 70101, use of the Line to transport freight is a positive innovation. Crown Technology, Inc

Transportation of freight on the Line clearly would increase productivity and economic benefit to Indiana and the United States. The Owners perhaps unintentionally and unknowingly filed the Petition to prevent freight transport, preventing advancement to State of Indiana and Hamilton County domestic industries and businesses.

New Evidence

KOKOMO GRAIN on October 6, 2017 filed a comment "Our company, Kokomo Grain is one of the largest independent grain companies headquartered in Indiana. It has a total of 10 facilities located in state and in Tennessee with federally licensed capacity of 50 million bushels. Customers include domestic and export markets. Successful grain marketing is highly sensitive to price. Cost effective rail service is one of the cornerstones of our business. We source grain from farms in many counties including Hamilton and Tipton, both traversed by the Hoosier Heritage Port Authority Line".

The present length of haul imposes additional fuel and labor costs on farmers and adds to highway congestion, crash, noise and air pollution according to FHWA estimates. Rail service in north central Indiana is dominated by NS. This line could provide access to CSX competition at Indiana as well as NS at Tipton to help insure that price sensitive agricultural commodities in its territory remain viable in national and international markets. We believe the evidence shows the line is a substantial asset for north central Indiana with significant potential the could benefit our company and hundreds of area farmers. We are opposed to efforts to sever or otherwise impair the value of the line to serve its original purpose. We urge the STB to decline the railroad Owners petition in order to protect and preserve future rail service along this line." The Owners perhaps unintentionally and unknowingly filed the Petition that will prevent benefit to American Hoosier farmers.

Crown Technology, Inc. and Kokomo Grain are domestic companies transport freight domestic and internationally.

Each company has clearly expressed benefits of transporting their freight on the Line.

The Board should deny the Petition. The Board must not decide to foster prevention of potential benefits to a valuable American and Indiana business CROWN Technology, Inc. The Board must not decide to foster prevention of potential benefits to hundreds of American, Hoosier farmers.

The Board should deny the petition.

respectfully submitted for your consideration,

Linda Kraatz

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Thank you for your consideration on this matter,
Respectfully submitted,

Linda Kraatz