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August 8, 2017

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W., Room 1034
Washington, DC 20423-0001

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

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

EXPEDITED CONSIDERATION REQUESTED

Dear Ms. Brown:

Grand Elk Railroad, Inc. (“GDLK”) has received the Reply of CSX Transportation, Inc. (“CSXT”) filed with the Surface Transportation Board yesterday in response to GDLK’s July 18, 2017 Rebuttal and Motion to Leave to File Rebuttal in the above-captioned dockets. Redundant and overwrought, CSXT’s Reply consumes roughly 12 pages responding to GDLK’s eight-page Rebuttal. The tenor and substance of CSXT’s recent filing speaks for itself.

Having yet another opportunity in yesterday’s Reply to offer a reasonable basis for expelling GDLK from longstanding trackage rights in Grand Rapids, Michigan, and for withholding consent to the assignment of rights to GDLK, CSXT proffers nothing. CSXT is content to insist that it may bar GDLK from the subject trackage rights line for any reason or no reason. To CSXT, a simple regulatory oversight that GDLK unwittingly committed nearly a decade ago renders the Board powerless to take remedial steps to restore more than 30 years of operating efficiencies and competition in the Grand Rapid terminal.

GDLK does not intend to respond further to CSXT, and the record in the above dockets is now closed. GDLK, the numerous affected shippers, and CSXT have all made their respective positions clear. GDLK and its customers have conveyed the urgency of the situation, and they have sought prompt Board action to address the serious rail service hardships resulting

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from CSXT's actions. The matter is now entrusted to the Board for appropriate resolution, and GDLK again urges an expedited decision in keeping with the relief it has requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. A. Wimbish". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Robert A. Wimbish
Attorney for Grand Elk Railroad, Inc.

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cc: Parties of Record