



KAPLAN KIRSCH ROCKWELL

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September 4, 2018

ENTERED
Office of Proceedings
September 4, 2018
Part of
Public Record

E-filed

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

Re: *Eastside Community Rail, LLC – Acquisition and Operation Exemption – GNP Rly, Inc. (Woodinville Subdivision, MP 23.8 to MP 38.25)*, STB Finance Docket No. 35692
Ballard Terminal Railroad Company, LLC – Lease Exemption – Eastside Community Rail, LLC (Woodinville Subdivision, MP 23.8 to MP 38.25), STB Docket Finance Docket No. 35730

Dear Ms. Brown:

Attached is King County, Washington's ("King County") Motion for Leave to File a Reply to a Reply, along with a Reply to Reply Filed By Douglas Engle, in the above-captioned proceedings.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Allison I. Fultz

cc: All Parties of Record via electronic mail

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Finance Docket No. 35692

**EASTSIDE COMMUNITY RAIL, LLC – ACQUISITION AND OPERATION
EXEMPTION – GNP RLY, INC
(Woodinville Subdivision, MP 23.8 to MP 38.25)**

STB Docket Finance Docket No. 35730

**BALLARD TERMINAL RAILROAD COMPANY, LLC – LEASE EXEMPTION –
EASTSIDE COMMUNITY RAIL, LLC
(Woodinville Subdivision, MP 23.8 to MP 38.25)**

**KING COUNTY, WASHINGTON –
MOTION FOR LEAVE TO FILE A REPLY TO REPLY FILED
BY DOUGLAS ENGLE**

Communications with respect to this pleading
should be addressed to:

W. Eric Pilsk
Allison I Fultz
Charles A. Spitulnik
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1001 Connecticut Avenue, NW
Suite 800
Washington, DC 20036
(202) 955-5600

Counsel for King County, Washington

September 4, 2018

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Finance Docket No. 35692

**EASTSIDE COMMUNITY RAIL, LLC – ACQUISITION AND OPERATION
EXEMPTION – GNP RLY, INC
(Woodinville Subdivision, MP 23.8 to MP 38.25)**

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(Woodinville Subdivision, MP 23.8 to MP 38.25)**

**KING COUNTY, WASHINGTON –
MOTION FOR LEAVE TO FILE A REPLY TO REPLY
FILED BY DOUGLAS ENGLE**

King County, Washington, respectfully seeks leave to file a Reply to the Reply to Snohomish County filed by Douglas Engle on August 14, 2018, in order to (1) remind the Board that its decision in this matter could affect portions of the Line in King County for which King County is the trail sponsor¹, and (2) to correct several misleading assertions by Mr. Engle regarding theoretical future rail service on the King County portions of the Line. The County's Reply will not delay the proceedings or otherwise prejudice the parties or burden the Board. The Board has the discretion to accept an otherwise impermissible reply to a reply under those circumstances. *See generally* STB Docket No. AB-6 (Sub-No. 468X), *BNSF Railway Company — Abandonment Exemption — In Kootenai County, ID, slip op.*, at 1 (Service Date Nov. 27, 2009).

¹ The "Line" is defined as the Woodinville Subdivision from MP 5.0 in Renton to MP 38.25 in Snohomish, and the Redmond Spur to MP 7.3.

Respectfully submitted,



W. Eric Pilsk

Allison I Fultz

Charles A. Spitulnik

KAPLAN KIRSCH & ROCKWELL LLP

1001 Connecticut Avenue, NW

Suite 800

Washington, DC 20036

(202) 955-5600

Counsel for King County, Washington

Dated: September 4, 2018

CERTIFICATE OF SERVICE

I hereby certify that I have this day caused to be served a copy of the foregoing MOTION FOR LEAVE TO FILE A REPLY TO REPLY SUBMITTED BY DOUGLAS ENGLE, upon the following parties of record in this proceeding by electronic mail and first-class mail with postage prepaid and properly addressed:

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Allison I. Fultz

Dated: September 4, 2018

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Finance Docket No. 35692

**EASTSIDE COMMUNITY RAIL, LLC – ACQUISITION AND OPERATION
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EASTSIDE COMMUNITY RAIL, LLC
(Woodinville Subdivision, MP 23.8 to MP 38.25)**

**KING COUNTY, WASHINGTON –
REPLY TO REPLY FILED BY DOUGLAS ENGLE**

Communications with respect to this pleading
should be addressed to:

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