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September 1, 2017

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

ENTERED  
Office of Proceedings  
September 1, 2017  
Part of  
Public Record

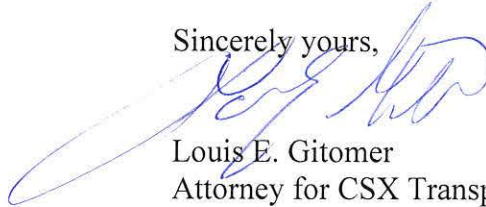
**Re: Docket No. 42154, *Monticello Farm Service, Inc. v. CSX Transportation, Inc.***

Dear Ms. Brown:

CSX Transportation, Inc. is efilng it's Answer to the Complaint filed by  
Monticello Farm Service, Inc.

Thank you for your assistance. If you have any questions, please contact me.

Sincerely yours,



Louis E. Gitomer  
Attorney for CSX Transportation, Inc.

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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Docket No. 42154

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MONTICELLO FARM SERVICE, INC.

v.

CSX TRANSPORTATION, INC.

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ANSWER OF CSX TRANSPORTATION, INC.  
TO COMPLAINT OF MONTICELLO FARM SERVICE, INC.

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Attorneys for: CSX TRANSPORTATION,  
INC.

Dated: September 1, 2017

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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Docket No. 42154

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MONTICELLO FARM SERVICE, INC.  
v.  
CSX TRANSPORTATION, INC.

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ANSWER OF CSX TRANSPORTATION, INC.  
TO COMPLAINT OF MONTICELLO FARM SERVICE, INC.

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Pursuant to 49 C.F.R. § 1111.4 CSX Transportation, Inc. (“CSXT”) answers the formal complaint filed in this proceeding on August 14, 2017 by Monticello Farm Service, Inc. (“MFS”).

CSXT denies all of the allegations of MFS except where this Answer specifically states otherwise.

CSXT denies that it has violated 49 U.S.C. §§ 10903 and 11101(a) regarding service to MFS over CSXT’s 9.58-mile segment of railroad line known as the Monon Subdivision – Monticello Industrial track between Monon, milepost 0QA 88.42, and Monticello, milepost 0QA 98.00, in White County, IN (the “Line”).

1. CSXT is without sufficient information to admit or deny the information provided by Complainant in Paragraph 1 of the complaint. To the extent a response is required, CSXT denies the allegations in Paragraph 1.

2. With respect to the first sentence of Paragraph 2, CSXT admits that it is a common carrier by railroad and that it is generally subject to the 49 U.S.C. Subtitle IV, Part A.

With respect to the second sentence of Paragraph 2, CSXT admits that its address is 500 Water Street, Jacksonville, FL 32202.

3. CSXT is without sufficient information to admit or deny the information provided by Complainant in Paragraph 3 of the complaint. To the extent a response is required, CSXT denies the allegations in Paragraph 3.

4. CSXT denies the allegations of Paragraph 4 of the Complaint.

5. CSXT admits that on February 4, 2017, it filed a Petition for Exemption seeking to abandon an approximately 9.67-mile long line of railroad on its Monon Industrial Track, Monon Subdivision, between Monon, milepost 0QA 88.33, and Monticello, milepost 0QA 98.00, in White County, IN. CSXT admits the remaining allegations in Paragraph 5.

6. CSXT admits the allegations of Paragraph 6 of the Complaint.

7. CSXT admits that MFS made several complaints, that CSXT personnel did indicate the track would be repaired, and that the track has not been repaired.

8. With respect to the first sentence of Paragraph 8, CSXT admits the allegation. With respect to the second sentence of Paragraph 8, CSXT does not understand the statement and is without sufficient information to admit or deny the information. To the extent a response is required, CSXT denies the allegations in the second sentence of Paragraph 8.

9. With respect to the first clause of Paragraph 9, CSXT has provided transportation service to MFS to deliver the contents of one car to MFS. With respect to the second clause of Paragraph 9, CSXT admits that it has not expended funds to maintain the Line since February 1, 2017. With respect to the third clause of Paragraph 9, CSXT denies that it has not begun the abandonment process for the Line under the procedures at 49 U.S.C. §10903 and 49 CFR §1152.

10. CSXT is without sufficient information to admit or deny the information provided by Complainant in the first clause in Paragraph 10 of the complaint. To the extent a response is required, CSXT denies the allegations in the first clause in Paragraph 10. CSXT admits that it previously denied MFS's track consultant permission to enter the Line. By letter dated August 18, 2017, CSXT granted the track consultant access to the Line in 30 days if negotiations between CSXT and MFS failed to result in a settlement.

11. CSXT denies the allegations made in Paragraph 11 of the Complaint.

12. CSXT denies the allegations made in Paragraph 12 of the Complaint.

13. Paragraph 13 states a legal conclusion to which no response is required. To the extent that a response is required, CSXT denies Paragraph 13.

14. CSXT is without sufficient information to admit or deny the information provided by Complainant in Paragraph 14 of the complaint. To the extent a response is required, CSXT denies the allegations in Paragraph 14.

15. Paragraph 15 states a legal conclusion to which no response is required. To the extent that a response is required, CSXT denies Paragraph 15.

16. Paragraph 16 states a legal conclusion to which no response is required. To the extent that a response is required, CSXT denies Paragraph 16.

PRAYER

For the foregoing reasons, CSXT requests the Board to (1) conclude that CSXT has not violated any provision of 49 U.S.C. Subtitle IV with respect to the Line; (2) dismiss the complaint; (3) discontinue this proceeding; and (4) award CSXT such other relief to which it is entitled.

Respectfully submitted,



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Attorneys for: CSX TRANSPORTATION,  
INC.

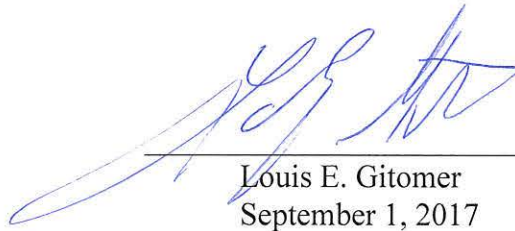
Dated: September 1, 2017

**CERTIFICATE OF SERVICE**

I hereby certify that I have caused the foregoing document to be served upon counsel for

Monticello Farm Services, Inc., by electronic delivery:

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Louis E. Gitomer  
September 1, 2017