

September 12, 2017
Linda Kraatz
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244320

ENTERED
Office of Proceedings
September 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 for Leave to File Rebuttal
MOTION TO DENY MOTION FOR LEAVE TO FILE REBUTTAL

Dear Ms. Brown,

Enclosed for the above-captioned proceeding is my e-filing with this captioned MOTION TO DENY MOTION FOR LEAVE TO FILE REBUTTAL. It has also been served to the attorney Robert Wimbish who is representing the the City of Fishers, Indiana,("Fishers") the City of Noblesville, Indiana,("Noblesville") and Hamilton County, Indiana. collectively (the Owners") of a railroad. On August 1, 2017 the Owners jointly filed a petition for partial revocation of exemption (the Petition"), with the Surface Transportation Board (the "Board"). August 31, 2017 the Owners filed motion for leave to file rebuttal (the "Motion"),with the Board. 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.

Argument

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The Owner's Motion clearly states reason the Motion must be denied. .
"the Board's rules do not specifically provide for filing of rebuttal evidence and argument in a proceeding of this sort".

Motion page 1, lines 10,11,12,13. " the Board's rules do not specifically provide for filing of rebuttal evidence and argument in a proceeding of this sort".

The Owners, Fishers, Noblesville,and Hamilton County Indiana are local governments.
The Board's rules must remain unaffected by local governments request.

Conclusion: The Board must deny the motion for leave to file rebuttal.

Respectufully submitted,

Linda Kraatz

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Respectfully submitted,

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

Linda Kraatz

S.T.B. 441,446 (" New evidence improperly presented on rebuttal will not be considered.").