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March 22, 2019

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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

ENTERED
Office of Proceedings
March 22, 2019
Part of
Public Record

Re: **Docket No. AB 1261**
New York State Department of Environmental Conservation –
Adverse Abandonment – Saratoga and North Creek Railway
in Town Johnsburg, New York

Dear Ms. Brown:

Pursuant to an order of the Surface Transportation Board (the “Board”) served on October 23, 2018, the deadlines for substantive comments responsive to the New York State Department of Environmental Conservation’s (“NYSDEC”) abandonment application and the related environmental assessment in the above-referenced proceeding were stayed until further Board order. In that same order, OmniTRAX, Inc. (“OmniTRAX”) and Saratoga and North Creek Railway, LLC (“SNCR”), among others, were directed to offer status reports on negotiations that had triggered the stay. By order served on February 1, 2019, the Board continued the stay, subject to the filing of supplemental status reports by or before March 22, 2019. OmniTRAX and SNCR hereby tender, jointly, such a supplemental report.

OmniTRAX (through its parent company, OmniTRAX Holdings Combined, Inc. – “OHCI”) remains engaged in discussions with NYSDEC intended to resolve freight car storage on the subject rail line. This mutual effort is progressing, but the parties have not yet reached an accord. OmniTRAX remains hopeful that agreement will be reached in due course that will – (a) facilitate, with NYSDEC’s support, the acquisition of the subject railroad line by an OHCI-controlled subsidiary that will restore common carrier operations; and (b) permit NYSDEC to withdraw its abandonment application.

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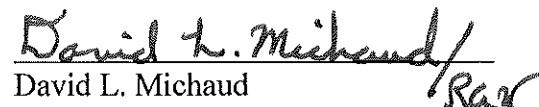
Ms. Cynthia T. Brown
March 22, 2019
Page Two

Similarly, OmniTRAX and SNCR continue to negotiate over the sale of the line. Here, also, negotiations are ongoing. OmniTRAX and SNCR remain committed to achieving mutually-acceptable terms that would trigger a Board-authorized line sale for purposes of restoring the line to service concurrently with NYSDEC's withdrawal of its abandonment application upon satisfactory conclusion of the aforementioned car storage negotiations.

For these reasons, OmniTRAX and SNCR join in requesting that the Board retain in effect the current stay order.

Respectfully submitted,


Robert A. Wimbish
Attorney for OmniTRAX, Inc.


David L. Michaud
Attorney for Saratoga and
North Creek Railway

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cc: All parties of record