

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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ROBERT A. WIMBISH
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November 16, 2016

242063

VIA E-FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W., Room 1034
Washington, DC 20024

ENTERED
Office of Proceedings
November 16, 2016
Part of
Public Record

Re: **Finance Docket No. 35187 (Sub-No. 1)**
Grand Elk Railroad Inc. – Acquisition of Incidental
Trackage Rights Exemption – Norfolk Southern Railway Company

Dear Ms. Brown:

Pursuant to 49 C.F.R. § 1150.42(e) as partially waived by the Surface Transportation Board in its decision in the above-referenced proceeding served on November 1, 2016, Grand Elk Railroad, Inc. (“GDLK”) hereby certifies that on or before November 11, 2016, the attached Notice was posted at the following workplaces of NSR (“NSR”) employees concerning the acquisition of incidental trackage rights over approximately 3.3-mile rail line in Grand Rapids, Mich., extending from the connection with the NS/GDLK Hughart Running Track at approximately CSXT milepost CH 151.3± at Pleasant Street through milepost CH 151.6/CGE 0.0 to milepost CGE 3.0± north of Ann Street (the “Grand Rapids Line”) that is the subject of the above-captioned exemption proceeding:

Jackson Yard
1101 South Elm Street
Jackson, MI 49021

GDLK also certifies that on November 15, 2016, the attached Notice was served by first class mail, postage prepaid, on the national offices of the labor unions representing NSR employees with a potential interest in the Grand Rapids Line at the following addresses:

Mr. John Previsich
President
SMART Transportation Division
24950 Country Club Boulevard, Ste. 340
North Olmsted, OH 44070-5333

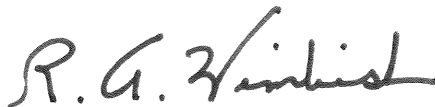
FLETCHER & SIPPEL LLC

Ms. Cynthia T. Brown
November 16, 2016
Page 2

Mr. Dennis R. Pierce
International President, BLET
7061 East Pleasant Valley Road
Independence, OH 44131

If you have any questions regarding this filing, please feel free to contact me.

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 each word being capitalized and prominent.

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

RAW/ekf

Attachments

cc: All parties of record (via U.S. Mail)

GRAND ELK RAILROAD, INC.
75 Mills Street
Kalamazoo, MI 49048

NOTICE

Pursuant to regulations of the Surface Transportation Board (“STB”) at 49 C.F.R. 1150.42(e), Grand Elk Railroad, Inc. (“GDLK”), a Class III rail carrier, hereby gives notice to employees of Norfolk Southern Railway Company (“NSR”) that, on August 25, 2016, GDLK filed a notice of exemption in Docket No. FD 35817 (Sub-No. 1) to acquire by assignment from NSR incidental trackage rights over roughly 3.3 miles of railroad line owned by CSXT Transportation, Inc. (“CSXT”) in Grand Rapids, Mich., extending from the connection with the GDLK Hughart Running Track at approximately CSXT milepost CH 151.3± at Pleasant Street through milepost CH 151.6/CGE 0.0 to milepost CGE 3.0± north of Ann Street.

The subject incidental trackage rights class exemption will take effect 10 days after GDLK has certified to the STB that it has provided this notice to employees. *See Grand Elk Railroad, Inc. – Acquisition of Incidental Trackage Rights Exemption – Norfolk Southern Railway Company*, Docket No. FD 35817 (Sub-No. 1) (STB served Nov. 1, 2016), slip op. at 5.

GDLK does not expect to hire any additional employees as a result of the subject acquisition of incidental trackage rights. Employees desiring further information regarding the transaction may contact Damien C. Cantrell, General Manager, GDLK, at 269.343.3461

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November 16, 2016

VIA U.S. MAIL

Mr. Dennis R. Pierce
International President, BLET
7061 East Pleasant Valley Road
Independence, OH 44131

Re: **Finance Docket No. 35817 (Sub-No. 1)**
Grand Elk Railroad, Inc. – Acquisition of Incidental
Trackage Rights Exemption – Norfolk Southern Railway Company

Dear Mr. Pierce:

Pursuant to the regulations of the Surface Transportation Board at 49 C.F.R. § 1150.42(e) as modified by partial waiver of the Surface Transportation Board in its decision in the above-referenced proceeding served on November 1, 2016, enclosed please find a 10-day advance notice related to the subject acquisition of incidental trackage rights transaction.

Please feel free to contact me should you have any questions regarding this matter. Kind regards.

Very truly yours,



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

RAW/ekf

Enclosure

GRAND ELK RAILROAD, INC.
75 Mills Street
Kalamazoo, MI 49048

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November 16, 2016

VIA U.S. MAIL

Mr. John Previsich
President
SMART Transportation Division
24950 Country Club Boulevard, Ste. 340
North Olmsted, OH 44070-5333

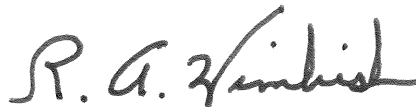
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Trackage Rights Exemption – Norfolk Southern Railway Company

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Please feel free to contact me should you have any questions regarding this matter. Kind regards.

Very truly yours,



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

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