

BEFORE THE SURFACE TRANSPORTATION BOARD

ENTERED
Office of Proceedings
October 13, 2017
Part of
Public Record

STB Docket No. FD 36137

CITY OF FISHERS, CITY OF NOBLESVILLE, AND HAMILTON COUNTY, INDIANA

PETITION FOR PARTIAL REVOCATION OF EXEMPTION

MOTION FOR LEAVE TO LATE FILE

Dated: October 13, 2017

On September 22, 2017, the Surface Transportation Board ("Board") issued a decision in response to multiple requests pertaining to the above-captioned proceeding. As a part of the Board's decision they granted, in part, an extension of time to file reply comments to the proceeding. The deadline for submissions was extended to October 12, 2017.

On October 13, 2017, Save the Nickel Plate, Inc. ("STNKP") discovered a letter dated October 8, 2017 in its organizational mailbox from a citizen wishing to file a comment with the Board. A handwritten note accompanied the letter indicating that the author of the letter had made unsuccessful attempts at submitting the comment to the Board electronically and wished for STNKP to submit the letter on their behalf. The envelope containing the letter and handwritten note was postmarked on October 10, 2017 and presumably received in STNKP's mailbox no later than October 12, 2017.

STNKP representatives check the organizational mailbox approximately every two to three business days. We immediately drafted this Motion for Leave to Late File in order to most expediently submit the late-received letter to the proceeding.

Upon drafting this Motion for Leave to Late File, the Attorney representing the Owners in this proceeding responded to our email - notifying the petitioners of our intent to late file - and indicated that the Owners do not object to our Motion. You may find a copy of referenced email attached to this submission.

STNKP respectfully requests leave to late file the accompanying comment on behalf of Andrew Davies.

A handwritten signature in black ink, appearing to read "Logan J. Day". The signature is fluid and cursive, with the first name "Logan" being more legible than the last name "Day".

Logan J. Day
Group Facilitator

Save the Nickel Plate, Inc.
P.O. Box 48
Fishers, IN 46038

(317) 983-4449
info@savethenickelplate.org

I certify that these comments have been provided to the Applicant's Attorney of Record via email. /S/ Logan J. Day on behalf of Andrew Davies | Save the Nickel Plate, Inc. | info@savethenickelplate.org

October 8, 2017

Mr. Andrew Davies
18521 Oakmont Dr.
Noblesville, IN 46062
ajdavies@sbcglobal.net

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

Re: Docket No. FD 36137 City of Fishers, City of Noblesville, and Hamilton County, Indiana Petition for
Partial Revocation of Exemption

Dear Ms. Brown:

Enclosed for filing to the above-captioned proceeding is my comment regarding the "Petition for Partial Revocation of Exemption" filed on August 1, 2017 with the Surface Transportation Board (the "Board"). A copy of this comment has also been served on the attorney, Robert A. Wimbish, who is representing the collective owners, City of Fishers, City of Noblesville, and Hamilton County (the "Owners"), of a railroad line in Indiana.

The preservation of the rail link between Noblesville/ Fishers south to Indianapolis permits the present and future economic benefits to develop. The rail is in-place and in good condition let's keep and use it! The addition of a walking /biking trail alongside the rail would be welcome, but the trail must not supersede the rail and cause it's removal. Economic possibilities include auto-free transportation to the attractions south of these cities in Indianapolis. Possibilities include travel north to the Indiana Dunes – said to be under consideration as Indiana's first and only National Park, something of more than regional interest.

Kindly help the rail stay in place, thank you.

Sincerely Yours,



Andrew Davies



Andrew J Davies
18521 Oakmont Dr
Noblesville, IN 46062

INDIANAPOLIS, IN 460

10 OCT 2017 PM 5 L

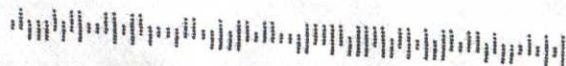


NICKLE PLATE LETTERS

PO BOX 48

FISHERS, IN 46038

46038-004848



10/8/17

The attempt at the
STB website didn't seem to
take, it just spun & spun.

Audrey Davies

Just a note...



Save the Nickel Plate <info@savethenickelplate.org>

Comment Opposing FD-36137-0 on behalf of Andrew Davies (Delivery Failure)

3 messages

Save the Nickel Plate <info@savethenickelplate.org>
To: Rob Wimbish <RWimbish@fletcher-sippel.com>

Fri, Oct 13, 2017 at 4:46 PM

Mr. Wimbish,

Please find the attached comment left in the care of Save the Nickel Plate, Inc., post marked on October 10, 2017.

This comment will be submitted to the STB with a request for Leave to File given the circumstances that an unsuccessful attempt was made by the author to submit this to the STB. This letter was found in our organizational mail box today.

Respectfully,

Logan Day
President | Save the Nickel Plate, Inc.

P.O. Box 48
Fishers, IN 46038

info@savethenickelplate.org

(317) 983-4449

#SavetheNickelPlate



Davies_Andrew_STBComment_100817.pdf
373K

Robert A. Wimbish <RWimbish@fletcher-sippel.com>
To: Save the Nickel Plate <info@savethenickelplate.org>

Fri, Oct 13, 2017 at 4:50 PM

If you wish, you may advise the STB that the Owners do not object to the late filing of this comment under the circumstances.

Rob Wimbish

Sent from my Verizon, Samsung Galaxy smartphone
[Quoted text hidden]

Save the Nickel Plate <info@savethenickelplate.org>
To: "Robert A. Wimbish" <RWimbish@fletcher-sippel.com>

Fri, Oct 13, 2017 at 5:20 PM

Mr. Wimbish,

Thank you for advising us accordingly. We will notify the STB. Please also find the Motion for Leave to Late File attached to this email.

Respectfully,

Logan Day
President | Save the Nickel Plate, Inc.

P.O. Box 48
Fishers, IN 46038

info@savethenickelplate.org

[\(317\) 983-4449](tel:(317)983-4449)

[#SavetheNickelPlate](#)

[Quoted text hidden]



Motion for Leave to Late File.pdf

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