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July 22, 2019

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Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
Office of Proceedings
395 E Street, SW
Washington, DC 20423

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Office of Proceedings
July 22, 2019
Part of
Public Record

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

Dear Ms. Brown

This letter is in reference to the July 11, 2019 letter from United Rail, Inc. (“United Rail”) to the Surface Transportation Board (“STB”) in the above-referenced proceeding. In this letter, United Rail asked the STB to continue to hold this proceeding in abeyance, so it could explore the possibility of purchasing the rail line that is the subject of the adverse abandonment application. United Rail removes the second sentence in the third paragraph of the letter which stated as follows: “United Rail was recently chosen by Warren County through a request-for-proposal process to be the operator of a rail line that directly connects with the Line in North Creek, New York and begins discussions about this rail operation on July 18.” A corrected version is attached for the record. Thank you for your attention to this matter.

Sincerely,

Donn C. Meindertsma

cc: All Parties of Record

Encl.

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July 11, 2019

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395 E Street, SW
Washington, DC 20423

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

Dear Ms. Brown

At the present time, the New York State Department of Environmental Conservation (“NYSDEC”) has an application for adverse abandonment (“Application”) of a 30-mile railroad line known as the Tahawus Line (the “Line”) in Warren, Hamilton, and Essex Counties in northern New York pending before the Surface Transportation Board (“STB”) in the above-referenced proceeding. The STB stayed the deadline for comments in response to the Application and the related environmental assessment in an October 23, 2018 order because OmniTRAX, Inc. was engaged in discussions with Saratoga and North Creek Railway, Inc. (“SNCR”) about the purchase of the Line and with NYSDEC about freight car storage on the Line. The STB continued to hold the proceeding in abeyance by order of May 24, 2019, asking the parties to file a status report by July 19, 2019.

In a June 14, 2019 filing, OmniTRAX advised the STB that it had decided to discontinue negotiations for the purchase of the Line and asked to withdraw as a party of record in this proceeding.

Since the May 24, 2019 STB Order, United Rail, Inc. (“United Rail”) has initiated preliminary discussions with SNCR about the purchase of the Line. As a result, United Rail respectfully asks the STB to continue the stay order and have the parties provide a status report in 60 days from July 19, so these discussions may continue. SNCR does not object to this request. United Rail also respectfully asks to be made a party of record in the above-referenced proceeding.

Sincerely,



Donn C. Meindertsma

cc: All Parties of Record