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LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE
ENVIRONMENTAL PROTECTION BUREAU

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

January 18, 2019

 GRANTED Office of Proceedings	DECISION ID NO.: <u>46789</u>
	DECIDED DATE: <u>2/1/2019</u>
	SERVICE DATE: <u>2/1/2019</u>
	APPROVED: <u>awc dir</u> Acting Director
	☒ Parties shall file a status report by <u>3/22/2019</u>

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:

Currently pending before the Board is an application by the New York State Department of Environmental Conservation (the Department) for authorization to abandon a thirty-mile stretch of railroad known as the Tahawus Line (the Line), located in Warren, Hamilton, and Essex Counties in northern New York State.

On October 16, 2018, the Department wrote to the Board requesting that the pending abandonment application be held in abeyance while the Department negotiated a binding rail car storage agreement with the Line's potential purchaser, OmniTRAX, Inc. (OmniTRAX). The Board issued a stay order (the Order) on October 23, 2018. The Order directed that a status report be filed by January 22, 2019.

The Department represents that negotiations with OmniTRAX are ongoing. Accordingly, the Department requests that the Board continue the current stay for an additional 60-day period.

The Department understands that OmniTRAX will file a separate report updating the Board and requesting that the stay be continued.

Respectfully submitted,

/s Joshua M. Tallent

Joshua M. Tallent
Assistant Attorney General
(518) 776-2456
Joshua.Tallent@ag.ny.gov

cc: service list