

National Association of Reversionary Property Owners (NARPO)

1100 Bellevue Way NE Ste. 8APMB 719 Bellevue, WA 98004
760-238-8420
dick156@earthlink.net

248594

STB Office of Proceedings

EFILED October 10, 2019

ENTERED
Office of Proceedings
October 10, 2019
Part of
Public Record

Washington, DC 20423

October 10, 2019

Comment on AB 873X, AB 55-625X and AB 565-17X: Abandonments and Discontinuances in Dutchess County, New York

On August 1, 2019 NARPO filed a comment letter to the STB concerning the above three abandonments and discontinuances which was preceded by a July 30, 2019 letter from Dutchess County, New York government to the STB asking for a NITU. Today, August 18, 2019 NARPO received a copy of a reply letter from Dutchess County concerning NARPO's previous comment letter dated August 1. In this letter from Dutchess County, a new name, Metro-North is mentioned as having operating rights on the only connection to the National Rail System for the proposed NITU and interim trail. NARPO could find no document in the STB files that mentions any transfer of operating rights to Metro-North from CSXT or New York Central Lines or ConRail or Penn Central.

Today, October 10, 2019, Dutchess County replied to the STB on NARPO's query on who and what Metro-North was. Dutchess County alleges Metro-North was/is a commuter line that supposedly CSX leased to Metro-North although no documentation that the lease occurred or was approved by the STB. Also no documentation was proffered that Metro-North qualified to be part of the National Rail System. It has been NARPO's judgement that commuter rail lines fall into the category of tourist trains and are not subject to STB jurisdiction. If commuter lines are not subject to STB jurisdiction, then there can be no rail banking or Interim Trail Use as the proposed abandonment would not connect to the National Rail System..

Also Dutchess County did not respond to NARPO's second query in NARPO's August 1, 2019 letter to the STB which inquired about the January 11, 2005 petition for

discontinuance on this line. From NARPO's reading of the record in AB 873X, AB 55-625X and AB 565-17X, there is no mention of the 2005 Discontinuance. There appears to be gaps in the record that need to be addressed.

Sincerely yours

Richard Welsh

NARPO has served all parties of record via email on October 10, 2019.

Richard Welsh--Executive Director NARPO