



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE
ENVIRONMENTAL PROTECTION BUREAU

October 18, 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

ENTERED
Office of Proceedings
October 18, 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

Dear Ms. Brown:

This office represents the New York State Department of Environmental Conservation in the above-captioned proceeding. On September 30, 2019, the Department requested that the Board issue a certificate of interim trail use for the subject line of railroad. I have discussed the Department's trail use request with David Michaud, counsel for Saratoga and North Creek Railway (SNCR), and we write jointly to inform the Board that SNCR is willing to negotiate an interim trail use agreement with the Department.

In addition, SNCR has no objection to proceeding with the pending abandonment on a voluntary basis. Accordingly, SNCR irrevocably represents that it does not now and will not in the future oppose the Department's abandonment application, and that the public convenience and necessity favor abandonment of the subject line.

Yours truly,

/s/ Joshua M. Tallent

Joshua M. Tallent

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/s/ David Michaud

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cc: service list