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June 14, 2016

VIA E-MAILVictoria Rutson, Esq.
Director, Office of Environmental Analysis
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001**Re: Request for Waiver of Six-Month Pre-filing Notice for New England
Transrail, LLC, FD 34797, Sub Docket 1**

Dear Ms. Rutson:

We are writing to request that the Board waive the six-month pre-filing notice requirement of 49 C.F.R. §1105.10(a) for the New England Transrail, LLC ("NET") project. NET, pursuant to the Board's direction, will shortly file an updated petition before the STB in the above-referenced docket for approval to construct and operate a rail line and a "freight-village" type transloading facility on approximately 34 acres of land in Wilmington, Massachusetts to serve as team tracks for multiple commodities.

As described in the forthcoming updated petition, NET will own and operate the lines and transloading facility. At the time the lines and facility becomes operational, NET will be a Class III railroad.

Pursuant to 49 C.F.R. §1105.10(c), NET respectfully requests that the Board waive the six-month pre-filing notice requirements of 49 C.F.R. §1105.10(a)(1). The six-month notice period may be waived "where appropriate" and such waivers are routinely granted. *See* 49 C.F.R. §1105.10(c)(1). We believe a waiver is appropriate in this case because the current updated petition relates to refinements to the lines and transloading facilities that were first described in a petition filed over ten years ago and that have been the subject of a partial environmental review and other proceedings since that time. Indeed, the OEA waived the six-month notice period for the version of this project described in the original petition through a letter dated November 10, 2005. More recently, there has been a series of filings relating to the re-initiation of the environment review process, including a May 12, 2016 Board decision lifting the deferral of the environmental review, all of which has been served on all of the persons and entities who have expressed an interest to be parties of record or non-parties. Accordingly, the project is well known to interested persons. Finally, a six-month delay would needlessly impede the progress of this very important project.

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NET will also be seeking approval of the appointment of a third-party consultant to assist the Board in preparing the environmental documentation associated with the project. This work would be conducted on behalf of the Board pursuant to 49 C.F.R. §1105.10(d) and the Board's standard requirements for disclosure by a third party consultant. NET stands ready to work with the Board and other relevant federal and state agencies to assess the impacts of the project.

Please let me know if you have any questions. We greatly appreciate your assistance..

Sincerely,

A handwritten signature in black ink, reading "Steven L. Leifer". The signature is written in a cursive, flowing style.

Steven Leifer
Attorney for New England Transrail, LLC

All Parties of Record via First Class Mail
Danielle Gosselin, STB (via email)

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CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of June, 2016, a copy of the foregoing letter was sent by U.S. Mail to the following Parties of Record:

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