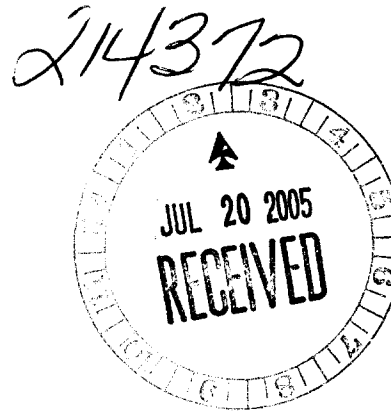




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July 20, 2005

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BY HAND DELIVERY

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001

RE: *Groome & Associates, Inc. and Lee K. Groome, Complainants v. Greenville
County Economic Development Corporation, Defendant*
STB Docket No. 42087

Dear Secretary Williams:

Enclosed please find an original and eleven copies of Greenville County Economic Development Corporation's Reply to Complainants' Motion for Expedited Handling that was filed July 18, 2005. Please acknowledge receipt of this filing by date stamping the eleventh copy of the filing and returning it to the individual making this filing to return to me. A copy of this filing is being served today on counsel for Complainants, the only other parties of record to this matter, by hand delivery.

Sincerely yours,

William A. Mullins

Enclosure

cc: Richard H. Streeter, Esq.

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Docket No. 42087

**GROOME & ASSOCIATES, INC., AND LEE K. GROOME
v.
GREENVILLE COUNTY ECONOMIC DEVELOPMENT CORPORATION**

REPLY TO COMPLAINANTS' MOTION FOR EXPEDITED HANDLING

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**Attorneys for Greenville County
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July 20, 2005

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Docket No. 42087

**GROOME & ASSOCIATES, INC., AND LEE K. GROOME
v.
GREENVILLE COUNTY ECONOMIC DEVELOPMENT CORPORATION**

REPLY TO COMPLAINANTS' MOTION FOR EXPEDITED HANDLING

Greenville County Economic Development Corporation ("GCEDC"), defendant in this matter, submits this reply to Complainants' July 18, 2005 Motion for Expedited Handling ("Motion"). GCEDC does not oppose, and indeed supports, bringing this proceeding to a prompt conclusion. However, certain erroneous assertions in Complainants' Motion require a brief reply.

Complainants seem inexplicably concerned that GCEDC's abandonment exemption petition ("Petition") will somehow muddy the waters of this proceeding. There is no reason for that concern. Each proceeding has its own record. Each must be decided under a different statutory standard. Indeed, absent Complainants' Motion, the Petition would not even have been mentioned in this record, let alone had any effect on the outcome herein.

Complainants also assert that GCEDC's abandonment exemption petition "assumed *as fact* certain contested matters that are the subject of the instant Complaint." (Emphasis in

¹ *Greenville County Economic Development Corporation - Petition for Exemption for Partial Discontinuance and Partial Abandonment - In Greenville County, SC*, STB Docket No. AB-490 (Sub-No. 1X) (filed June 24, 2005).

original.) Motion at 1. What "contested matters" in this proceeding GCEDC allegedly assumed as fact in support of the abandonment proceeding are not delineated. While GCEDC did submit certain sworn testimony from this proceeding in support of the Petition, GCEDC's use of that testimony was simply to put into the abandonment record certain relevant facts from this proceeding. Indeed, even Complainant does not take issue with the fact that there has been no service over the line for several years, that only one former shipper² even remains on the line, and that the line is in need of substantial rehabilitation.

Regardless of the unsubstantiated claims of "assumed" facts, the Board will and should evaluate the testimony presented in the abandonment proceeding separate and apart from the evidence and testimony presented in this proceeding, just as it will and should evaluate all of the testimony presented in this proceeding independently of the evidence presented in the abandonment proceeding. GCEDC is confident that in the abandonment proceeding, the Board will find that GCEDC's evidence clearly establishes that abandonment is justified due to the lack of any demand for rail service on the Greenville-Travelers Rest segment and that the costs to rehabilitate the line far exceeds any revenue potential. These two uncontested facts from this proceeding are directly pertinent to the issues before the Board in the abandonment proceeding, and presenting those facts to the Board in the abandonment proceeding involved no impropriety of any sort.

Finally, GCEDC's abandonment exemption petition is not a reply, either "surreptitious" (as Complainants label it) or otherwise, to Complainants' filings in this case. If GCEDC felt a need to reply to Complainants' filings herein, it would simply have requested leave to do so, as it

² This shipper, Paper Cutters, Inc, has not requested rail service in years and prior to ceasing using rail service only shipped two or three carloads per month. Furthermore, it has not filed any comments in either this proceeding or the abandonment proceeding.

has previously done. Rather, the Petition is GCEDC's second attempt to eliminate, at least on a going-forward basis, any argument that it has a common carrier obligation to serve the Greenville-Travelers Rest segment.

GCEDC previously filed a notice of exemption to abandon the line, but the Board found that vehicle for abandonment inappropriate when Complainants voiced opposition. Now, GCEDC is proceeding by petition for exemption, as the Board suggested when it dismissed GCEDC's exemption notice. Inasmuch as Complainants have criticized GCEDC for not previously seeking to abandon the Greenville-Travelers Rest segment, GCEDC is mystified why Complainants now object that GCEDC is doing what Complainants earlier said it should do.

CONCLUSION

GCEDC does not oppose Complainants' request to bring this proceeding to a prompt conclusion. GCEDC, however, otherwise rejects Complainants' characterization of the purpose or effect of GCEDC's Petition.



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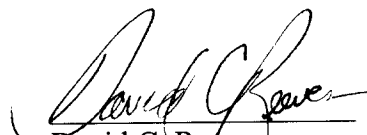
Washington, DC 20037

Counsel for Greenville County

Economic Development Corporation

CERTIFICATE OF SERVICE

I, David C. Reeves, hereby certify that on this 20th day of July, 2005, a copy of the foregoing Greenville County Economic Development Corporation's Reply To Complainants' Motion For Expedited Handling was served by courier on Complainants' counsel.



David C. Reeves