

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

300631

ENTERED
Office of Proceedings
May 18, 2020
Part of
Public Record

TWIN CITY METALS, INC.

Complainant,

v.

KET, LLC,

Defendant.

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DOCKET NO. NOR 42168

**REPLY TO KET, LLC'S RESPONSE TO TWIN CITY METAL'S IMPLIED PETITION
TO PARTIALLY REVOKE KET'S CLASS EXEMPTION**

Twin City Metals, Inc. (TCM) respectfully replies to KET, LLC's Response to TCM's Implied Petition to Partially Revoke KET's Class Exemption. In said response, KET claims that "[n]ot content with its service and infrastructure demands, TCM also asks the Board to put KET out of business by demanding the board partially revoke KET's operating exemption."

However, TCM made no such request in its Complaint. TCM's only revocation request was as follows: "The Board is respectfully requested to partially revoke the exemption for steel and iron scrap as set forth in 49 C.F.R. § 1039.11 to the extent necessary to allow the Board to give consideration to KET's actions with respect to the rail service issues with TCM described above."

This response by KET to a nonexistent petition appears to be solely an attempt to argue the case before the procedural schedule has been established.

/s/ Daniel R. Elliott
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Counsel for Twin City Metals

May 18, 2020

CERTIFICATE OF SERVICE

In accordance with 49 C.F.R. § 1104.12, I hereby certify that on May 18, 2020, I served a copy of this Reply on counsel known to represent KET in this matter by first-class mail and email as follows:

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/s/Daniel R. Elliott