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January 18, 2017

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By efilng

Ms. Cynthia T. Brown, Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20024

ENTERED
Office of Proceedings
January 18, 2017
Part of
Public Record

Re: Docket No. AB-55 (Sub-No. 643X), *CSX Transportation, Inc. -- Abandonment
Exemption -- in La Porte, Porter and Starke Counties, IN*

Finance Docket No. 36076, *Chesapeake and Indiana Railroad Company, Petition
for Declaratory Relief*

Dear Ms. Brown:

Hereby transmitted is a Reply in Opposition to Petition For Leave To File A Reply To
Reply for filing with the Board in the above referenced matter.

Respectfully submitted,

Rachel Arndt
TM

Tom McFarland

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January 18, 2017

Page 2

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BEFORE THE
SURFACE TRANSPORTATION BOARD

CSX TRANSPORTATION, INC. --	)	
ABANDONMENT EXEMPTION -- IN	)	DOCKET NO.
LAPORTE, PORTER, AND STARKE	)	AB-55 (SUB-NO. 643X)
COUNTIES, IN	)	
	)	
CHESAPEAKE AND INDIANA	)	FINANCE DOCKET
RAILROAD COMPANY -- PETITION	)	NO. 36076
FOR DECLARATORY RELIEF	)	

**REPLY IN OPPOSITION TO PETITION FOR LEAVE
TO FILE A REPLY TO REPLY**

TOWN OF NORTH JUDSON, INDIANA
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DATE FILED: January 19, 2017

BEFORE THE
SURFACE TRANSPORTATION BOARD

CSX TRANSPORTATION, INC. --	)	
ABANDONMENT EXEMPTION -- IN	)	DOCKET NO.
LAPORTE, PORTER, AND STARKE	)	AB-55 (SUB-NO. 643X)
COUNTIES, IN	)	
	)	
CHESAPEAKE AND INDIANA	)	FINANCE DOCKET
RAILROAD COMPANY -- PETITION	)	NO. 36076
FOR DECLARATORY RELIEF	)	

**REPLY IN OPPOSITION TO PETITION FOR LEAVE
TO FILE A REPLY TO REPLY**

Pursuant to 49 C.F.R. § 1104.13(a), the Town of North Judson, Indiana (the Town) hereby replies in opposition to a Petition for Leave to File a Reply to a Reply (Petition) filed by Chesapeake and Indiana Railroad Company (CKIN) on January 13, 2017.

It is provided in 49 C.F.R. § 1104.13(c) that a reply to a reply is not permitted. The Board sometimes waives that regulation when a tendered reply would be necessary or helpful in compiling a complete record.

The Board should deny CKIN's Petition because CKIN's tendered reply is not necessary nor helpful in compiling a complete record. Instead, CKIN's tendered reply is excessively redundant of arguments made in its earlier Petition and wholly irrelevant to the issues that control disposition of that Petition. The 87-page length of CKIN's tendered reply is an affront to the patience of the Board and the other parties to the proceedings.

For those reasons, this is an instance where justice dictates that the Board adhere to its regulation by denying CKIN's Petition for Leave to file a Reply to Reply, and by rejecting the tendered Reply.

Respectfully submitted,

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DATE FILED: January 19, 2017

CERTIFICATE OF SERVICE

I hereby certify that on January 18, 2017, I served a copy of the foregoing Reply in Opposition to Petition for Leave to File a Reply to Reply by e-mail and first-class, U.S. mail, postage prepaid, on the following:

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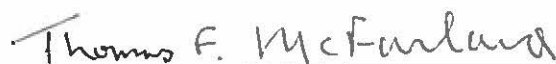
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