

July 6, 2017

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BY E-FILING

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Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423

ENTERED
Office of Proceedings
July 6, 2017
Part of
Public Record

**RE: Alloy Property Company, LLC-Adverse Abandonment-Chicago
Terminal Railroad in Chicago, IL, Docket No. AB-1258**

Dear Ms. Brown:

I am responding on behalf of Chicago Terminal Railroad (“CTM”) to a letter filed with the Board in the above-captioned proceeding by Alloy Property Company, LLC (“Alloy”) on June 28, 2017. Alloy has announced that it intends to file an “adverse application” for the abandonment of a CTM line on or about August 31, 2017, and on June 21, 2017, it had petitioned the Board for a Partial Waiver of Abandonment Regulations and Exemption. After CTM duly replied, Alloy seeks leave to respond in violation of the Board’s longstanding rule at 49 CFR §1104.13 prohibiting the filing of a reply to a reply. CTM urges the Board to deny Alloy’s request for that reason alone. Moreover, as discussed below, Alloy’s request is premature. However, as a matter of due process and fairness as well as providing a full record, CTM asks the Board to accept its response to that letter should it allow Alloy’s Response.

Alloy justifies its request to respond on the grounds of what it calls a “compromise” on the requirements for the notice and the abandonment. While CTM has generally acquiesced in most of Alloy’s waiver requests, it has registered several objections as to the wording of Alloy’s notice, its requested exemption

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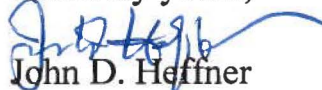
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from the offer of financial assistance provisions of 49 USC §10904, and its waiver of Board requirement to serve notice on CTM's customers.

The Board is probably unaware of the substantial discovery requests that Alloy has just submitted to CTM. Among other things, Alloy not only seeks information present or potential shippers or sources of traffic but CTM's operating use of the line and even information about CTM's purchase from CP Rail and the current value of the line.

Principals for Alloy and CTM have scheduled a meeting in Chicago on July 21, 2017, to discuss the future status of the line. Accordingly, it would be premature for the Board to consider Alloy's June 21 Petition and its June 28 Response at this time.

Sincerely yours,



John D. Heffner

Its counsel

cc: David Michaud, Esq.
Service list parties

CERTIFICATE OF SERVICE

I, John D. Heffner, hereby certify that a copy of the foregoing Reply of Chicago Terminal Railroad was sent by electronic mail to all parties of record in this proceeding.

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Dated: July 6, 2017