



COUNTY OF DUTCHESS
DEPARTMENT OF LAW

248584

October 9, 2019

ENTERED
Office of Proceedings
October 10, 2019
Part of
Public Record

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

RE: Docket No. AB-565 (Sub-No. 17X), *New York Central Lines, LLC—
Abandonment Exemption – in Dutchess County, NY*
Our File: R-0790

Dear Ms. Brown:

Dutchess County, New York ("Dutchess County"), a municipality of the State of New York, requests leave from the Surface Transportation Board (the "Board"), for good cause shown, to respond to the letter filed by the National Association of Reversionary Property Owners ("NARPO") on August 19, 2019, in order to clarify and correct a statement in Dutchess County's letter filed on August 16, 2019.

It has taken Dutchess County time and effort to trace the history of the acquisition by the Metro-North Commuter Authority ("Metro-North") of the rail line on the east side of the Hudson River that connects to the line that Dutchess County is seeking to acquire from CSX Transportation, Inc. ("CSXT") for trail use. Our letter correctly stated that the Metro-North line connects to the potential trail at its western end at milepost QC 74.08. However, Dutchess County mistakenly stated that Metro-North acquired its line from CSXT, and NARPO raised that issue in its August 19 letter.

Good cause for this late filing is demonstrated by the review undertaken by Dutchess County involving numerous documents concerning the bankruptcy of the Penn Central, the creation of Conrail, disposal of certain assets by the Trustees of the Penn Central, and the split of Conrail, in order to provide a complete answer to NARPO's question.

Dutchess County has determined that the Trustees of the Penn Central leased to Metro-North the operating railroad line that connects to the west end of the line that Dutchess County is seeking to acquire as a trail from CSXT. CSXT did not sell the line to Metro-North. Both the north and south ends of the currently operating Metro-North commuter rail line connect to CSXT and the national railroad system.

Dutchess County respectfully asks the Board to expeditiously grant the Notice of Interim Trail Use requested on July 30, 2019, and consented to by CSXT on July 30, 2019.

Please contact me if you have any questions.

Sincerely yours,

A handwritten signature in black ink, appearing to read "James M. Fedorchak", written over the printed name.

JAMES M. FEDORCHAK
Dutchess County Attorney

JMF/CMC/kvh

CERTIFICATE OF SERVICE

I certify that I have this day served copies of this document on all parties of record in this proceeding, by email.

// *Louis E. Gitomer*
October 10, 2019