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REDACTED VERSION

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Office of Proceedings
September 4, 2015 JR - 6
Part of
Public Record

Before the
Surface Transportation Board

STB DOCKET NO. AB-167 (Sub-No. 1189X)

**CONSOLIDATED RAIL CORPORATION – ABANDONMENT EXEMPTION –
IN HUDSON COUNTY, NJ**

STB DOCKET NO. AB-55 (Sub-No. 686X)

**CSX TRANSPORTATION, INC. – DISCONTINUANCE OF SERVICE EXEMPTION –
IN HUDSON COUNTY, NJ**

STB DOCKET NO. AB-290 (Sub-No. 306X)

**NORFOLK SOUTHERN RAILWAY COMPANY – DISCONTINUANCE OF SERVICE
EXEMPTION – IN HUDSON COUNTY, NJ**

CONFIDENTIAL PORTION OF

JAMES RIFFIN’S REPLY TO JERSEY CITY’S, ET. AL.’S

MOTION TO STRIKE RIFFIN’S

NOTICE OF INTENT TO FILE AN OFA

– REDACTED VERSION –

1. James Riffin (“**Riffin**”) filed a Confidential Portion of his Reply to Jersey City’s, et. al., Motion to Strike Riffin’s Notice of Intent to File an OFA.

2. The Confidential Portion discusses:

- A. A short history of the Harsimus Branch.
- B. A summary of the litigation to date.
- C. Some discussion regarding shipper interest, the feasibility of providing freight rail service, and community support.
- D. Some concerns of Riffin regarding an OFA submitted by Jersey City.
- E. The common, and dissimilar, goals of Riffin and Jersey City.
- F. Riffin’s and Jersey City’s Plans for Continued Freight Rail Service.
- G. Sites where freight rail transload services could be provided.
- H. The estimated costs of providing rail transload sites.
- I. The OFA ‘taking’ criteria.
- J. Financial responsibility of Riffin and Jersey City.
- K. Riffin then concludes that the criteria for filing an OFA have been met. (There is shipper interest / it is economically feasible to provide freight rail service / there is communtiy support / both Riffin and Jersey City intend to actually provide freight rail service.)
- L. The STB should permit both Jersey City and Riffin to file an OFA, so that Conrail has the option of picking from more than one OFA offeror, with whom it will negotiate.

Respectfully,

James Riffin
P. O. Box 4044
Timonium, MD 21094
(443) 414-6210

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of July, 2015, a copy of the foregoing Riffin's Reply to Jersey City's Motion to Strike Riffin's Notice of Intent to File an OFA, Redacted Version of Confidential Portion, was served on the parties noted below, by E-mail.

James Riffin

E-mail:

Consolidated Rail Corporation:	Robert Jenkins	rmjenkins@mayerbrown.com
CSX Transportation:	Robert Jenkins	rmjenkins@mayerbrown.com
Norfolk Southern Railway Co.:	Robert Jenkins	rmjenkins@mayerbrown.com
Conrail / CSXT / Norfolk So.:	Adam Sloan	asloane@mayerbrown.com
The LLCs: ¹	Daniel E. Horgan	dehorgan@lawwmm.com
Charles H. Montange: ²	Charles Montange	c.montange@frontier.com
Eric Strohmeyer:		esstrohmeyer@yahoo.com
Robert Crow:		Rob.Crow@jcvillage.org
Ms. Massiel Ferrara		MFerrara@HCNJ.us

¹ The LLCs: 212 Marin Boulevard, LLC; 247 Manila Avenue, LLC; 280 Erie Street, LLC; 317 Jersey Avenue, LLC; 354 Cole Street, LLC; 389 Monmouth Street, LLC; 415 Brunswick Street, LLC; 446 Newark Avenue, LLC; NZ Funding, LLC. All limited liability companies of New Jersey.

² Counsel for City of Jersey City; Rails to Trails Conservancy; PRR Harsimus Stem Embankment Preservation Coalition.