

LAW OFFICE
THOMAS F. MCFARLAND, P.C.
208 SOUTH LASALLE STREET - SUITE 1666
CHICAGO, ILLINOIS 60604-1228
TELEPHONE (312) 236-0204
mcfarland@aol.com

246296

THOMAS F. MCFARLAND

August 31, 2018

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Office of Proceedings
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By e-filing

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

Re: Finance Docket No. 36201, *Eastern Kentucky Railway Company -- Lease and Operation Exemption -- Kentucky Steam Heritage Corporation in Estill County, KY*

Dear Ms. Brown:

Applicant Eastern Kentucky Railway Company (EKRC) hereby seeks leave to voluntarily withdraw, without prejudice, the Notice of Exemption that it filed in the above proceeding on July 2, 2018.

Withdrawal of the Notice is sought because of the absence of definitive underlying contractual and property considerations at the present time. EKRC will refile the Notice when those underlying considerations are finalized.

The above proceeding is being held in abeyance by the Board in its decision served July 18, 2018 pending responses to requests by the Board for additional information regarding the proposed transaction.

Withdrawal of the Notice without prejudice rather than continuation in abeyance is suggested because it may take considerable time to resolve the underlying contractual and property matters.

Respectfully submitted,

Tom McFarland
Thomas F. McFarland
Attorney for Eastern Kentucky
Railway Company

 GRANTED T.McFarland:enc:1791 e/STB4 Office of Proceedings	DECISION ID NO.: <u>46594</u>
	DECIDED DATE: <u>9-5-18</u>
	SERVICE DATE: <u>9-6-18</u>
	APPROVED: <u>[Signature]</u> Acting Director
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cc: Louis E. Gitomer, Esq., *by e-mail to Lou@lgraillaw.com*
Mr. Eric Hendrickson, *by e-mail to eric_hendrickson@csx.com*
Mr. Chris Campbell, *by e-mail to chris@ekrailway.org*
Mr. Charlie Poling, *by e-mail to cvpoling@aol.com*