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April 8, 2020

VIA E-FILING

Cynthia T. Brown, Chief
Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423-0001

RE: Alabama Railroad Co.—Abandonment Exemption—in Escambia, Conecuh, and Monroe Counties, Ala. County, Ohio, AB-463 (Sub-No. 2X)

Dear Ms. Brown:

I am writing on behalf of Alabama Railroad Co. (“ALAB”) in connection with the above-referenced railroad abandonment proceeding to request relief from the consummation notice requirements set forth at 49 C.F.R. § 1152.29(e)(2). Specifically, for the reasons set forth below, ALAB hereby requests an additional one-year extension of the applicable consummation notice deadline.

On March 29, 2019, ALAB filed a notice of exemption to abandon rail service over approximately 47.5 miles of rail line, extending from approximately milepost 607.73 at Flomaton, Ala., to approximately milepost 655.2 near Tunnel Springs, Ala., including all sidings and the MR Junction Spur between valuation stations 0+00 and 90+81 in Escambia, Conecuh, and Monroe, Counties, Ala. (the “Line”). Notice of the exemption was served and published in the Federal Register on April 18, 2019 (84 Fed. Reg. 16,310).

The exemption was originally scheduled to become effective on May 18, 2019. However, in a decision served on May 17, 2019, the Board established interim trail use/rail banking (“NITU”) to allow the Monroe County Commission (MCC) to negotiate with ALAB for trail use for the Line for a period of 180 days from the service date of this decision and notice, until November 13, 2019, and to permit public use negotiations for a period of 180 days commencing from the effective date of the exemption, until November 14, 2019. In the same decision, the Board ordered that ALAB’s abandonment authority was subject to a Section 106 condition and that ALAB was not permitted to file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until the Section 106 process has been completed and the Board has removed this condition. Upon the expiration of the NITU and removal of the Section 106

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condition, the Board also directed ALAB not to store or place equipment or materials on any steep slopes in Monroe County and to implement best management practices while conducting salvage activities.

Over the past year, NITU negotiations for the Line proved unsuccessful and ALAB and MCC are no longer negotiating trail use. The public use condition expired (on November 14, 2019) without any agreement, and ALAB has completed the Section 106 review process. In a decision served September 3, 2019, the Board removed the Section 106 historic preservation condition. In the same decision, the Board added an additional salvage condition.

Although NITU negotiations with MCC were not successful, ALAB is reaching out to other public bodies or trail sponsors to determine if there is interest by other parties. Furthermore, ALAB is also considering whether to consummate part of the Line, retain part of the Line, and railbank other parts. ALAB is also undertaking preparations for salvage in the event trail use is unsuccessful. These conversations and salvage preparations are still ongoing, and the Covid-19 outbreak has created further delays. As such, to provide additional time, ALAB respectfully requests a one-year extension of the current deadline for filing a notice of consummation in this proceeding.

Sincerely,

/s/ William A. Mullins

William A. Mullins
Counsel for Alabama Railroad Co.

cc: Parties of Record
Kristin Bevil