

# CLARK HILL

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Eric M. Hocky  
T 215.640.8523  
F 215.640.8501  
Email: ehocky@clarkhill.com

Clark Hill PLC  
One Commerce Square  
2005 Market Street  
Suite 1000  
Philadelphia, PA 19103  
T 215.640.8500  
F 215.640.8501  
clarkhill.com

May 25, 2016

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## VIA E-FILING

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

ENTERED  
Office of Proceedings  
May 25, 2016  
Part of  
Public Record

Re: STB Docket No. FD 36011  
Cayuga County Industrial Development Agency, et al - Acquisition Exemption -  
Finger Lakes Railway Corp.

STB Docket No. FD 36023  
Seneca County Industrial Development Agency - Lease Acquisition Exemption -  
Finger Lakes Railway Corp.

Dear Ms. Brown:

In each of the above-referenced proceedings, the applicant industrial development agencies (the "Agencies") filed motions to dismiss requesting that the Board find that the Agencies would not become carriers subject to the jurisdiction of the Board as a result of the transactions described therein (and the related transactions for which Finger Lakes Railway Corp. ("FGLK") has sought authority). The exemptions in these and the related proceedings have all become effective; however, the transactions have not closed out of escrow because the motions to dismiss remain pending.

As noted in the motions to dismiss, the Agencies requested that the Board issue its decisions expeditiously in order that the new PILOT arrangements can be implemented in a timely manner. PILOT payments were made on May 5<sup>th</sup> and must be distributed to the various taxing jurisdictions by June 3<sup>rd</sup>. Receiving decisions by June 1 would allow escrow to be broken and distributions to be made in accordance with the new formulas.

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Thank you for your consideration of this request.

Respectfully,

CLARK HILL PLC



Eric M. Hocky

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