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October 10, 2014

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Office of Proceedings
October 10, 2014
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Cynthia T. Brown
Chief, Section of Administration - Office of
Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20024

Re: *Georgia Great Southern Division, South Carolina Central Railroad Co., Inc. -
Abandonment and Discontinuance Exemption -
Between Albany and Dawson, In Terrell, Lee and Dougherty Counties, GA
Docket No. AB-389 (Sub-No. 1X)*

Dear Ms. Brown:

I writing on behalf of the applicant Georgia Southwestern Railroad, Inc. ("GSRW") to respond to the Statement of Willingness to Assume Financial Responsibility ("Statement of Willingness") filed in this proceeding by South Georgia Rails to Trails ("SGRT") on October 9, 2014.

GSRW advises the Board that it is has not consummated the abandonment of the rail line between milepost 72.88 near Sasser, Terrell County, Georgia, and milepost 77.80 in Lee County, Georgia (the "Subject Line"), and is willing to negotiate with SGRT for trail use.

This proceeding and the proposed abandonment and discontinuance has a long and somewhat tortured history as described in footnote 1 of the Statement of Willingness, and in the Board's decision in this proceeding served July 24, 2006 (the "July 2006 Decision"). Pursuant to the July 2006 Decision, a NITU was issued with respect to the adjacent portion of the rail line

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between milepost 77.80 and milepost 86.5 near Albany, Dougherty County, Georgia. The property was subsequently transferred to SGRT for interim trail use and rail banking. The Subject Line remained subject to GSWR's right to reactive service or to consummate the abandonment authority that had been granted by the Board's predecessor the Interstate Commerce Commission ("ICC").

As noted above, GSWR has not consummated the previously granted abandonment authority. Because the petition for exemption in this proceeding was filed in 1994, the notice of consummation requirement at 49 CFR 1152.29(e)(2) does not apply (*see* July 2006 Decision at 2), and the Subject Line remains eligible for a notice of interim trail use.¹

Please let me know if there are any questions about this response. Thank you for your assistance.

Respectfully,

CLARK HILL PLC



Eric M. Hocky
Attorneys for Georgia Southwestern Railroad,
Inc.

EMH/e

cc (by email):

Billups Johnson, President, SGRT
Spencer Lee, Attorney for SGRT
Andrea C. Ferster, Attorney for Rails to Trails Conservancy

¹ GSWR also certifies that it never reinstated or reactivated service on the Subject Line. Consequently, no new abandonment authority is required to permit interim trail use and rail banking.