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September 8, 2016

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## VIA ELECTRONIC FILING

Ms. Cynthia T. Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W., Room 1034  
Washington, DC 20006

ENTERED  
Office of Proceedings  
September 8, 2016  
Part of  
Public Record

Re: **Docket No. FD 35187 (Sub-No. 1)**  
**Grand Elk Railroad, Inc. – Acquisition of Incidental Trackage**  
**Rights Exemption -- Norfolk Southern Railway Company**

### Supplement

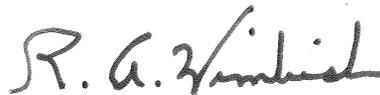
Dear Ms. Brown:

Additional stakeholders have come forward with written support for Grand Elk Railroad, Inc. (“GDLK”) in its efforts to restore its trackage rights operations in Grand Rapids, Michigan, recently disrupted by CSX Transportation, Inc. (“CSXT”). The following two entities, both of which depend upon GDLK railroad service at GDLK’s now-isolated Turner Yard (formerly North Yard), have supplied GDLK with letters of support, and both have requested GDLK’s assistance in adding their written submissions to the administrative record in the above-referenced proceeding: DRT, L.L.C. (“DRT”), and Brink Farms, Inc. (“Brink Farms”).

Accordingly, GDLK has attached hereto for the Board’s immediate consideration in this proceeding the letters of DRT and Brink Farms.

If you have any questions regarding the enclosed materials, please contact me. Thank you for your assistance on this matter.

Respectfully submitted,



Robert A. Wimbish  
Attorney for Grand Elk Railroad, Inc.

Enclosures

cc: Craig Richey; Garrett Urban; all parties of record

**VIA U.S. MAIL [or] ELECTRONIC FILING**

Daniel R. Elliott III  
Chairman  
Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20034

Deb Miller  
Vice Chairman  
Surface Transportation Board  
395 E. Street, S.W.  
Washington, DC 20034

Ann D. Begeman  
Commissioner  
Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20034

Re: **Docket No. FD 35187 (Sub-No. 1)**  
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**Rights Exemption – Norfolk Southern Railway Company**

Dear Chairman Elliott, Vice Chairman Miller and Commissioner Begeman:

I am writing on behalf of DRT, L.L.C. in response to the above-referenced proceeding. We urge the Surface Transportation Board to act quickly and decisively to restore recently-disrupted Grand Elk Railroad (“Grand Elk”) operations in Grand Rapids, MI. DRT is a service provider to Brink Farms Inc. at their transloading locations. We have been operating at Brink Farms Turner yard since July of 2015.

Since CSX has shut this location off, we have not been able to assist in the loading of railcars at this site. This has drastically reduced our work load. If the shippers can’t be competitive, they will not ship their products. We ask that you allow things to go back to the way they were so that we can again load railcars for Brink Farms Inc at the site in question.

We understand that the Board has the authority to order Grand Elk service restored quickly, and we have a vested interest in seeing that happen. Thank You.

Respectfully submitted,



Joe Bantjes  
Owner  
DRT, L.L.C  
4742-104<sup>TH</sup> SW  
Byron Center, MI 49315  
drtfabs@gmail.com

## **Brink Farms, Inc.**

Phone(269)751-5965 Fax(269)751-5487

9/6/16

**VIA U.S. MAIL [or] ELECTRONIC FILING**

Daniel R. Elliott III  
Chairman  
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395 E Street, S.W.  
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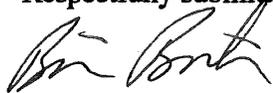
I am writing on behalf of Brink Farms Inc. in response to the above-referenced proceeding. We urge the Surface Transportation Board to act quickly and decisively to restore recently-disrupted Grand Elk Railroad (“Grand Elk”) operations in Grand Rapids, MI. Brink Farms Inc relies upon Grand Elk’s railroad transportation services, and we are harmed by the current railroad service disruption. We understand that Grand Elk is taking necessary legal action to restore its service in Grand Rapids in the face of CSX’s obstruction. We understand that the Board has the authority to order Grand Elk service restored quickly, and we have a vested interest in seeing that happen. Accordingly, your prompt attention to this matter is urgently requested.

Brink Farms Inc. has a transloading site that we built on the NS property north of Grand Rapids that has been served by the Grand Elk. We started looking at this site in 2013, and finally were able to move forward with the construction in 2014 and completed in June of 2015. There is around \$2,000,000 invested at this site. All of this freight has NS destinations, and has been serviced by the Grand Elk. It is very frustrating that we were given no notice of any property discrepancy, and were basically given 7 days to cease all operations at the site.

It is our desire to allow the Grand Elk Railroad to service our site. CSX has offered to service us, but at such a significant financial cost, that we are shut down due to the economics alone. In addition, CSX HAS communicated that it is OK for the NS to come and service our location as we are on an NS property. This makes absolutely no sense. The Grand Elk has been operating at this site and into the northern Grand Rapids area for years. On a daily basis CSX has authorized the Grand Elk on the Joint Track. It is not acceptable that due to the business we are generating, that CSX can just turn off the faucet so to speak. They have had every opportunity to earn our business, but never have. CSX should not be able to shut us down like this.

We request prompt and immediate correction to this situation. We urge your expedited consideration of Grand Elk's filings in this proceeding, and look to the Board to take all necessary action to restore our access to Grand Elk's railroad service as soon as possible.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brian Brink". The signature is fluid and cursive, with the first name "Brian" and last name "Brink" clearly distinguishable.

Brian Brink  
President  
Brink Farms Inc.