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September 24, 2013

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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

234881
ENTERED
Office of Proceedings
September 24, 2013
Part of Public
Record

RE: STB Finance Docket No. 34064, *Waccamaw Coast Line Railroad – Modified Rail Certificate*

Dear Ms. Brown:

Please consider this letter on behalf of The Baltimore and Annapolis Railroad Company (BAR) d/b/a Waccamaw Coast Line Railroad (WCLR) to be a formal response to the letter dated August 27, 2013 e-filed with the Surface Transportation Board by Thomas F. McFarland, Esquire on behalf of Horry County, South Carolina (the County).

To the extent the letter dated August 27, 2013 is considered a Formal Complaint; please consider this to be a formal response. Any and all allegations that are not admitted are hereby denied with strict proof required thereof.

The County owns the rail line that extends between Milepost 336.18 in the City of Conway, SC and Milepost 350.17 in the City of Myrtle Beach, SC (Conway-Myrtle Beach line).

There was a lease agreement entered into by the County with BAR of which WCLR was a division, for the operation of the line. Furthermore, the County has served notice of termination on the lease.

Circumstances beyond BAR's control occurred and created obstacles that, from an equitable standpoint, could not be reasonably overcome as to operation of the line. BAR would defend any action as to default on the lease.

There are legal and equitable issues extant concerning the lease agreement. However, BAR has received formal notice of termination.

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BAR wants to make certain that it waives no rights to present defenses in this matter. BAR does not wish to resume an obligation or legal relationship with the County. Revocation of said permit is appropriate for other reasons.

Respectfully Submitted,



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BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. 34064

Waccamaw Coast Line Railroad – Modified Rail Certificate

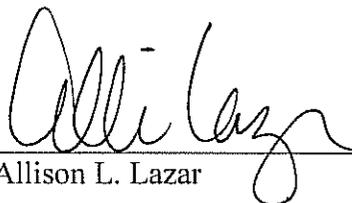
I, Allison L. Lazar, hereby certify that I am an employee of The Brittain Law Firm, P.A., attorney for Defendant Waccamaw Coast Line Railroad and that I caused to be mailed by electronic mail and by U.S. first class mail this day, September 24, 2013, the documents listed below in the above entitled action to the parties set out below:

DOCUMENTS: Answer to Formal Complaint

PARTIES:

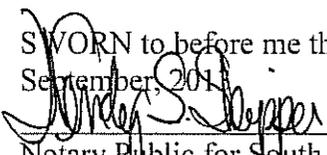
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Allison L. Lazar

SWORN to before me this 24th day of
September, 2013



Notary Public for South Carolina

My Commission Expires: 03/14/2016