

# CLARK HILL

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October 20, 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

Re: New England Central Railroad, Inc. -  
Trackage Rights Order - Pan Am Southern LLC  
STB Docket No. FD 35842

Dear Ms. Brown:

By decision of the Director served October 13, 2016, the Board adopted a new procedural schedule for the remainder of the proceeding. On October 14, 2016, NECR provided PAS with a list of purported deficiencies in the discovery responses provided by PAS on September 13, 2016. The parties plan to confer regarding PAS's discovery responses to see if any disputes can be resolved in whole or in part. Accordingly, NECR is requesting that the date for NECR motions to compel, if necessary, be extended until November 4, 2016. Counsel for PAS has authorized me to say that PAS does not object to the extension request.

If the extension is granted, the remaining procedural schedule would be as follows:

NECR motions to compel, if necessary      November 4, 2016

NECR Rebuttal Evidence and Argument      60 days from when any discovery disputes  
have been resolved, and both Parties have  
confirmed that discovery is complete

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PAS Surrebuttal Evidence and Argument 30 days from filing of NECR Rebuttal  
Evidence and Argument

Thank you for your consideration of this request.

Respectfully,

CLARK HILL PLC



Eric M. Hocky  
Attorney for New England Central, Inc.

EMH/e

cc: All parties shown on the attached certificate of service.

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### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing letter to the Board on behalf of New England  
Central Railroad, Inc. was served on this date by the method indicated below:

By email on:

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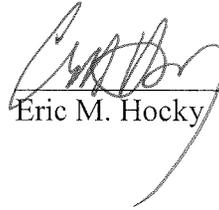
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Eric M. Hocky

Dated: October 20, 2016