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LAW OFFICES  
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Washington, DC 20036

ENTERED  
Office of Proceeding  
May 20, 2013  
Part of Public  
Record

May 20, 2013

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, SW  
Washington, D. C. 20423

Re: Docket No. FD 35652, Diana Del Grosso, et al.  
Petition for Declaratory Order

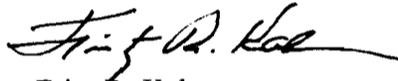
Dear Ms. Brown:

Attached for filing in the subject proceeding is the Petitioners' Reply to the Motion, filed May 7, 2013, by the Grafton & Upton Railroad Company.

If you have any question concerning this filing or if I otherwise can be of assistance, please get back to me.

A copy of this letter and its attachment this day have been served by me upon each party of record by e-mail or prepaid first-class mail.

Sincerely yours,



Fritz R. Kahn

SURFACE TRANSPORTATION BOARD

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Docket No. FD 35652

DIANA DEL GROSSO, RAY SMITH, JOSEPH HATCH, CHERYL HATCH  
KATHLEEN KELLEY, ANDREW WILKLUND AND RICHARD KOSIBA  
-- PETITION FOR DECLARATORY ORDER

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REPLY OF  
DIANA DEL GROSSO, RAY SMITH, JOSEPH HATCH, CHERYL HATCH  
KATHLEEN KELLEY, ANDEW WILKLUND AND RICHARD KOSIBA

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Attorneys for

DIANA DEL GROSSO, RAY SMITH, JOSEPH  
HATCH, KATHLEEN KEEEY, ANDREW  
WILKLUND AND RICHARD KOSIBA

Dated: May 20, 2013

SURFACE TRANSPORTATION BOARD

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REPLY OF  
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Diana Del Grosso, Ray Smith, Joseph Hatch, Cheryl Hatch, Kathleen Kelley, Andrew Wilklund and Richard Kosiba ("Petitioners"), pursuant to 49 C.F.R. §1104.13(a), respectfully ask that the Motion filed May 7, 2013, by Grafton & Upton Railroad Company ("G&U") to Strike the Letter of Certain Citizens of Upton, dated March 10, 2013, and filed April 24, 2013, be denied, and in support thereof Petitioners state, as follows:

1. G&U ascribes to the authors of the letter statements they did not make.

Nowhere in their letter do they "contend that by laws and regulations designed to promote the health and safety of inhabitants of Upton have not been applied or enforced at the G&U yard." Nowhere in the letter do they "suggest that rail operations at the yard might pollute the Town's water supply."

2. G&U failed to serve its Motion upon each of the parties of record, as required by 49 C.F.R. §1104.12(a)..

WHEREFORE, Petitioner respectfully ask the Board to deny the Motion of the Grafton & Upton Railroad Company.

Respectfully submitted,

DIANA DEL GROSSO, RAY SMITH, JOSEPH  
HATCH, KATHLEEN KEEY, ANDREW  
WILKLUND AND RICHARD KOSIBA

By their attorneys,

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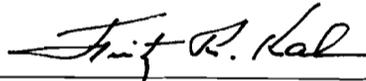
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Tel.: (202) 263-4152

Dated: May 20, 2013

#### CERTIFICATE OF SERVICE

I certify that I this day have served a copy the foregoing Reply upon each party of  
record either by e-mail or prepaid first-class mail.

Dated at Washington, DC, this 20th day of May 2013.



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Fritz R. Kahn