

FD 36077

**BEFORE THE**

241956

**SURFACE TRANSPORTATION BOARD**

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ENTERED  
Office of Proceedings  
October 5, 2016  
Part of  
Public Record

**FINANCE DOCKET NO. NOR 42148**

**NORTH COAST RAILROAD AUTHORITY and  
NORTHWESTERN PACIFIC RAILROAD COMPANY**

**v.**

**SONOMA AREA RAIL TRANSIT DISTRICT**

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**ADDENDUM TO PETITION FOR  
EMERGENCY AND PRELIMINARY RELIEF**

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*Counsel for Petitioner  
Northwestern Pacific Railroad Company*

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*Counsel for Petitioner  
North Coast Railroad Authority*

As an addendum to the prayer for relief in the Petition for Emergency and Preliminary Relief filed October 4, 2016 which was garbled due to a word-processing error the Petition for Emergency and Preliminary Relief is amended to replace the prayer with the following:

**VI. REQUESTED RELIEF**

North Coast Railroad Authority and Northwestern Pacific Railroad Company request an expedited issuance of a declaratory order as follows:

1. The Sonoma-Marin Area Rail Transit is enjoined from denial of track warrants to the Northwestern Pacific Railroad Company as a preclearance for type of freight being transported.
2. The Sonoma-Marin Area Rail Transit is enjoined from utilizing its contractual dispatching function to interfere with the movement of rail cars for any purpose other than as set forth in 49 C.F. R. § 241.5.
3. The Sonoma-Marin Area Rail Transit is enjoined from interfering with the storage of any rail cars on rail facilities when such storage is in compliance with Federal Railroad Administration regulations.
4. For such other and further relief as the Board may deem appropriate under the circumstances.

Dated: October 5, 2016

  
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CHRISTOPHER J. NEARY,  
General Counsel, NCRA

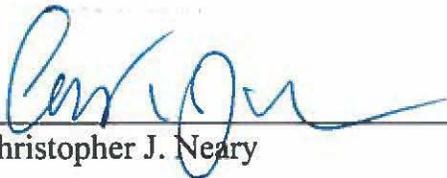
**STATEMENT REGARDING SERVICE**

I hereby certify that on this 5<sup>th</sup> day of October, 2016, I have served Defendants in this proceeding with this document by United States Mail as follows:

SMART District Office  
750 Lindero St., Suite 200  
San Rafael, CA 94901  
Attn: General Manager

SMART District Office  
5401 Old Redwood Highway, Suite 200  
Petaluma, CA 94954  
Attn: General Manager

Office of Sonoma County Counsel  
575 Administration Drive, Room 105  
Santa Rosa, CA 95403  
Attn: County Counsel



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Christopher J. Neary

*Counsel for Petitioner North Coast Railroad Authority*