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THE SENATE  
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ENERGY AND TECHNOLOGY

September 6, 2016

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

Dear Chairman Elliott, Vice Chairman Miller and Commissioner Begeman:

I am writing on behalf of Brink Farms in response to the above-referenced proceeding. Brink Farms asks that the Surface Transportation Board restore Grand Elk Railroad operations in Grand Rapids, MI. Brink Farms relies heavily upon Grand Elk's short-line railroad transportation services, and is currently suffering due to the obstruction of Grand Elk Railroad. Brink Farms acknowledges that Grand Elk is taking necessary legal action in order to restore its services. Brink Farms also acknowledges that the Board has the authority to restore Grand Elk's operations in Grand Rapids, and we strongly desire to see that happen. We urgently request that you give your attention to this pressing matter.

Brink Farms specializes in transporting non-hazardous bulk commodities and agricultural products. The company offers both dump and tank transportation. Brink Farms also offers trans-loading service from both rail to truck and truck to rail. Brink Farms has relied on Grand Elk's railroad transportation services to assist in transporting products for its clients. Brink Farms has never had any reason to believe that use of Grand Elk service would be disrupted so abruptly and without any warning. This is especially surprising as the Board has never permitted the cessation of Grand Elk's service in the first place. Since Grand Elk has been denied access to certain lines in Grand Rapids despite years of access and operation on these lines, Brink Farms has lost access to these same lines. Unless the Board acts swiftly to restore Grand Elk service, Brink Farms will suffer from lack of access to these lines and will potentially lose clients and credibility as a reliable and efficient transportation service.

No short line operator such as Grand Elk should be forced to cease service on lines on which it has operated for several years due to a contract dispute with another railroad. Brink Farms does not believe that the Board would authorize or even condone such service disruptions, especially when shippers dependent on Grand Elk are experiencing negative consequences as a result of this sudden and unnecessary disruption. We ask the Board to restore Grand Elk service operations, and order the railroads involved in this dispute to negotiate new terms of operation in Grand Rapids.

We ask that you consider Grand Elk's filings in this proceeding, and ask the Board to take all necessary action to restore Brink Farms' access to Grand Elk's railroad service as soon as possible.

Sincerely,

Tonya Schuitmaker  
 State Senator  
 26<sup>th</sup> District