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233384

November 21, 2012

ENTERED

Office of Proceeding
November 21, 2012
Part of Public
Record

VIA E-FILING

Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

RE: *Stewartstown Railroad Company – Adverse Abandonment – In York County, PA,*
STB Docket No. AB-1071

Reply to Petition to Toll Time to File for OFA

Dear Ms. Brown:

The Estate of George M. Hart (“Estate”) does not object to a reasonable extension of time to permit Mr. Riffin – and any other potential offeror timely intervene in this proceeding to file an offer of financial assistance (“OFA”) – to secure information necessary to proceed with an OFA. The Estate does not, however, take any position at this time concerning the extent to which the information that Mr. Riffin seeks – (1) is already a matter of record; (2) is of a sort that must be supplied pursuant to 49 U.S.C. § 10904 and the corresponding regulations at 49 C.F.R § 1152.27; (3) is available from any party to this proceeding; (4) is available to Mr. Riffin from other sources; or (4) is necessary to Mr. Riffin to file an adequate OFA. All of this assumes, of course, that Mr. Riffin can prove himself to be financially responsible and can demonstrate a need for rail service and a feasible plan to provide such rail service. The Estate therefore reserves the right at a later date to object to any additional postponement of the OFA process, to object to information that Mr. Riffin seeks as unnecessary and overly burdensome, and to seek guidance from the Board should any disputes over Mr. Riffin’s informational demands arise.

The Estate does not object to a reasonable tolling of the OFA filing deadline on the understanding that such tolling would not preclude the Estate from undertaking a prompt and

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orderly foreclosure upon buildings and other assets of the Stewartstown Railroad Company that Mr. Riffin has not included within the scope of his anticipated OFA.

Respectfully submitted,



Keith G. O'Brien
Attorney for the Estate of George M. Hart

cc: Parties of Record
Alex Snyder
James J. Gillotti
John Willever