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Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20024

December 3, 2009

Re: East Tennessee Railway, L.P.
- Exempt Abandonment -
In Washington and Carter Counties, TN
STB Docket No. AB-1031 (Sub-No. X)

Dear Ms. Brown:

I writing on behalf of the applicant East Tennessee Railway, L.P. ("ETRY") to respond to the letter filed with the Board on November 24, 2009, by the City of Johnson City, Tennessee ("Johnson City") seeking a trail use condition.

ETRY hereby advises the Board that it is willing to negotiate an interim trail use and railbanking agreement with Johnson City.

Any order of the Board imposing a trail use condition should make clear that any restriction on disposition applies *only* to the real property and potential trail related structures (such as bridges, culverts and tunnels), and *does not* prohibit ETRY from salvaging the tracks, ties, signal equipment or other track materials.

Please let me know if there are any questions about this response. Thank you for your assistance.

Respectfully,

Eric M. Hocky

EMH/e

cc (by email):

ETRY

Charles H. Montange, attorney for City of Johnson City

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