



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES  
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE  
ENVIRONMENTAL PROTECTION BUREAU

October 18, 2019

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

Re: New York State Department of Environmental  
Conservation – Adverse Abandonment – Saratoga and  
North Creek Railway in Town of Johnsbury, NY  
**STB Docket No. AB 1261**

Dear Ms. Brown:

This office represents the New York State Department of Environmental Conservation in the above-captioned proceeding. On September 30, 2019, the Department requested that the Board issue a certificate of interim trail use for the subject line of railroad. I have discussed the Department's trail use request with David Michaud, counsel for Saratoga and North Creek Railway (SNCR), and we write jointly to inform the Board that SNCR is willing to negotiate an interim trail use agreement with the Department.

In addition, SNCR has no objection to proceeding with the pending abandonment on a voluntary basis. Accordingly, SNCR irrevocably represents that it does not now and will not in the future oppose the Department's abandonment application, and that the public convenience and necessity favor abandonment of the subject line.

Yours truly,

/s/ Joshua M. Tallent

Joshua M. Tallent

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/s/ David Michaud

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cc: service list