

# BAKER & MILLER PLLC

ATTORNEYS and COUNSELLORS  
2401 PENNSYLVANIA AVENUE, NW  
SUITE 300  
WASHINGTON, DC 20037

TELEPHONE: (202) 663-7820  
FACSIMILE: (202) 663-7849



William A. Mullins

Direct Dial: (202) 663-7823  
E-Mail: [wmullins@bakerandmiller.com](mailto:wmullins@bakerandmiller.com)

November 10, 2005

## **BY HAND DELIVERY**

The Honorable Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, DC 20423-0001

Re: STB Docket No. AB-490 (Sub-No. 1X)  
Greenville County Economic Development Corporation - Petition For  
Exemption For Partial Discontinuance And Partial Abandonment - In  
Greenville County, SC  
**IMMEDIATE ACTION REQUESTED**

Dear Secretary Williams:

Enclosed are an original and 11 copies of the joint petition of the Greenville County Economic Development Corporation ("GCEDC") and Western Carolina Railway Service Corporation ("WCRS") to hold the deadline for requesting terms and conditions in this proceeding in abeyance for 90 days, until February 14, 2006. GCEDC and WCRS request that the Board grant this petition prior to the current November 16 deadline to request terms and conditions.

As can be seen from the certificate of service attached, copies of this petition are being mailed today to all parties of record. Please acknowledge receipt and filing of the enclosed petition by date-stamping the eleventh copy of the enclosed filing and returning same to the person delivering this filing for return to me. If there are any questions concerning this request, please contact me by telephone at (202) 663-7823 or by e-mail at [wmullins@bakerandmiller.com](mailto:wmullins@bakerandmiller.com).

Sincerely,

A handwritten signature in black ink, appearing to read "William A. Mullins".

William A. Mullins

Enclosures

cc: All Parties of Record

BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC

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STB DOCKET NO. AB-490  
(SUB-NO. 1X)

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GREENVILLE COUNTY ECONOMIC DEVELOPMENT CORPORATION  
- PETITION FOR EXEMPTION FOR PARTIAL DISCONTINUANCE  
AND PARTIAL ABANDONMENT - IN GREENVILLE COUNTY, SC

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PETITION TO HOLD DEADLINE TO REQUEST TERMS AND CONDITIONS  
IN ABEYANCE UNTIL FEBRUARY 14, 2006

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**IMMEDIATE ACTION**  
**REQUESTED**

Steven C. Hawkins  
President  
Western Carolina Railway Service  
Corporation  
Post Office Box 16614  
Greenville, SC 29606-7614

William A. Mullins  
David C. Reeves  
BAKER & MILLER PLLC  
2401 Pennsylvania Ave., N.W.  
Suite 300  
Washington, DC 20037  
Phone: (202) 663-7820  
Fax: (202) 663-7849

Attorneys for Greenville County  
Economic Development Corporation

November 10, 2005

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB DOCKET NO. AB-490  
(SUB-NO. 1X)**

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**GREENVILLE COUNTY ECONOMIC DEVELOPMENT CORPORATION  
- PETITION FOR EXEMPTION FOR PARTIAL DISCONTINUANCE  
AND PARTIAL ABANDONMENT - IN GREENVILLE COUNTY, SC**

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**PETITION TO HOLD DEADLINE TO REQUEST TERMS AND CONDITIONS  
IN ABEYANCE UNTIL FEBRUARY 14, 2006**

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Greenville County Economic Development Corporation (“GCEDC”) and Western Carolina Railway Service Corporation (“WCRS”) hereby jointly petition the Surface Transportation Board (“STB” or “Board”) to hold in abeyance until February 14, 2006 the deadline for filing requests to set terms and conditions. GCEDC and WCRS request that this matter be held in abeyance for said 90-day period to allow them to continue their negotiations about the future of the 11.8-mile line between Greenville and Travelers Rest, SC (“the Northern Segment”). GCEDC and WCRS request that the Board grant this petition before the current November 16, 2005 deadline to request terms and conditions.

**DISCUSSION**

By order served in this matter on October 12, 2005, the Board granted GCEDC’s request for an exemption to abandon the Northern Segment. WCRS, by filings dated October 3 and October 17, submitted an offer of financial assistance (“OFA”) to acquire the Northern Segment. By order served October 27, 2005, the Board accepted WCRS’s OFA and set a deadline of November 16 for either WCRS or GCEDC to request the Board to set terms and conditions.

GCEDC and WCRS have met to discuss WCRS's OFA and the future of the Northern Segment. Based on those discussions, both parties believe that they need an additional 90 days to explore potential options and solutions which could accommodate the needs of both the parties and the Greenville community.

Accordingly, GCEDC and WCRS hereby petition the Board to hold the deadline for either party to file a request to set terms and conditions in abeyance for 90 days. Granting this request would establish a new deadline of February 14, 2006 for either party to request terms and conditions. WCRS in no way relinquishes its right to ask the Board to set terms as a condition of any such extension of the negotiating period.

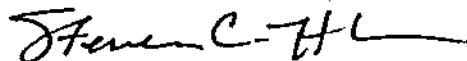
GCEDC and WCRS submit that the Board may hold the deadline to request terms and conditions in abeyance pursuant to the Board's authority under 49 U.S.C. §10502 to exempt a transaction from otherwise-applicable requirements of Subtitle IV of Title 49. Moreover, similar requests to hold in abeyance the deadline to request terms and conditions were recently granted in *Tennessee Railway Company—Abandonment Exemption—In Scott County, TN*, STB Docket No. AB-290 (Sub-No. 260X) and *Tennessee Railway Company—Abandonment Exemption—In Anderson and Campbell Counties, TN*, STB Docket No. AB-290 (Sub-No. 259X) (served July 14, 2005), as further extended in decisions served Aug. 12, Sept. 15 and Sept. 30, 2005.

WCRS is the sole offeror of financial assistance, and GCEDC is the sole owner of the Northern Segment. As such, they are the principal parties affected by this request. However, GCEDC and WCRS have also advised Upstate Forever, the party who has requested interim trail use in this proceeding and with whom GCEDC has agreed to discuss such trail use, of this joint request to extend the deadline. GCEDC can represent that Upstate Forever does not oppose the extension request.

## CONCLUSION

Wherefore, GCEDC and WCRS request that the Board hold the deadline for either party to request the setting of terms and conditions in this matter in abeyance until February 14, 2006. The parties also request that the Board act on this request prior to the current November 16 deadline for requesting terms and conditions.

Respectfully submitted,



Steven C. Hawkins  
President  
Western Carolina Railway Service  
Corporation  
Post Office Box 16614  
Greenville, SC 29606-7614

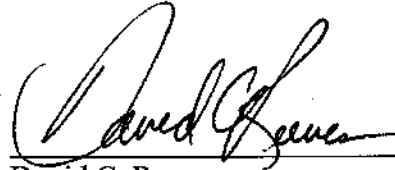


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David C. Reeves  
BAKER & MILLER PLLC  
2401 Pennsylvania Ave., N.W.  
Suite 300  
Washington, DC 20037  
Phone: (202) 663-7820  
Fax: (202) 663-7849

Attorneys for Greenville County  
Economic Development Corporation

CERTIFICATE OF SERVICE

I, David C. Reeves, hereby certify that on this 10<sup>th</sup> day of November, 2005, copies of the foregoing petition have been served by first class mail, postage prepaid, upon all parties of record.

A handwritten signature in black ink, appearing to read "David C. Reeves", written over a horizontal line.

David C. Reeves  
Attorney for Greenville County Economic  
Development Corporation