

WESTERN CAROLINA RAILWAY SERVICE

C O R P O R A T I O N

Post Office Box 16614, Greenville, South Carolina 29606 - 7614

October 6, 2005

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ORIGINAL

Mr. Vernon A. Williams,
Secretary
Surface Transportation Board
1925 K Street, NW, Suite 700
Washington, DC 20423-0001



Re: STB Docket No. AB-490-1-X
Greenville County Economic Development Corporation
Petition for Exemption for Partial Discontinuance and Partial Abandonment
In Greenville County, SC

Secretary Williams:

Please find enclosed for filing in STB Docket No. AB-490-1-X, *Greenville County Economic Development Corporation Petition for Exemption for Partial Discontinuance and Partial Abandonment in Greenville County, SC*, one original and ten copies of this letter and its related enclosures.

The purpose of this letter is to express Western Carolina Railway Service Corporation's ("WCRS") opposition to the October 4, 2005 late filing by The Athens Line, LLC ("TAL") of its Notice of Intent to File an Offer of Financial Assistance in the above captioned proceeding.

49 CFR 1152.27(c)(2)(i) states in part, "Persons with a potential interest in providing financial assistance must, no later than 10 days after the Federal Register publication described in paragraph (b)(2)(ii) of this section, submit to the carrier and the Board, a formal expression of their intent to file an offer of financial assistance, indicating the type of financial assistance they wish to provide (i.e., subsidy or purchase)." WCRS submits that the Federal Register publication date was July 14, 2005 (STB File No. 35985) and the deadline for this submission was July 24, 2005. TAL's submission is at least 73 days late.

With consideration given to circumstances that may have prevented TAL from having knowledge of this proceeding, WCRS asserts that TAL had complete knowledge of this line and the related proceedings well in advance of their inception and should, therefore, be required to comply in full with the filing requirements as outlined in the CFR.

Citing information available on the Georgia Secretary of State's website (**See: Enclosure 1.0**), it should be noted that TAL's registered address is 1081 North Cherokee Road, Social Circle, GA 30025. Though no corporate officer information is available online (**See: Enclosure 1.1**), as indicated on TAL's cover letter submitted with its Notice of Intent to File an Offer of Financial Assistance filing (**See: Enclosure 2**), TAL's President is B.R. Anderson, Sr.

Citing further information available on the Georgia Secretary of State's website (**See: Enclosure 3**), WCRS submits to the Board that the B.R. Anderson, Sr. who is President of TAL is also President of The Great Walton Railroad Company ("GWR"), also of 1081 North Cherokee Road, Social Circle, GA 30025.

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Given that the two companies are quite obviously of shared management, WCRS notes that GWR submitted to Greenville County Economic Development Corporation on August 9, 2000 its own offer to provide a locomotive and crew to operate the subject line along with its own estimates of repair for the line (**See: Enclosure 4**).

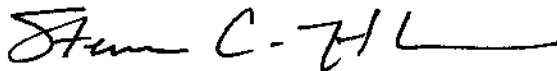
Citing the shared managerial relationship between the two companies and GWR's previous expression of interest in operating the line, WCRS submits that TAL has had more than ample time to prepare a timely filing of its Notice of Intent to File an Offer of Financial Assistance.

WCRS hereby petitions the Board to disallow TAL's late filing.

Should you have any questions or concerns regarding this filing, please do not hesitate to contact me.

Thank you for your time and consideration.

Sincerest regards,

A handwritten signature in black ink, appearing to read "Steven C. Hawkins". The signature is fluid and cursive, with a long horizontal stroke at the end.

Steven C. Hawkins,
President

Enclosures

I hereby certify that on this 6th day of October 2005, a copy of the foregoing document was served by:

United States Postal Service First Class Mail, postage fully pre-paid, upon:

William A. Mullins,
Baker & Miller, PLLC
2401 Pennsylvania Avenue, NW
Suite 300
Washington, DC 20037-1725

David C. Reeves,
Baker & Miller, PLLC
2401 Pennsylvania Avenue, NW
Suite 300
Washington, DC 20037-1725

Catherine N. Hicks,
Cross Roads Sales
131 Pinsley Circle
Greenville, SC 29617-3045

Richard W. Hills, Jr.,
Bleachery Road Warehouse, LLC
210 Old Bleachery Road
Greenville, SC 29609-4135

Randolph R. Mathena,
Paper Cutters, Inc.
840 North Hwy 25 By Pass
Greenville, SC 29617-6246

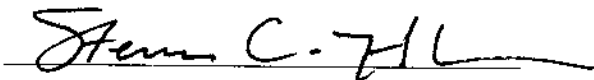
Larry E. Seay,
IMP Incorporated
P.O. Box 578
Lyman, SC 29365-0578

Diana W. Gracely,
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6711 State Park Road
Travelers Rest, SC 29690-1831

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Upstate Forever
P.O. Box 2308
Greenville, SC 29602-2308

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Washington, DC 20006-4607

Honorable Harry F. Cato,
SC House of Representatives
P.O. Box 11867
Columbia, SC 29211-1867



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

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SECRETARY OF STATE

Cathy Cox



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Information current as of 10/4/2005

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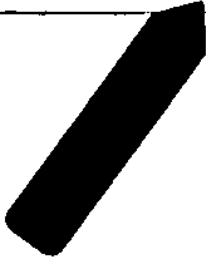
THE ATHENS LINE, LLC (GEORGIA LIMITED LIABILITY)

Officers

1081 N CHEROKEE RD
SOCIAL CIRCLE, GA 30025

Control #	Status	Filing Date	Last AR Paid	Jurisdiction
0146899	ACTIVE/COMPLIANCE	10/22/2001	02/22/2005	GEORGIA
Registered Agent		Agent Address		Agent County
M.K. ANDERSON		1081 N. CHEROKEE RD. SOCIAL CIRCLE, GA 30025		WALTON

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Search Results

No corporate officers are on file for THE ATHENS LINE, LLC.

214206

BARNES THORNBURG



September 29, 2005

Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W., Suite 700
Washington, D.C. 20423

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OCT 4 2005

Part of
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RE: STB Docket No. AB-490-1-X, Greenville County Economic Development Corporation, Petition for Exemption for Partial Discontinuance and Partial Abandonment in Greenville County, SC.

Dear Secretary Williams:

Please find enclosed for filing in the above-referenced matter an original and ten copies of The Athens Line LLC's Notice of Intent to File an Offer of Financial Assistance and Notice of Intent to Participate. In addition, two copies of this letter are also enclosed with the request that they be date stamped and returned to me.

Should you have any questions, please do not hesitate to call me.

Very truly yours,

Handwritten signature of Richard H. Streeter in black ink.

Richard H. Streeter
Counsel for The Athens Line LLC

RHS:rs

cc: William A. Mullins and David Reeves
Attorneys for Greenville County Economic Development Corporation

B. R. Anderson, Sr., President of The Athens Line LLC





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Search Results

THE GREAT WALTON RAILROAD COMPANY Corporate Officers

Title	Name	Address
CHIEF EXECUTIVE OFFICER	B R ANDERSON SR	1081 N CHEROKEE RD SOCIAL CIR, GEORGIA 30025
CHIEF FINANCIAL OFFICER	M K ANDERSON	1081 N CHEROKEE RD SOCIAL CIRCLE, GEORGIA 30025
SECRETARY	M K ANDERSON	1081 N CHEROKEE RD SOCIAL CIR, GEORGIA 30025





The Great Walton Railroad Co., Inc.



1081 North Cherokee Road
Social Circle, Georgia 30025

(770) 464-0761

August 9, 2000

Mr. Gerald Seals
President
Greenville County Economic
Development Corporation
2 Insignia Financial Plaza
75 Beattie Place
Greenville, SC 29601

Dear Mr. Seals:

The Great Walton Railroad Company is prepared to place a locomotive in Greenville for service to the Greenville Northern customers. Service would initially be on an as needed basis and as volume increases or new customers come on line, service would be adjusted accordingly as well as the addition of another locomotive if necessary to handle the volume.

The Great Walton Railroad Company presents the enclosed figures for your review relative to the infrastructure improvements that will be required on the Greenville Northern physical plant.

For bridge repairs, the cost would be \$199,982.90. This figure is for the following bridges: (1) Norris Metal, (2) Whitaker Warehouse, (3) Specialty Shearings, (4) Highway 253, and (5) Sewer Line. The costs are inclusive of replacing ties, guard timbers, caps (as needed), bracing (as needed), timber in back walls (as needed), building wing walls, cleaning drift from under all bridges and changing pilings.

For track work from MP 0.0 to MP 7.0 the cost would be \$700,390.00. This figure is broken down on the enclosed Appendix A. For track work from Paper Cutters to end of track at Travelers Rest, the cost would be \$395,655.50. Appendix B has the breakdown on these costs.

Please review these numbers and advise if you have any questions. The infrastructure improvements listed are those that would have to be undertaken to attain an operational status conducive to regular operations on the line for the customers involved and represent

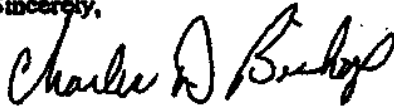
002200

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to the best of our knowledge the costs that GCEDC would incur in the rehabilitation of this line.

Your interest in the services of The Great Walton Railroad Company are appreciated. We look forward to working with your organization in the development of this line and to the opportunity of making the rail line a viable option for the industrial development of the area. If you need anything further or if we can be of any other assistance, please advise.

Sincerely,



Charles D. (Dave) Bishop

Enclosures

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