



ENTERED
Office of Proceedings
April 24, 2024
Part of
Public Record

Justin J. Marks
T (202) 772-0916
F +12027720919
Email:jjmarks@ClarkHill.com

Clark Hill
1001 Pennsylvania Avenue N.W.
Suite 1300 South
Washington, DC 20004
T (202) 772-0909
F (202) 772-0919

April 24, 2024

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

Re: Allegheny Valley Railroad Company
– Abandonment Exemption –
In Allegheny County, PA
Surface Transportation Board Finance Docket AB 1233 (Sub-No. 2X)

Dear Ms. Brown:

On April 12, Pop-Up Metro, LLC ("Pop-Up Metro") filed a Petition for a Notice of Interim Trail Use in the above referenced docket. The Redevelopment Authority of Allegheny County ("RAAC") also filed a Petition for a Notice of Interim Trail Use in this docket. On April 19, 2024, the Allegheny Valley Railroad Company ("AVR") filed a letter consenting to negotiate with RAAC and indicating that it does not consent to negotiate with Pop-Up Metro due to a pre-existing contract with RAAC.

Pop-Up Metro understands that because AVR had entered into an agreement with RAAC, it is choosing to negotiate a trail use agreement with RAAC to satisfy its contractual obligations. In the event that AVR is in a position to negotiate with an alternative trail sponsor, Pop-Up Metro reiterates that it is willing to assume the responsibilities of trail sponsor as described in its April 12 Petition.

In support of Pop-Up Metro's Petition (as an alternative to RAAC), Pop-Up Metro is filing the enclosed letters of support from Pittsburghers for Public Transit ("PPT"), Mobilify, and Professor Katherine Flanigan of the Carnegie Mellon University ("CMU") Civil & Environmental Engineering department. In summary, the PPT and Mobilify letters highlight the mobility and inherent environmental benefits (lower emissions) of the Pop-Up Metro proposal for transit utilizing battery technology alongside the proposed trail.

Where, PPT and Mobilify focus on the immediate and local benefits of the Pop-Up Metro proposal, Professor Flanigan's letter notes the benefits of retaining the AVR rail line for not only transit and trail use, but also to promote innovation in the rail sector, by retaining the rail line as a test bed for rail research and innovation in partnership with CMU. This includes rail innovation such as the advancement of track diagnostics technology and battery-electric rolling stock. Use

April 24, 2024
Page 2

of the line to further develop and prove battery-electric rolling stock has the potential for national environmental benefits. Combined these support letters demonstrate potentially local and national environmental benefits to the Pop-Up Metro petition.

Pop-Up Metro respectfully requests that these letters be entered into the docket in support of its petition as an alternative to RAAC.

Sincerely,



Justin J. Marks
Counsel to Pop-Up Metro, LLC

cc: Parties on the Service List
Enclosure



Pittsburghers for Public Transit

Pittsburghers for Public Transit

4836 Ellsworth Ave

Pittsburgh, PA 15213

info@pittsburghforpublictransit.org

April 24, 2024

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

Re: Allegheny Valley Railroad Company
– Abandonment Exemption –
In Allegheny County, PA
Surface Transportation Board Finance Docket AB 1233 (Sub-No. 2X)

Dear Ms. Brown,

I am writing to give Pittsburghers for Public Transit (PPT) 's support for the above-mentioned docket, to consider a transit use alongside a trail for the Brilliant Line as a step towards fulfilling Pittsburgh Regional Transit's NEXTransit goal #9 Allegheny Valley Rapid Transit corridor and be operated by union labor.

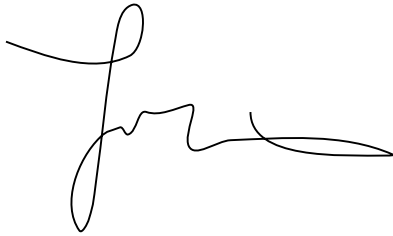
Pittsburghers for Public Transit is a grassroots organization of transit riders and transit workers organizing for expanded, accessible and affordable public mass transit in Allegheny County. Over the past decade, PPT has consistently organized for access to mass transit as a human right, one that concurrently serves our region's needs for economic development, tackles the climate crisis, and improves health outcomes for our most vulnerable communities.

Our region should maximize all of our existing infrastructure assets for transportation, and this petition ensures that this corridor preserves and improves the existing track infrastructure while also developing a trail connection. ADA compliant, electric light rail allows for a broader demographic of users to make the connection between Aspinwall and the whole Pittsburgh Regional Transit network, through the East Busway. It is important that Allegheny County consider the access needs of all residents

when building out mobility infrastructure: pursuing a complementary transit and trail redevelopment opportunity achieves that purpose.

Historically, Allegheny County had many well-riden and frequent commuter rail lines from our suburban communities that connected to the strong bus and trolley network within the City of Pittsburgh. Our intention as a region should be to grow our mass transit service and utilize existing infrastructure towards that end, not make decisions that condemn our rail system into obsolescence.

As a result, Pittsburghers for Public Transit supports Pop-Up Metro's petition to enter into negotiations with AVR to provide a Rails with Trails proposal on the Brilliant Line, for a multimodal, accessible, environmentally sustainable corridor for all users, and as part of a larger vision for creating needed connections all along the Allegheny Valley corridor.

A handwritten signature in black ink, appearing to read 'Laura Chu Wiens', with a stylized, flowing script.

Laura Chu Wiens

Executive Director, Pittsburghers for Public Transit

April 23, 2024

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

Re: Allegheny Valley Railroad Company, Abandonment Exemption, in Allegheny County, Pennsylvania. Surface Transportation Board Finance Docket AB 1233 (Sub-No. 2X)

Dear Ms. Brown,

Please file this letter of support in the above referenced docket. Mobilify SWPA is the region's foremost convener and steward of a multimodal transportation vision and agenda in Southwestern Pennsylvania. We bring holistic thinking to connect (or reconnect) communities in order to achieve equitable community and economic goals.

Mobilify advocates access to transportation and improved mobility to increase Western Pennsylvanians educational, vocational, and recreational opportunities which they are currently unable to access. Mobilify firmly supports the Pop-Up Metro, LLC (Pop-Up Metro) petition because of the heavy focus on transit, which is absent from the other option.

Addressing both trails and transit needs is precisely the holistic approach Mobilify champions and which exhibits the highest and best use of our community planning and asset management. For the past two and a half years, the Pop-Up Metro plan has advanced both transit and trail goals. This plan is the highest and best use of taxpayer dollars and will advance the goals of our county and our connected communities.

Further, the decision in this case may set a national precedent with respect to the creation of side-by-side rails with trails. Seizing opportunities to advance both transit and trails together will help create the progress to keep our county and region attractive and competitive.

Finally, the environmental impact of the proposed transit option should not be overlooked. While increased transit use has a positive environmental impact, additionally important is that the proposed battery train will have an important local environmental impact from an emissions perspective... with national implications as a model.

We support and humbly request the Pop-Up Metro, LLC petition to jointly utilize transit and trails together. This option creates the most comprehensive option for redevelopment while advancing the goals of equity in mobility.

Sincerely,

Bethani Cameron

Bethani Cameron
Strategic Initiatives Director

April 23, 2024

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

Re: Allegheny Valley Railroad Company
— Abandonment Exemption —
In Allegheny County, PA
Surface Transportation Board Finance Docket AB 1233 (Sub-No. 2X)

Dear Ms. Brown,

This is a letter for filing in the above referenced docket. I am writing to provide full support for Pop-Up Metro, LLC's petition for interim trail use. I support the petition because the decision in this cause could set a national precedent for developing rails alongside trails—particularly, in pursuit of rail innovation efforts.

In collaboration with the Federal Railroad Administration, I lead a research team at Carnegie Mellon University (CMU) investigating the development of low-cost onboard sensing technologies to assist railroads in identifying and verifying track defects and performance along United States freight and passenger corridors in an automated and near real-time fashion. This system stands to help safely increase railroad freight capacity and the maximum operating speed for passenger systems, as well as to prevent derailments. This initiative's ability to efficiently and consistently map track conditions over large geographic areas will also aid in identifying potential segments of track for revitalization with passenger services. This approach addresses the increasing issue of track abandonment throughout the United States. In these cases, the uncertain quality of the trackage frequently hinders efforts to revitalize them, which are crucial for connecting communities to vital goods, services, and employment opportunities.

At CMU, we are just one team of many across the campus carrying out rail-related research. This includes, for example, teams developing new control systems for automating locomotive operations, as well as the advancement of battery-electric locomotives. The latter serves as the foundation for a forthcoming Freight Rail Innovation Institute. Given our collective and extensive interdisciplinary work across this field, we envision a broader future in which CMU is a national leader in rail innovation who works alongside industry and directly with communities.

The rail line under discussion is a useful rail segment that can continue to safely exist beside a trail which enjoys community support. Not only can this segment remain viable for rail operations, but it can also serve as a first-of-its-kind testbed for rail research and innovation in partnership with CMU. Accessibility to infrastructure has always been a barrier to research and data collection needed to promote innovation across the rail sector. To have an active rail segment within the city proper that would support research endeavors would be unprecedented. I earnestly encourage the Board to not let this opportunity pass by.

Regards,



Katherine A. Flanigan
Assistant Professor, Civil and Environmental Engineering
kaflanig@cmu.edu
(415) 268-7274