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Office of Proceedings
August 16, 2024
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August 16, 2024

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

Re: Midcoast Railservice, Inc. – Discontinuance of Service Exemption –
In Cumberland, Knox, Lincoln, Sagadahoc Counties, Maine
STB Docket No. AB 1341X

Dear Ms. Brown:

Enclosed in the above referenced docket is a Petition for Exemption filed by Midcoast Railservice, Inc. The filing fee has been paid via pay.gov.

If you have any questions related to this filing, please let me know.

Sincerely,

A handwritten signature in blue ink that reads 'Justin J. Marks'.

Justin J. Marks
Counsel to Midcoast Railservice, Inc.

Enclosure

FILED
August 16, 2024
SURFACE
TRANSPORTATION BOARD

FEE RECEIVED
August 16, 2024
SURFACE clarkhill.com
TRANSPORTATION BOARD

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. AB-1341X

MIDCOAST RAILSERVICE, INC.
- DISCONTINUANCE OF SERVICE EXEMPTION -
IN CUMBERLAND, KNOX, LINCOLN, SAGadahoc COUNTIES, MAINE

PETITION FOR EXEMPTION

(color images included)

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Dated: August 16, 2024

Counsel for Midcoast Railservice, Inc.

Before the

SURFACE TRANSPORTATION BOARD

STB Docket No. AB-1341X

**MIDCOAST RAILSERVICE, INC.
- DISCONTINUANCE OF SERVICE EXEMPTION -
IN CUMBERLAND, KNOX, LINCOLN, SAGADAHOC COUNTIES, MAINE**

PETITION FOR EXEMPTION

Pursuant to 49 U.S.C. §10502 and 49 C.F.R. parts 1121 and 1152, Midcoast Railservice, Inc. (“Midcoast”), a Class III railroad common carrier, files this petition seeking an exemption from the provisions of 49 U.S.C. §10903 to formally discontinue service over an approximately 58.68-mile rail line consisting of (1) the Brunswick Terminal Area between the east side of Church Road, milepost 14.97, and Rock Jct., milepost 16.40; (2) the Rockland Branch between milepost 29.40 in Brunswick, Cumberland County, Maine, and milepost 85.55 in Rockland, Knox County, Maine; and (3) the Atlantic Branch Line between milepost 85.55 and milepost 86.65 in Rockland. The Subject Line runs through Cumberland, Knox, Lincoln, and Sagadahoc Counties, Maine. The Subject Line traverses through United States Zip Codes 04011, 04530, 04579, 04578, 04553, 04555, 04556, 04572, 04864, 04861, 04841. Sixteen stations exist on the line. A map of the Subject Line is attached hereto as Exhibit A.

The Subject Line is owned by the State of Maine Department of Transportation (“Maine DOT”). Midcoast has been operating the Subject Line pursuant to a Lease and Operating Agreement (the “Lease”) with Maine DOT. Once the Midcoast discontinuance is consummated, the Subject Line will remain a line of railroad owned by the State of Maine, but no operator with a common carrier obligation will remain on the Subject Line.

Maine DOT has been informed of Midcoast’s plan to discontinue freight service because demand for freight rail service does not support continued freight rail service on the Subject Line. On June 5, 2024, as permitted under the Lease, Midcoast gave Maine DOT 120 days’ notice that it was terminating the Lease as of October 3, 2024, but that Midcoast wanted to terminate sooner if possible. Maine DOT does not oppose this petition. In support of its request for exemption, Midcoast represents as follows:

I. BACKGROUND

The Subject Line is approximately 58.68 miles long and extends through Cumberland, Knox, Lincoln, and Sagadahoc Counties, Maine. It traverses through United States Postal Service ZIP Codes 04011, 04530, 04579, 04578, 04553, 04555, 04556, 04572, 04864, 04861, 04841. Because this proceeding would involve the discontinuance of common carrier service and not abandonment of the Subject Line, Midcoast understands that the question of whether the Subject Line contains federally granted rights-of-way is inapplicable. Any documentation related to federally granted rights-of-way pertaining to this petition in Midcoast’s possession will be made promptly available to those requesting it.

Midcoast leases the Subject Line from Maine DOT having taken assignment of the Lease from Central Maine & Quebec Railway US, Inc.¹ When Midcoast assumed operations on the Subject Line in 2022, there were 6 active customers on the Subject Line shipping over 600 carloads per year, and Midcoast provided service as needed up to twice per week. Nearly all of Midcoast’s freight revenue had been generated by serving a cement plant. However, in late 2023, the plant ceased production of cement at its facility on the Subject Line. Now, there are only three remaining

¹ *Midcoast Railservice, Inc. – Change of Operators Exemption – Central Maine & Quebec Railway US, Inc.* STB Finance Docket No. 36531 (served Aug. 25, 2021).

active shippers that are projected to generate less than five carloads per month. *See* attached Verified Statement of Judy A. Petry, Controller (“Petry V.S.”).

For the Base Year,² Midcoast earned gross revenues of \$281,658 on the 473 carloads of traffic moved on the Subject Line.³ However, based on the number of carloads shipped from January 2024 through June 30, 2024 (since the cessation of cement production) by the remaining active customers, it is forecast that 60 carloads will ship during the Forecast Year, resulting in a decrease in the gross revenue to less than \$65,000 for the Forecast Year. Given the estimated number of carloads, the annual level of traffic for the Forecast Year is approximately 1 carload per mile, and only .09 carloads per mile per month. *See* Petry V.S.

Midcoast’s Base Year maintenance costs for the Subject Line is approximately \$590,000 (an average of approximately \$49,200 per month). In addition, the crew cost for providing service on the Subject Line at the current level of traffic is approximately \$33,500 per month. *See* Petry V.S.

The monthly revenue from the Subject Line does not even cover the crew costs, much less the maintenance costs and the additional costs of operating rail service (including FRA-mandated track, signal and bridge inspections, locomotive depreciation, fuel and equipment maintenance and off branch costs). Although, Midcoast has laid off some personnel as a result of the reduced levels of traffic, Midcoast is still operating at an average loss of approximately \$65,000 per month. *See* Petry V.S. Thus, continued operation of the Subject Line would clearly create a burden on Midcoast and on interstate commerce.

² For the purposes of this Petition, Midcoast is considering July 1, 2023 through June 30, 2024 as the “Base Year,” and July 1, 2024 through June 30, 2025 as the “Forecast Year.”

³ The 473 carloads included shipments of cement remaining in the plant’s inventory. *See* Petry V.S.

In consideration of this continuing loss of revenue with no prospects for a turnaround, Midcoast provided Maine DOT with notice of its intention to terminate its lease and operating agreement with Maine DOT and to seek authority from the Board to discontinue service on the Subject Line. Midcoast is providing a copy of this petition to the remaining shippers that utilize the Subject Line.

II. ARGUMENT SUPPORTING THE DISCONTINUANCE OF SERVICE

The Board has jurisdiction over the proposed discontinuance pursuant to 49 U.S.C. §10903. Under 49 U.S.C. §10502, the Board must exempt a transaction from regulation when it finds that: (1) regulation is not necessary to carry out the rail transportation policy of 49 U.S.C. §10101; and (2) either (a) the transaction is of limited scope, or (b) regulation is not necessary to protect customers from the abuse of market power.

The legislative history of Section 10502 shows that Congress intended for the Board to use its exemption authority to free certain transactions from the administrative and financial costs associated with continued regulation. When enacting the Staggers Rail Act of 1980, Pub. L. No. 96-488, 94 Stat. 1895, Congress encouraged the Board's predecessor agency to use its exemption authority liberally:

The policy underlying this provision is that while Congress has been able to identify broad areas of commerce where reduced regulation is clearly warranted, the Commission is more capable through the administrative process of examining the specific regulatory provisions and practices not yet addressed by Congress to determine where they can be deregulated consistent with the policies of Congress. The conferees expect that, consistent with the policies of this Act, the Commission will pursue partial and complete exemption from remaining regulation.

H.R. Rep. No. 1430, 96th Cong. 2d Sess. 105 (1980). *See also Exemption From Regulation – Boxcar Traffic*, 367 I.C.C. 424, 428 (1983), vacated and remanded on other grounds, *Brae Corp. v. United States*, 740 F.2d 1023 (D.C. Cir. 1984). Congress reaffirmed this policy in the conference

report accompanying the ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803, which re-enacted the rail exemption as Section 10502. H.R. Rep. No. 422, 104th Cong. 1st Sess. 168-69 (1995).

Unless the requested exemption is granted, the proposed discontinuance of service would require a full application under 49 U.S.C. §10903 and the Board's regulations implementing that section at 49 C.F.R. Part 1152. This transaction should be exempted from regulatory requirements because it satisfies the standards of Section 10502: (1) regulation is not necessary to carry out the federal rail transportation policy ("RTP") of 49 U.S.C. §10101; (2) the transaction is of limited scope, and (3) the transaction will not result in an abuse of market power.

A. The Application of 49 U.S.C. § 10903 Is Not Necessary to Carry Out the Rail Transportation Policy

Detailed scrutiny of Midcoast's proposed discontinuance under 49 U.S.C. §10903 is not necessary to carry out the RTP. An exemption would minimize the unnecessary expenses associated with the filing of a formal discontinuance application.

Under 49 U.S.C. §10502 and 49 C.F.R. §1152.60, there is no requirement for a carrier to submit all of the detailed financial data that would be required if discontinuance authority were being sought under 49 U.S.C. §10903 and the regulations relating thereto. Indeed, there is no specific requirement that any financial data be submitted. Although the proposed discontinuance here is not eligible for the two-year out of service class exemption because the Subject Line has had – since the cessation of concrete production – a greatly reduced amount of traffic with even less forecasted, it is clear from the limited cost data that Midcoast has provided, that the current and projected costs of maintaining and operating the Subject Line greatly exceed the revenues that have been and will be earned from remaining shippers. *See* Petry V.S.

An exemption from the application process would promote a fair and expeditious regulatory decision-making process, reduce regulatory barriers to exit, and result in the efficient handling of this proceeding. 49 U.S.C. §§10101(2) and (7), (15). Additionally, granting an exemption for Midcoast's proposed discontinuance will foster sound economic conditions and encourage efficient management of railroads. 49 U.S.C. §§10101 (5), and (9) by relieving Midcoast of having to operate at a loss. Other aspects of the rail transportation policy will not be adversely affected.

B. This Transaction is Limited in Scope

This transaction is of limited scope because the Subject Line is only projected to handle approximately five carloads of freight rail service per month to the three remaining customers. Midcoast believes that alternate transportation service by truck or rail/truck transload is available. 49 U.S.C. § 10502(a)(2)(A).

C. This Transaction Will Not Result in an Abuse of Market Power

Midcoast's proposed discontinuance is of limited scope and therefore, it is not necessary for Midcoast to demonstrate that regulation is not needed to protect shippers from the abuse of market power. However, regulation is not needed to protect shippers from the abuse of market power because Midcoast is seeking this discontinuance to exit the railroad industry due to a lack of customers and revenue that can be generated from the Subject Line. In addition, Midcoast believes that these customers will be able to receive substitute transportation service by truck or rail/truck transload. No complaints have been filed by any shippers on the Subject Line.

III. ADDITIONAL INFORMATION

Midcoast discontinuance is not eligible for the Board's class exemption for out of service rail lines because Midcoast is currently serving customers, albeit at a financial loss. Although not

required under the Board's regulations for discontinuance petitions for exemption, Midcoast hereby provides the following additional information that would be required under 49 C.F.R. §1152.50(d)(2) and §1152.22 if the discontinuance were sought pursuant to the Board's class exemption:

1. The exact name of Applicant is Midcoast Railservice, Inc.
2. Midcoast is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, chapter 105.
3. Midcoast seeks to discontinue service over the Subject Line consisting of (1) the Brunswick Terminal Area between the east side of Church Road, milepost 14.97, and Rock Jct., milepost 16.40; (2) the Rockland Branch between milepost 29.40 in Brunswick, Cumberland County, Maine, and milepost 85.55 in Rockland, Knox County, Maine; and (3) the Atlantic Branch Line between milepost 85.55 and milepost 86.65 in Rockland. The Subject Line runs through Cumberland, Knox, Lincoln, and Sagadahoc Counties, Maine. Midcoast leases and operates the Subject Line pursuant to a lease with Maine DOT that owns the Subject Line.
4. A map of the Subject Line is attached hereto as Exhibit A.
5. The representative of Midcoast to whom correspondence should be sent is:

Justin J. Marks
Clark Hill PLC
1001 Pennsylvania Ave., NW
Suite 1300 South
Washington, DC 20004
Tel: (202) 772-0916
jmarks@clarkhill.com
6. The Subject Line to be discontinued traverses through United States ZIP Codes 04011, 04530, 04579, 04578, 04553, 04555, 04556, 04572, 04864, 04861, 04841.

7. The petition for exemption presented herein pertains to Midcoast's proposal to discontinue (and not abandon) common carrier freight operations for the purpose of terminating Midcoast's common carrier obligation over the Subject Line. Accordingly, trail use / rail banking and other public use conditions are not appropriate.⁴

8. Midcoast proposes to consummate the discontinuance on or after the earliest date on which the Board grants this petition.

9. Midcoast certifies that:

a) For six months following the cessation of cement production on the Subject Line, Midcoast handled an average of only 15.5 carloads of freight traffic per month, and its projected rail traffic for the Forecast Year will be even less (5 carloads per month). These traffic levels have resulted in substantial operating losses to Midcoast, with additional losses projected going forward.

b) No formal complaint by a user of rail service on the Subject Line, or a state or local government entity acting on behalf of such user, regarding Midcoast's cessation of service over the Subject Line, either is pending with the Board or any U.S. District Court or has been decided in favor of the complainant within the last two years.

10. The Subject Line comprises the entirety of Midcoast's operations and therefore the Board's entire system exception applies to this discontinuance, and accordingly no employee

⁴ See *Norfolk Southern Railway Company – Discontinuance of Service Exemption – In St. Joseph and LaPorte Counties, IN*, STB Docket No. AB-290 (Sub-No. 307X) (served June 18, 2008); *Everett Railroad Company – Discontinuance of Service Exemption – In Blair County, PA*, STB Docket No. AB-721X (served November 16, 2007); *Columbus and Greenville Railway Company – Discontinuance of Service Exemption – In Greenwood, MS*, STB Docket No. AB-297 (Sub-No. 103X) (served July 2, 2007).

protective conditions should be imposed.⁵

It is Board policy not to impose labor protection conditions on entire-system discontinuances involving lines not owned by the discontinuing carrier, unless evidence indicates the existence of: (1) a corporate affiliate that will continue substantially similar rail operations; or (2) a corporate parent that will realize substantial financial benefits over and above the relief from the burden of deficit operations by its subsidiary railroad. *See Mo. & Valley Park R.R. – Discontinuance of Service Exemption – in St. Louis County, Mo.*, AB 1057X, slip op. at 1-2 (served June 15, 2010); *Old Augusta Railroad Company – Whole-Line Abandonment Exemption – in Perry County, MS*, STB Docket No. AB-474X, slip op. at 2 (served Jan. 21, 1997).

Here, Midcoast does not own the Subject Line; it is owned by Maine DOT. Midcoast is controlled by Finger Lakes Railway Corp. (“FGLK”), a Class III rail carrier that also controls the Ontario Central Railroad Corp. (“ONCT”), both of which operate in the State of New York.⁶ However, the FGLK and ONCT are not substantially similar to the Midcoast rail operations because they operate completely in another state and will not be assuming any of Midcoast’s operations. For perspective, the eastern most end of the Midcoast line to be discontinued is over 450 miles from FGLK’s headquarters in western New York. In addition, FGLK, as the corporate parent will not benefit from the discontinuance of Midcoast beyond the relief it receives from the burden of deficit operations because FGLK will not be assuming the operations of Midcoast. Considering that Midcoast does not have a corporate affiliate that has similar rail operations, and

⁵ If the entire system exception did not apply, the standard employee protective conditions as set forth in *Oregon Short Line Railroad Co.-- Abandonment -- Goshen*, 360 I.C.C. 91 (1979) would apply.

⁶ *Finger Lakes Railway Corp. – Continuance in Control Exemption – Midcoast Railservice, Inc.*, STB Finance Docket No. 36532 (served Aug. 25, 2021).

its parent FGLK will not benefit from the proposed discontinuance, the entire-system discontinuance exception to employee protective conditions is applicable.

11. Because Midcoast seeks only discontinuance and not abandonment authority, and because Maine DOT owns the Subject Line, no structures that are over 50 years old or older will be disposed of or altered. An environmental and historic report is not required for a discontinuance proceeding.⁷

12. Midcoast published a notice of the proposed discontinuance on July 18, 2024, in the *Portland Press Herald* in compliance with the legal (newspaper) notice requirements of 49 C.F.R. §§ 1105.7(c) and 1105.12. A copy of the form of notice and certification of publication are attached as Exhibit B.

13. Midcoast certifies that it has complied with the notice requirements of 49 C.F.R. §1152.50(d)(1). A notice dated July 2, 2024, was sent to the required governmental agencies, and a copy is attached hereto as Exhibit C. The required agencies are also being served with a copy of this Petition as shown in the attached Certificate of Service.

14. Although not required, Midcoast is serving a copy of this Petition on the remaining active shippers on the Subject Line as shown in the attached Certificate of Service.

[Remainder of Page Intentionally Left Blank]

⁷ See *supra* note 4 and 49 C.F.R. §1105.6(c) and §1105.8(b).

Based on the foregoing, Midcoast respectfully requests that the Board, under 49 U.S.C. §10502, exempt Midcoast's discontinuance of service over the Subject Line from regulation under 49 U.S.C. §10903 because Midcoast cannot profitably operate the Subject Line at the current levels of freight traffic, and (1) regulation of the discontinuance is not necessary to carry out the RTP, (2) the proposed discontinuance is of limited scope, and (3) the proposed discontinuance will not result in an abuse of market power.

Respectfully submitted,



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Dated: August 16, 2024

Counsel for Midcoast Railservice, Inc.

VERIFICATION

I hereby verify on behalf of Midcoast Railservice, Inc., under penalty of perjury, that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this Verification.

Executed on August 16, 2024

R. Eric Betke

R. Eric Betke, President

EXHIBIT A

MAP

MIDCOAST RAILSERVICE, INC.

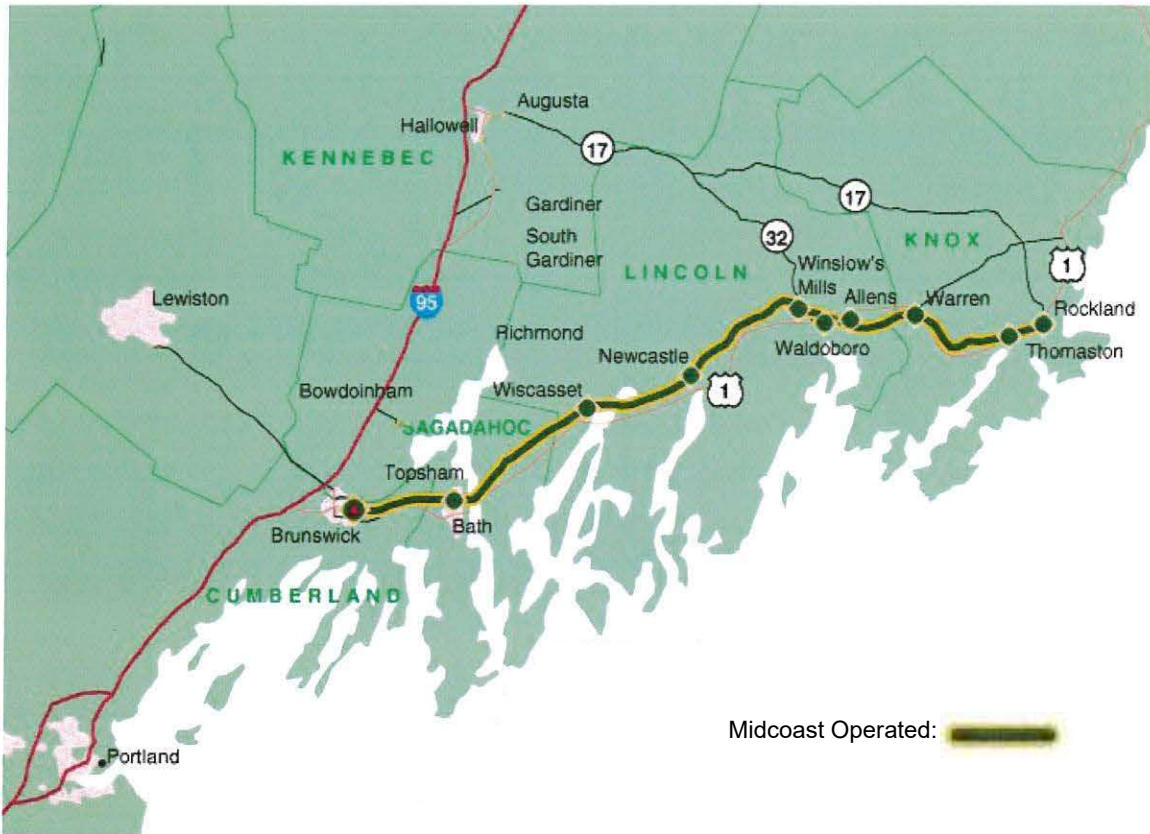


EXHIBIT B

DRAFT FEDERAL REGISTER NOTICE

STB No. AB-1341X

Notice of Petition for Exemption to Discontinue Rail Service

On August 16, 2024, Midcoast Railservice, Inc. (“Midcoast”) filed with the Surface Transportation Board, Washington, D.C. 20423, a petition for exemption for the discontinuance of service over a line of railroad consisting of (1) the Brunswick Terminal Area between the east side of Church Road, milepost 14.97, and Rock Jct., milepost 16.40; (2) the Rockland Branch between milepost 29.40 in Brunswick, Cumberland County, Maine, and milepost 85.55 in Rockland, Knox County, Maine; and (3) the Atlantic Branch Line between milepost 85.55 and milepost 86.65 in Rockland., a distance of approximately 58.68 miles. The Subject Line is owned by the State of Maine and runs through Cumberland, Knox, Lincoln, and Sagadahoc Counties, Maine. Sixteen stations exist on the Subject Line.

Because this proceeding involves the discontinuance of common carrier service and not abandonment of the Subject Line, Midcoast understands that the question of whether the Subject Line contains federally granted rights-of-way is inapplicable. Any documentation related to title and pertaining to the question of federally granted rights-of-way in Midcoast’s possession will be made available promptly to those requesting it.

The Midcoast discontinuance falls within the Surface Transportation Board’s whole line abandonment/discontinuance exemption and therefor labor protections are inapplicable.

Any offer of financial assistance to subsidize will be due no later than 10 days after service of a decision granting the petition for exemption.

Because the petition for exemption presented herein pertains to Midcoast’s proposal to discontinue (and not abandon) common carrier freight operations over the Subject Line that is owned by the State of Maine, trail use / rail banking and other public use conditions are not appropriate.

Persons seeking further information concerning discontinuance procedures may contact the Surface Transportation Board or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Office of Environmental Analysis.

Because Midcoast seeks only discontinuance and not abandonment, and because it does not own the Subject Line, it will not be disposing of or altering the Subject Line or any structures that are 50 years old or older. An environmental and historic report is not required for a discontinuance proceeding.

EXHIBIT C


NEWSPAPER NOTICE

Portland Press Herald
Maine Sunday Telegram

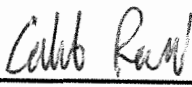
www.pressherald.com

Public Notice
Notice of Intent To Discontinue Rail Service
Midcoast Railservice, Inc. gives notice that on or about July 22, 2024, it intends to file with the Surface Transportation Board, Washington, DC, a petition for exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903, et seq., permitting the discontinuance of service on a 58.68 - mile line of railroad consisting of (1) the Brunswick Terminal Area between the east side of Church Road, milepost 14.97, and Rock Jct., milepost 16.40; (2) the Rockland Branch between milepost 29.40 in Brunswick, Cumberland County, Maine, and milepost 85.55 in Rockland, Knox County, Maine; and (3) the Atlantic Branch Line between milepost 85.55 and milepost 86.65 in Rockland, Knox County, Maine. The line runs through Cumberland, Knox, Lincoln, and Sagadahoc Counties, Maine and traverses through United States Zip Codes 04011, 04530, 04579, 04578, 04553, 04555, 04556, 04572, 04864, 04861, 04841. Because the proposed action entails the discontinuance of service over the line, rather than abandonment, no environmental or historic documentation is required under 49 CFR 1105.6 and 1105.8. Appropriate offers of financial assistance to subsidize rail service can be filed with the STB. Trail use / rail banking and public use condition requests are not appropriate in discontinuance proceedings. An original and 10 copies of any pleading that raises matters other than environmental issues (such as offers of financial assistance to subsidize rail service) must be filed directly with the STB's Section of Administration, Office of Proceedings, 395 E Street, S.W., Washington, DC 20423-0001 [see 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicant's representative [see 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance to subsidize rail service may be directed to the STB's Office of Public Assistance, Governmental Affairs and Compliance at 202-245-0238. Copies of any comments or requests for conditions should be served on applicant's representative: Justin J. Marks, Clark Hill PLC, 1001 Pennsylvania Ave. N.W. Suite 1300 South, Washington, DC 20004; 202-772-0916.

I, Joan M. Jensen, Legal Advertising Representative of the Portland Press Herald and Maine Sunday Telegram newspapers of Portland, Maine, do hereby certify that the attached advertisement appeared in the July 18, 2024 edition of the Portland Press Herald.


Legal Advertising Representative

Subscribed and sworn to before me
this 19th day of July 2024


Notary Public

My commission expires

CALEB RAND
Notary Public
Maine
My Commission Expires Nov. 1, 2030

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Thursday, July 18, 2024

Portland Press Herald

SECTION C

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For more information and an application, please call
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TRS Relay 711
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TOWNHOMES AT OCEAN EAST I Portland

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For more information and an application, please call
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Equal Housing Opportunity



DO THIS

A weekly guide to Maine adventure, entertainment, and fun for every day of the week.

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PUBLIC NOTICES

Public Notices

Public Notices are a permanent and independent record of government and court actions. These include state and local government meetings, rule making, available contracts, zoning changes, and many more, as required by law. In addition, parties to some court proceedings, such as foreclosures, probate, and estate actions are required to publish notices to ensure notification of affected parties, as well as the general public. These notices also alert business owners, large and small, to potential government contractual jobs, helping to ensure economic activity across a level playing field. Public notices have existed to ensure transparency in all levels of government since the founding of the United States.

State and local notices are published in Maine newspapers and are also recorded at mainenotices.com, where anyone can browse or search notices, and sign up to receive email alerts when relevant notices appear.

Public Notice

NOTICE OF INTENT TO FILE

Please take notice that Denise Elston of 4823 Spruce Street, Bellaire, Texas, phone: (832)-660-4970 is intending to file an individual Natural Resources Protection Act permit application with the Maine Department of Environmental Protection pursuant to the provisions of 38 M.R.S.A. §§ 480-A thru 480-JJ and the Coastal Sand Dune Rules, Chapter 355 on or about July 19, 2024. The application is for a proposed single-family dwelling replacing the existing house at the following location: 1 Oceanside Drive, Saco, Maine. A request for a public hearing or a request that the Board of Environmental Protection assume jurisdiction over this application must be received by the Department in writing, no later than 20 days after the application is found by the Department to be complete and is accepted for processing. A public hearing may or may not be held at the discretion of the Commissioner or Board of Environmental Protection. Public comment on the application will be accepted throughout the processing of the application. For Federally licensed, permitted, or funded activities in the Coastal Zone, review of this application shall also constitute the State's consistency review in accordance with the Maine Coastal Program pursuant to Section 307 of the federal Coastal Zone Management Act, 16 U.S.C. § 1456. The application will be filed for public inspection at the Department of Environmental Protection's office in

Portland during normal working hours. A copy of the application may also be seen at the municipal offices in Saco, Maine. Written public comments may be sent to the regional office in Portland where the application is filed for public inspection: MDEP, Southern Maine Regional Office, 312 Conco Road, Portland, Maine 04103

Public Notice

Notice of Intent to File

Please take notice that the City of Portland of 389 Congress Street, Portland, ME is intending to file an Amended Site Location of Development Act permit application with the Maine Department of Environmental Protection pursuant to the provisions of 38 M.R.S.A. §§ 481 thru 490 and a Natural Resource Protection Act permit application pursuant to the provisions of 38 M.R.S.A. §§ 480-A thru 480-BB on or about July 19, 2024. The City of Portland is proposing to redevelop an existing parking lot located on the southeast side of Thames Street with a new city park (City Map 444 Lot 3). The proposed project will result in approximately 0.41 ac decrease in impervious surface. A request for a public hearing or a request that the Board of Environmental Protection assume jurisdiction over this application must be received by the Department in writing, no later than 20 days after the application is found by the Department to be complete and is accepted for processing. A public hearing may or may not be held at the discretion of the Commissioner or Board of Environmental Protection. Public comment on the application will be accepted throughout the processing of the application. The application will be filed for public inspection at the Department of Environmental Protection's office in Portland during normal working hours. A copy of the application may also be seen at the City of Portland municipal offices. Written public comments may be sent to the Southern Maine Regional Office in Portland at MDEP, Southern Maine Regional Office, 312 Conco Road, Portland, Maine 04101 where the application is filed for public inspection.

Public Notice

Notice of Intent To Discontinue Rail Service

Midcoast Railservice, Inc. gives notice that on or about July 22, 2024, it intends to file with the Surface Transportation Board, Washington, DC, a petition for exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903, et seq., permitting the discontinuance of service on a 58.68 - mile line of railroad consisting of (1) the Brunswick Terminal Area between the east side of Church Road, milepost 14.97, and Rock Jct., milepost 16.40; (2) the Rockland Branch between milepost 29.40 in Brunswick, Cumberland County, Maine, and milepost 85.55 in Rockland, Knox County, Maine; and (3) the Atlantic Branch Line between milepost 85.55 and milepost 86.65 in Rockland, Knox County, Maine. The line runs through Cumberland, Knox, Lincoln, and Sagadahoc Counties, Maine and traverses through United States Zip Codes 04011, 04530, 04579, 04578, 04553, 04555, 04556, 04572, 04864, 04861, 04841. Because the proposed action entails the discontinuance of service over the Line, rather than abandonment, no environmental or historic documentation is required under 49 CFR 1105.6 and 1105.8. Appropriate offers of financial assistance to subsidize rail service can be filed with the STB. Trail use / rail banking and public use condition requests are not appropriate in discontinuance proceedings. An original and 10 copies of any pleading that raises matters other than environmental issues (such as offers of financial assistance to subsidize rail service) must be filed directly with the STB's Section of Administration, Office of Proceedings, 395 E Street, S.W., Washington, DC 20423-0001 [see 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicant's representative [see 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance to subsidize rail service may be directed to the STB's Office of Public Assistance, Governmental Affairs and Compliance at 202-245-0238. Copies of any comments or requests for conditions should be served on applicant's representative: Justin J. Marks, Clark Hill PLC, 1001 Pennsylvania Ave, N.W. Suite 1300 South, Washington, DC 20004; 202-772-0916.

Public Notice

NOTICE OF PUBLIC SALE

Notice is hereby given that in accordance with the Judgment of Foreclosure and Sale entered February 22, 2024, in the action entitled **Lakeview Loan Servicing, LLC v. Derrick J. Labranche**, dba CMG Financial dated March 18, 2021, and recorded in the York County Registry of Deeds in Book 18595, Page 537, the period of redemption having expired, a public sale of the property described in the mortgage will be conducted on **Tuesday, August 20, 2024, commencing at 10:30 AM, 707 Sable Oaks Dr., South Portland, ME 04106 on the front steps of the building in front of the flag pole.** The property is located at 62 Twombly Road, Sanford, Maine. The sale will be by public auction. All bidders for the property will be required to make a deposit of \$5,000.00 by certified or bank check at the time of the public sale made payable to Korde & Associates, P.C., which deposit is non-refundable as to the highest bidder. The balance of the purchase price shall be paid within thirty (30) days of the public sale. In the event a representative of the mortgagee is not present at the time and place stated in this notice, no sale shall be deemed to have occurred and all rights to reschedule a subsequent sale are reserved. Additional terms will be announced at the public sale. Korde & Associates, P.C., 707 Sable Oaks Dr., Suite 250, South

Portland, Maine 04106, (207) 775-6223. Updates may be found at: <http://www.logs.com/me-sales-report.html>. 24-001860

Public Notice

NOTICE OF PUBLIC SALE

Notice is hereby given that in accordance with the Judgment of Foreclosure and Sale entered April 8, 2024 in the action entitled **1900 Capital Trust II, By US Bank Trust National Association, not in its individual capacity but solely as Certificate Trustee v. Yvan J. Gauvin a/k/a Yvan Gauvin, et al.**, by the Lewiston District Court, Docket No. LEWDC-RE-22-24, wherein the Court adjudged the foreclosure of a mortgage granted by Yvan J. Gauvin and Brenda A. Gauvin to Mortgage Electronic Registration Systems, Inc., as nominee for American Mortgage Market, Inc., its successors and assigns dated May 9, 2007 and recorded in the Androscoggin County Registry of Deeds in Book 7139, Page 117, the period of redemption having expired, a public sale of the property described in the mortgage will be conducted on **Tuesday, August 20, 2024, commencing at 10:00 AM, 707 Sable Oaks Dr., South Portland, ME 04106 on the front steps of the building in front of the flag pole.** The property is located at 16 Ann Street, Lewiston, Maine. The sale will be by public auction. All bidders for the property will be required to make a deposit of \$5,000.00 by certified or bank check at the time of the public sale made payable to Korde & Associates, P.C., which deposit is non-refundable as to the highest bidder. The balance of the

purchase price shall be paid within thirty (30) days of the public sale. In the event a representative of the mortgagee is not present at the time and place stated in this notice, no sale shall be deemed to have occurred and all rights to reschedule a subsequent sale are reserved. Additional terms will be announced at the public sale. Korde & Associates, P.C., 707 Sable Oaks Dr., Suite 250, South Portland, Maine 04106, (207) 775-6223. Updates may be found at: <http://www.logs.com/me-sales-report.html>. 18-025809

Public Notice

NOTICE OF PUBLIC SALE

Notice is hereby given that in accordance with the Judgment of Foreclosure and Sale entered April 11, 2024 in the action entitled **Wells Fargo Bank, N.A. v. Yvonne Ruona, et al.**, by the West Bath District Court, Docket No. WESDC-RE-22-30, wherein the Court adjudged the foreclosure of a mortgage granted by Yvonne Ruona to Mortgage Electronic Registration Systems, Inc., as nominee for First Financial Mortgage Corporation, its successors and assigns dated January 10, 2005 and recorded in the Sagadahoc County Registry of Deeds in Book 2515, Page 269, the period of redemption having expired, a public sale of the property described in the mortgage will be conducted on **Tuesday, August 20, 2024, commencing at 11:00 AM, 707 Sable Oaks Dr., South Portland, ME 04106 on the front steps of the building in front of the flag pole.** The property is located at 30 Mallett Drive, Topsham, Maine. The sale will be by

public auction. All bidders for the property will be required to make a deposit of \$5,000.00 by certified or bank check at the time of the public sale made payable to Korde & Associates, P.C., which deposit is non-refundable as to the highest bidder. The balance of the purchase price shall be paid within thirty (30) days of the public sale. In the event a representative of the mortgagee is not present at the time and place stated in this notice, no sale shall be deemed to have occurred and all rights to reschedule a subsequent sale are reserved. Additional terms will be announced at the public sale. Korde & Associates, P.C., 707 Sable Oaks Dr., Suite 250, South Portland, Maine 04106, (207) 775-6223. Updates may be found at: <http://www.logs.com/me-sales-report.html>. 22-001109

Public Notice

NOTICE TO CONTRACTORS

The University of Maine at Augusta is seeking bids for the following project:
UMA KATZ LIBRARY ROOF REPLACEMENT, ROOF AREAS 7 & 8
Bids will be received until 2:00 PM on Tuesday, August 6, 2024, at which time the bids will be opened and read aloud via zoom. Bidders may attend a non-mandatory pre-bid meeting on Tuesday, July 16, 2024, 2:00 PM. Information regarding the request for bids may be obtained at: <https://www.uma.edu/compliance/capital-construction-projects/>
UNIVERSITY OF MAINE AT AUGUSTA
Aili Robinson, Chief Business Officer, for University of Maine System Board of Trustees

PUBLIC NOTICE

PUBLIC NOTICE

PUBLIC NOTICE

YORK COUNTY PROBATE COURT NOTICE TO CREDITORS 18-C M.R.S. §3-801(1)

The following Personal Representatives have been appointed in the Estates noted. The first publication date of this notice is July 18, 2024. If you are a creditor of an Estate listed below, you must present your claim within four months of the first publication date of this Notice to Creditors or be forever barred.

You may present your claim by filing a written statement of your claim on a proper form with the Register of Probate of this Court or by delivering or mailing to the Personal Representative listed below at the address published by the Personal Representative's name a written statement of the claim indicating the basis therefore, the name and address of the claimant and the amount claimed or in such other manner as the law may provide. See 18-C M.R.S. §3-804.

RICHARD F. O'BRIEN, late of Old Orchard Beach, deceased. June 21, 2024, Kimberly Dale of 101 North Main Street, Unit B 101, Mansfield, MA 02048, appointed Personal Representative, without bond.
MARTHA P. FORBES, late of Kennebunkport, deceased. June 21, 2024, Christopher K. Forbes of 7 Kendall Village, Cohasset, MA 02025, appointed Personal Representative, without bond.
MARK W. STEVENS, late of Kennebunk, deceased. June 21, 2024, Jon Alexander Cluff of 8 Strawberry Lane, Saco, ME 04072, appointed Personal Representative, without bond.
CLAUDIA HOPF, late of Kennebunk, deceased. June 21, 2024, Perry Hopf of 7 Water Street, Kennebunk, ME 04043, appointed Personal Representative, without bond.
ERICK T. VAN SICKLE, late of Arundel, deceased. June 25, 2024, Kimberly Van Sickle of 114 River Road, Arundel, ME 04046, appointed Personal Representative, without bond.
DOLORES M. CARROLL, late of Limerick, deceased. June 26, 2024, James K. Carroll of 95 Cannon Hill Road, Limerick, ME 04048 and Lisa A. Coombs f/k/a Lisa A. Carroll of 75 Connector Lane, Burnham, ME 04922, appointed Personal Representatives, without bond.
STEPHEN JOSEPH TOUTWID, late of Springvale (Sanford), deceased. June 26, 2024, Christopher Eric Toutwid of 25 Galaxy Drive, Lyman, ME 04002, appointed Personal Representative, without bond.
ALBERT E. CANTARA, late of Kittery, deceased. June 26, 2024, Diane C. Chase of 28 Arbor Drive, Providence, RI 02908, appointed Personal Representative, without bond.
BRIAN V. RICHARDSON, late of Old Orchard Beach, deceased. June 25, 2024, Fionna N. Richardson of 20 Washington Street, Biddeford, ME

04005, appointed Personal Representative, without bond.
BETTY LOU K. COTE, late of Lebanon, deceased. June 26, 2024, Denise E. Kelly of 28 South Quentin Road, Palatine, IN 60067 and Richard D. Cote of 259 Chestnut Street, Apt. 612, Manchester, NH 03101, appointed Co-Personal Representatives, without bond.
HARLAND H. EASTMAN, late of Sanford, deceased. June 26, 2024, Eliza W. Eastman of 18 Clark Street, Biddeford, ME 04005, appointed Personal Representative, without bond.
RAYMOND L. CANFIELD, late of York, deceased. June 27, 2024, Mark Cassinelli of 1 Jewett Lane, Kittery, ME 03904, appointed Personal Representative, without bond.
ELAINE CASSINELLI, late of Kittery, deceased. June 27, 2024, Mark Cassinelli of 1 Jewett Lane, Kittery, ME 03904, appointed Personal Representative, without bond.
GERARD BOISSONEAULT, late of Waterboro, deceased. June 27, 2024, Elaine M. Calvert of 632 Main Street, Waterboro, ME 04087, appointed Personal Representative, without bond.
MARY A. LAVERRIERE, late of Arundel, deceased. July 1, 2024, Christopher J. Laverriere of 26 Granite Drive, Arundel, ME 04046, appointed Personal Representative, without bond.
AMY T. CHACE, late of Kennebunk, deceased. July 1, 2024, Peter Chace and Jeanne Chace of 760 Webber Hill Road, Kennebunk, ME 04043, appointed Co-Personal Representatives, without bond.
MILDRED F. SHEPARD, late of Lyman, deceased. July 1, 2024, Kathleen F. Engel of PO Box 663, Wolfeboro Falls, NH 03896, appointed Personal Representative, without bond.
BERTHA J. DUGRE-DEMERS, late of Sanford, deceased. July 1, 2024, Michelle Sherman of 9 Fair Oaks Drive, Springvale, ME 04083, appointed Personal Representative, without bond.
RAYMOND H. BACKMAN, late of Buxton, deceased. July 8, 2024, Marlys A. Furze of 51 Colonial Village, Falmouth, ME 04105, appointed Personal Representative, without bond.
RICHARD V. BIBBER, late of Kennebunk, deceased. July 9, 2024, Patricia A. Bibber of 11 Merrifield Drive, Kennebunk, ME 04043, appointed Personal Representative, without bond.
RALPH H. SPRAGUE, late of Lyman, deceased. July 9, 2024, Irene Marie Sprague of PO Box 1057, Sanford, ME 04073, appointed Personal Representative, without bond.
JEFFREY THOMAS KOHLMAN, late of Cornish, deceased. July 9, 2024, Barry Carl Prentice of 13 Bridge

Street, Cornish, ME 04020, appointed Personal Representative, without bond.
RICHARD E. BELANGER, late of Arundel, deceased. July 9, 2024, Juellann Belanger of 421 Curtis Road, Arundel, ME 04046, appointed Personal Representative, without bond.
MAUREN M. O'LEARY, late of Old Orchard Beach, deceased. July 10, 2024, Anthony O'Leary of 2 School Street, Old Orchard Beach, ME 04064, appointed Personal Representative, without bond.
LISA A. ROSS, late of Buxton, deceased. July 10, 2024, Craig S. Ross of 132 Main Street, Buxton, ME 04093, appointed Personal Representative, without bond.
STEPHEN E. LAWRENCE, late of Hollis, deceased. July 10, 2024, Susan Lawrence of 6 Eagle Ridge, Hollis Center, ME 04042, appointed Personal Representative, without bond.
MAXINE MARIE CROUCH, late of Kittery, deceased. July 10, 2024, Kelly Jean Poole of 70 Young Street, South Berwick, ME 03908, appointed Personal Representative, without bond.
LORETTA L. HUFF, late of Lyman, deceased. July 9, 2024, Laural E. Pierce of 214 Kennebunk Pond Road, Lyman, ME 04002, appointed Personal Representative, without bond.
SANDRA E. MCMANAWAY, late of Wells, deceased. July 11, 2024, Sarah E. McManaway of 711 East Broadway, Haverhill, MA 01830 and Michael C. McManaway of PO Box 10, Cecilton, MD 21913, appointed Co-Personal Representatives, without bond.
SANDRA E. MCMANAWAY, late of Wells, deceased. July 11, 2024, Sarah E. McManaway of 711 East Broadway, Haverhill, MA 01830 and Michael C. McManaway of PO Box 10, Cecilton, MD 21913, appointed Co-Personal Representatives, without bond.
CALLUM MACCRIMMON, late of Saco, deceased. July 11, 2024, Ruairidh MacCrimmon of 131 Summer Street, Maynard, MA 01754, appointed Personal Representative, without bond.
ESTELLE W. WELLMAN, late of Kennebunk, deceased. July 12, 2024, Peter W. Wellman of 9 Candlewood Lane, York, ME 03909 and Thomas D. Wellman of 277 Maguire Road, Kennebunk, ME 04043, appointed Co-Personal Representatives, without bond.
WINNIFRED H. NORTON A/K/A WINNIFRED H. NORTON, late of Limington, deceased. July 12, 2024, Jacenta R. Shaffer of 837 Cape Road, Limington, ME 04049 and Julie A. Merritt of 811 Cape Road, Limington, ME 04049, appointed Co-Personal Representatives, without bond.



THE EVENING EXPRESS

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EXHIBIT D

10-DAY NOTICES

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

July 2, 2024

U.S. Department of the Interior -
National Park Service
RTCA Program
1849 C Street, NW
Washington, DC 20240

Office of Chief of Forest Service
U.S. Department of Agriculture
1400 Independence Ave., SW
Washington, DC 20250-1111

United States Department of the Army
Military Surface Deployment and Distribution
Command
Transportation Engineering Agency
ATTN: SDTE-SA (Railroads for National
Defense)
1 Soldier Way, Building 1900W
Scott AFB, IL 62225

Commissioner Bruce A. Van Note
Maine Department of Transportation
16 SHS
Augusta, ME 04333-0016

Re: Midcoast Railservice, Inc.
– Discontinuance of Service Exemption –
in Cumberland, Knox, Lincoln and Sagadahoc Counties, Maine
Docket No. AB-1340X

Dear Sir or Madam:

This letter is being sent to you pursuant to the requirements of 49 C.F.R. §1152.50(d), to advise you that Midcoast Railservice, Inc. ("Midcoast") plans to seek authorization from the Surface Transportation Board ("STB") for authority to discontinue service over the line of railroad described below, by filing a petition for exemption pursuant to the provisions of 49 CFR §1152 Subpart F in the above-referenced STB docket. Midcoast expects to file the petition for exemption with the STB on or after July 15, 2024.

Midcoast will file the petition for exemption to formally discontinue its service over the line of railroad extending approximately 58.68-miles consisting of (1) the Brunswick Terminal Area between the east side of Church Road, milepost 14.97, and Rock Jct., milepost 16.40; (2) the Rockland Branch between milepost 29.40 in Brunswick, Cumberland County, Maine, and milepost 85.55 in Rockland, Knox County, Maine; and (3) the Atlantic Branch Line between milepost 85.55 and milepost 86.65 in Rockland (the "Subject Line"). The Subject Line runs through Cumberland, Knox, Lincoln and Sagadahoc Counties, Maine.

The Subject Line traverses through United States Zip Codes 04011, 04530, 04579, 04578, 04553, 04556, 04555, 04572, 04864, 04861, 04841. Maps of the line are enclosed with this letter.

Because this proceeding would involve the discontinuance of common carrier service and not abandonment of the Subject Line which is owned by the State of Maine and not

July 2, 2024
Page 2

Midcoast, Midcoast understands that the question of whether the Subject Line contains federally granted rights-of-way is inapplicable, and that the Subject Line will not be suitable at this time for alternative public use. Any pertinent documentation in the railroad's possession related to the issue of federally granted rights of way for the Subject Line will be made available to those requesting it.

Midcoast will not salvage any track along the Subject Line as a result of this discontinuance.

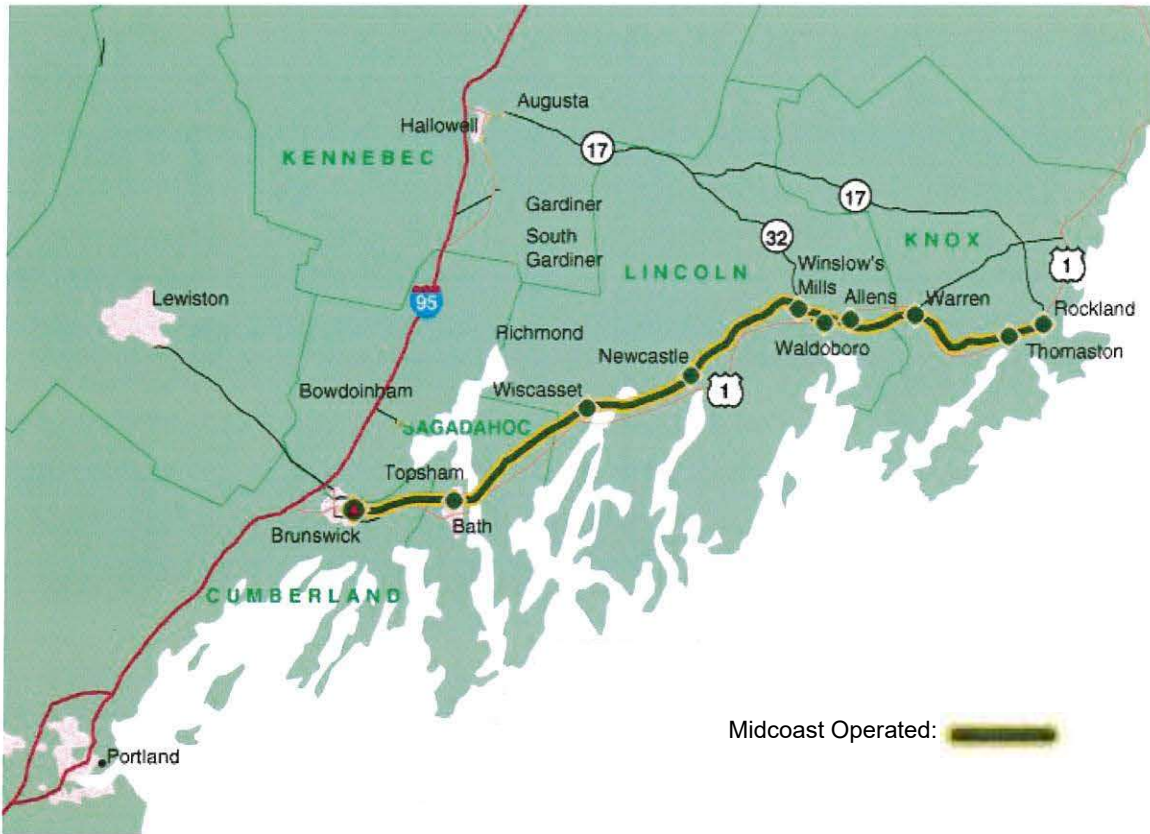
Sincerely,



Justin J. Marks
Counsel to Midcoast Railservice, Inc.

Enclosure

MIDCOAST RAILSERVICE, INC.



Before the

SURFACE TRANSPORTATION BOARD

STB Docket No. AB-1341X

**MIDCOAST RAILSERVICE, INC.
- DISCONTINUANCE OF SERVICE EXEMPTION -
IN CUMBERLAND, KNOX, LINCOLN, SAGADAHOC COUNTIES, MAINE**

VERIFIED STATEMENT OF JUDY A. PETRY

My name is Judy Petry, and I am the Controller for Midcoast Railservice, Inc. (Midcoast) and its parent company Finger Lakes Railway Corp. Formerly, I was the President and General Manager of the Farmrail System, Inc. and its two railroad subsidiaries Farmrail Corporation and Grainbelt Corporation. I have also served as the Chair of the Board for the American Short Line and Regional Railroad Association. As the Controller of Midcoast, I have personal knowledge of the facts set forth herein. I am submitting this verified statement in support of the Midcoast petition for exemption to discontinue rail service over the line of railroad that Midcoast leases from the Maine Department of Transportation (Maine DOT).

The line to be abandoned (the Subject Line) extends approximately 58.68-miles consisting of (1) the Brunswick Terminal Area between the east side of Church Road, milepost 14.97, and Rock Jct., milepost 16.40; (2) the Rockland Branch between milepost 29.40 in Brunswick, Cumberland County, Maine, and milepost 85.55 in Rockland, Knox County, Maine; and (3) the Atlantic Branch Line between milepost 85.55 and milepost 86.65 in Rockland.

Midcoast assumed operations on the Subject Line in 2022, initially serving 6 active customers shipping over 600 carloads per year. Midcoast provided service as needed up to 2 times per week.

Although, Midcoast initially had 6 customers, nearly all of its freight revenue was generated by one customer – a cement plant. In December 2023, the plant ceased production of cement at its facility on the Subject Line. Now, there are only 3 active shippers remaining that are expected to generate a total of less than 5 carloads per month.

For the Base Year (July 1, 2023, through June 30, 2024), Midcoast earned gross freight revenue of \$281,658 on the 473 carloads of traffic moved on the Subject Line as shown in the following table:

**MIDCOAST RAILSERVICE
SCHEDULE OF CARLOADS AND REVENUE EARNED
FOR THE PERIOD OF JULY 1, 2023 - JUNE 30, 2024**

Period	Carload Count	Revenue Earned
Jul-23	90	\$ 37,112
Aug-23	99	53,519
Sep-23	74	42,789
Oct-23	97	60,130
Nov-23	10	8,295
Dec-23	10	14,664
Jan-24	15	11,049
Feb-24	13	9,773
Mar-24	19	11,705
Apr-24	20	12,783
May-24	6	4,830
Jun-24	20	15,009
Total	<u>473</u>	<u>\$ 281,658</u>

These carloads shipped from January 2024 through June 2024 include shipments of cement from the shuttered plant as it depleted its inventory. Based on the number of carloads shipped by the remaining customers from January 2024, through June 30, 2024 (since the cessation of cement production), it is forecast that remaining active customers would only ship approximately 60 cars of product for the Forecast Year (July 1, 2024, through June 30, 2025), and would result in a decrease in the gross revenue to less than \$65,000 for the Forecast Year. Given the estimated

number of carloads, the annual level of traffic for the Forecast Year is approximately 1 carload per mile, and only .09 carloads per mile per month.

During the Base Year, Midcoast spent approximately \$590,000 in maintenance (an average of approximately \$49,200 per month). Even at the reduced levels of service, crew costs have been averaging approximately \$33,500 per month. At the current reduced levels of service, Midcoast – even after laying off some personnel – is currently operating at an average loss of approximately \$65,000 per month.

MIDCOAST RAILSERVICE, INC.
 SCHEDULE OF OPERATING LOSSES
 FOR THE PERIOD OF JANUARY 1, 2024 - JUNE 30, 2024

Period	Net Operating Loss
Jan-24	\$ (82,162)
Feb-24	(51,360)
Mar-24	(42,329)
Apr-24	(61,922)
May-24	(92,494)
Jun-24	(60,750)
Totals	<u>\$ (391,017)</u>
Avg Loss Per Month	\$ (65,170)

Applying these losses to the Forecast Year, Midcoast would be projected lose over \$780,000 during the 12-month span. (The losses could be even higher given the projected reduction in traffic and revenue levels discussed above.)

VERIFICATION

I hereby verify on behalf of Midcoast Railservice, Inc., under penalty of perjury, that the foregoing Verified Statement is true and correct. Further, I certify that I am qualified and authorized to file this Verification.

Executed on August 15, 2024

A digital signature box containing the handwritten name "Judy Petry" in cursive. Below the signature, the text "boxSIGN" is on the left and "4YY7632P-4KXXV97R" is on the right.

boxSIGN 4YY7632P-4KXXV97R

Judy A Petry, Controller

CERTIFICATE OF SERVICE

I hereby certify that on this date a copy of the foregoing Petition for Exempt Discontinuance was served on the persons shown on the list below by email and/or first-class mail, postage prepaid.

U.S. Department of the Interior -
National Park Service
RTCA Program
1849 C Street, NW
Washington, DC 20240

Office of Chief of Forest Service
U.S. Department of Agriculture
1400 Independence Ave., SW
Washington, DC 20250-1111

United States Department of the Army
Military Surface Deployment and Distribution
Command
Transportation Engineering Agency
ATTN: SDTE-SA (Railroads for National
Defense)
1 Soldier Way, Building 1900W
Scott AFB, IL 62225

Commissioner Bruce A. Van Note
Maine Department of Transportation
16 SHS
Augusta, ME 04333-0016

American Steel & Aluminum
115 Wallace Avenue
South Portland, ME 04106

Dicaperl Minerals Corp.
94 Buttermilk Lane
Thomaston, ME 04861

Bath Iron Works
700 Washington Street
Bath, ME 04530



Justin J. Marks

Dated: August 16, 2024