BEFORE THE
GEORGIA PUBLIC SERVICE COMMISSION

In Re: Sandersville Railroad Company's Petition for Approval to Acquire Real Estate by Condemnation	**Docket No.: 45045**

NOTICE OF ADOPTION OF PROPERTY OWNER RESPONDENTS' OBJECTIONS TO AND MOTION TO STRIKE PRE-FILED DIRECT TESTIMONY OF JEFF CUSTER

on behalf of No Railroad in Our Community Coalition ("NROCC")

October 16, 2023

Jamie Rush (Georgia Bar No. 999887)
Malissa Williams (Georgia Bar No. 964322)
Miriam Gutman (Georgia Bar No. 170768)
The Southern Poverty Law Center
150 E. Ponce de Leon Avenue, Suite 340
Decatur, GA 30030
E: jamie.rush@splcenter.org
E. malissa.williams@splcenter.org
E. miriam.gutman@splcenter.org
T: (404) 673-6523

Counsel for Intervenor Applicant
No Railroad in Our Community Coalition ("NROCC")

No Railroad in Our Community Coalition ("NROCC") files this Notice of Adoption of Property Owner Respondents' Objections to and Motion to Strike Pre-filed Direct Testimony of Jeff Custer.

On October 16, 2023, Property Owner Respondents filed their Objections to and Motion to Strike Pre-Filed Direct Testimony of Jeff Custer. NROCC reviewed the Objections and Motion to Strike referenced hereto and made part of the record through electronic filing, and hereby adopts it *in toto* and realleges all arguments established therein as if the same were set forth herein *in extenso*. NROCC respectfully requests that the entirety of Mr. Custer's testimony be stricken or, in the alternative, those portions described in Property Owner Respondents' Objections to and Motion to Strike Pre-Filed Direct Testimony of Jeff Custer. If Mr. Custer's testimony is not stricken, NROCC respectfully requests that the Hearing Officer give such testimony little weight. NROCC reserves all other objections to Mr. Custer's testimony pending the hearing and cross-examination.

Respectfully submitted this 16th day of October, 2023.

/s/ Jamie B. Rush

Jamie B. Rush (GA Bar No. 999887)
Malissa Williams (GA Bar No. 964322)
Miriam Gutman (GA Bar No. 170768)
SOUTHERN POVERTY LAW CENTER
150 E. Ponce de Leon Ave., Ste. 340
Decatur, Georgia 30030
Telephone: (404)673-6523
Fax: (404)221-5857
Email: jamie.rush@splcenter.org
Email: malissa.williams@splcenter.org
Email: miriam.gutman@splcenter.org

Counsel for Intervenor Applicant
No Railroad in Our Community Coalition
("NROCC")

CERTIFICATE OF SERVICE

I hereby certify that I have served a true and correct copy of the foregoing Direct Testimony via electronic mail and United States Mail with sufficient postage thereon to the following, pursuant to Ga. Comp. R. & Regs. 515-16-16-.02 and 515-2-1-.04(4)(b), (3), addressed as follows:

VIA Electronic Mail and U.S. First-Class Mail:

L. Craig Dowdy
Steven L. Jones
TAYLOR ENGLISH DUMA, LLP
1600 Parkwood Circle
Suite 200
Atlanta, Georgia 30339
Telephone: (770)434-6868
Facsimile: (770)434-7376
cdowdy@taylorenglish.com
sjones@taylorenglish.com

Robert S. Highsmith, Jr.
Laura E. Flint
HOLLAND & KNIGHT LLP
1180 West Peachtree Street NW
Suite 1800
Atlanta, Georgia 30309
Telephone: (404)817-8500
Facsimile: (404)881-0470
robert.highsmith@hklaw.com
laura.flint@hklaw.cm

Counsel for Petitioner Sandersville Railroad Company

Grant E. McBride
Smith, Welch, Webb & White, Attorneys at Law
2200 Keys Ferry Court
P. O. Box 10
McDonough, Georgia 30253
Tel.: (770)957-3937
Fax: (770)957-9165
Email: gmcbride@smithwelchlaw.com

Robert B. Baker
Georgia Bar No. 033881
ROBERT B. BAKER, PC
2480 Briarcliff Road, NE, Ste. 6
Atlanta, Georgia 30329
(706) 207-5002
bobby@robertbbaker.com

William R. Maurer
Washington Bar No. 25451
INSTITUTE FOR JUSTICE
600 University Street, Ste. 1730
Seattle, WA 98101
(206) 957-1300
wmaurer@ij.org

Elizabeth L. Sanz
California Bar No. 340538
Renée D. Flaherty
District of Columbia Bar No. 1011453
INSTITUTE FOR JUSTICE
901 N. Glebe Rd., Ste. 900
Arlington, VA 22203
(703) 682-9320
bsanz@ij.org
rflaherty@ij.org

Counsel for Property Owners

Robert Donald Garrett, Sr.
Sarah V. Garrett
1335 Shoals Road
Sparta, Georgia 31087

Marvin Smith, Jr.
Patricia Smith
15500 Avery Road
Rockville, Maryland 20855

Sally G. Wells
140 Dunn Road
Sparta, GA 31087

Verne G. Hollis
373 Hamilton Street
Sparta, GA 31087

Thomas Ahmed Lee
8201 Brookriver Drive, Ste. 246
Dallas, TX 75247

William Blain Smith
Helen Diane Smith
823 Chatsworth Drive
Accokeek MD 20607

Joel Bradford Reed
Kathy Lynn Reed
5 Dogwood Lane
Chatsworth GA 30705

Donna N. Garrett
154 Lakeview Drive
Sparta, GA 31087

Herus Ellison Garrett
111 Brookwood Court
Eatonton, GA 31027

Leo John Briggs
Georgia Ann Briggs
4500 Hidden Stream Drive
Loganville, GA 30052

Property Owners

Nancy Gibson
Georgia Public Service Commission
244 Washington Street SW
Atlanta, Georgia 30334
Telephone: (404)463-0882
Facsimile: (770)342-3054
E-mail: ngibson@psc.ga.gov

Designated Hearing Officer

Sallie Tanner
Georgia Public Service Commission
244 Washington Street SW
Atlanta, Georgia 30334
Telephone: (404)656-4501
Facsimile: (404)656-2341
E-mail: stanner@psc.ga.gov

Executive Secretary of the Public Service Commission

Rob Trokey
Georgia Public Service Commission
Georgia Public Service Commission
244 Washington Street SW
Atlanta, Georgia 30334
E-mail: rtrokey@psc.ga.gov

Director, Electric Unit of the Public Service Commission

Respectfully submitted this 16th day of October, 2023.

/s/ Jamie B. Rush

_____

Jamie B. Rush
Georgia Bar No.: 999887
SOUTHERN POVERTY LAW CENTER
150 E. Ponce de Leon Ave., Ste. 340
Decatur, Georgia 30030
Telephone: (404)673-6523
Fax: (404)221-5857
Email: jamie.rush@splcenter.org

Counsel for Intervenor Applicant
No Railroad in Our Community Coalition
("NROCC")