BEFORE THE
GEORGIA PUBLIC SERVICE COMMISSION

In re: Sandersville Railroad Company; Hancock County, Georgia Acquisition	**Docket No.: 45045**

NOTICE OF FILING DOCUMENT RESPONSIVE TO THE HEARING OFFICER'S SUBPOENA TO TESTIFY AND DUCES TECUM

Sandersville Railroad Company ("Sandersville Railroad"), a Georgia railroad company owning and operating a railroad in the State of Georgia, files this Notice of Filing Document Responsive to the Hearing Officer's Subpoena to Testify and Duces Tecum (the "Notice of Filing" or "NOF") as follows:

On July 26, 2023, the Hearing Officer issued a Subpoena to Testify and Duces Tecum (the "Subpoena"). On August 10, 2023, Sandersville Railroad filed its Objections and Responses to the Subpoena (the "Objections and Responses"). The Hearing Officer, on August 14, 2023, issued her Order Directing Parties to Meet and Confer in Good Faith Regarding Subpoena Request and Order Modifying Procedural and Scheduling Order (the "Meet and Confer Order").

Pursuant to the Meet and Confer Order, on August 16, 2023, Sandersville Railroad and the Property Owner Intervenors[1] (the "Respondents" and collectively with Sandersville Railroad the "Parties") met and conferred regarding the Subpoena and

[1] The Respondents' consist of Robert Donald Garrett, Sr., and Sarah Veazey Garrett; William Blaine Smith and Helen Diane Smith; Marvin Smith, Jr., and Patricia Smith; Leo John Briggs and Georgia Ann Briggs; Joel Bradford Reed and Kathy Lynn Reed; Donna N. Garrett; Herus Ellison Garrett; Sally G. Wells; Verne Kennedy Hollis; and Thomas Ahmad Lee.

the Objections and Responses and, on August 21, 2023, filed their Joint Status Report (the "Joint Report") pursuant to the Meet and Confer Order, as amended on August 28, 2023, reporting (1) that there is no dispute between the Parties regarding the Duces Tecum Nos. 1, 3, 5, 7, 9, 10, 11, 12, 15, 16, 19, 20, 21, 22, 23, and 24, and the first sentence only of Duces Tecum No. 13, with respect to all of which Sandersville Railroad raised substantive objections (the "Resolved Duces Tecum Nos."); (2) that a confidentiality agreement, which the Parties are negotiated and signed, would resolve any dispute regarding Duces Tecum Nos. 2, 4, 5, 6, 8, and 18, and, subject to the Parties' dispute set out in the Joint Status Report, the second sentence of Duces Tecum No. 13 (the "Confidential Duces Tecum Nos."); and (3) that the Parties still had a dispute regarding Duces Tecum Nos. 14 and 17 and the second sentence of Duces Tecum No. 13 (the "Unresolved Duces Tecum Nos.").

On August 28, 2023, Sandersville Railroad filed its Notice of Filing Document Responsive to the Hearing Officer's Subpoena to Testify and Duces Tecum and thereby, subject to the Objections and Responses with respect to the Resolved Duces Tecum Nos. and the Unresolved Duces Tecum Nos., produced documents and portions of documents relevant and responsive to the Confidential Duces Tecum Nos., under trade secret protection pursuant to O.C.G.A. § 50-18-72(a)(34) and Commission Utility Rule 515-3-1-.11(1)(c).

At the evidentiary hearing before the Hearing Officer on this matter, on November 27 through November 30, 2023, the Hearing Officer (1) sustained Sandersville Railroad's objections with respect to Unresolved Duces Tecum Nos.: 14 and 17; and (2) with respect to the second sentence of Duces Tecum No. 13, ordered Sandersville Railroad to "file by

4:00 p.m. on December 7, 2023, any and all documents related to or relied upon in conducting any analysis regarding the historical importance of each of the project parcels. This includes but is not limited to the assessment provided to the State historical preservation office and documents related to or relied upon for that" assessment.

Accordingly, subject to the Objections and Responses, Sandersville Railroad hereby produces the document in its possession relevant and responsive to the second sentence of Duces Tecum No. 13.

[SIGNATURE ON NEXT PAGE]

This 7th day of December 2023.

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Sandersville Railroad Company

BEFORE THE
GEORGIA PUBLIC SERVICE COMMISSION

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

CERTIFICATE OF SERVICE

I certify that I have this day served a copy of the foregoing **NOTICE OF FILING DOCUMENTS RESPONSIVE TO THE HEARING OFFICER'S SUBPOENA TO TESTIFY AND DUCES TECUM** upon the following persons by causing electronic copies of the same to be transmitted to each party that has supplied a valid email address and upon all other parties via first class mail with adequate postage affixed thereon and deposited in the United States Mail addressed as follows:

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This 7th day of December 2023.



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