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August 6, 2004

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

ENTERED
Office of Proceedings

AUG 06 2004

**Part of
Public Record**



RE: Finance Docket No. 34527, *Petition of Maumee & Western Railroad Corporation and RMW Ventures, LLC for Declaration or Revocation of CSX Transportation, Inc. Crossing Rights at Defiance, OH.*

Dear Secretary Williams:

CSX Transportation, Inc. ("CSXT"), Maumee & Western Railroad Corporation ("M&W"), and RMW Ventures LLC ("RMW") agree that there is a high probability of settling this dispute through mediation. CSXT, M&W, and RMW jointly request that the Surface Transportation Board (the "Board"): (1) hold the above-entitled proceeding in abeyance; and (2) provide for non-binding mediation of the dispute between CSXT and M&W and RMW by a senior member of the Board's Office of Compliance and Enforcement ("OCE").

On July 16, 2004, M&W and RMW filed the above-entitled petition with the Board. The M&W line near Defiance is crossed by CSXT's double-track main line, which handles over 60 trains per day. The M&W track crossed CSXT over a two diamond crossing, which was removed by CSXT. M&W has requested CSXT to replace the crossing diamonds.

For over two years M&W and CSXT have been corresponding and meeting to try to resolve this issue without success. As a result of the impasse, M&W and RMW filed the petition with the Board.

The parties have discussed the petition and have agreed that they may be able to settle this matter with the assistance of the Board through non-binding mediation. Because of the issues involved and the familiarity with this matter by OCE, the parties agree that mediation by senior staff of OCE is most likely to lead to a successful and expeditious resolution of this issue. The parties believe that with the assistance of OCE, they will be able to resolve this matter. The parties intend to exchange information and ideas shortly. The parties request that the mediation begin on September 14th or 15th at a mutually convenient time and location to be determined.

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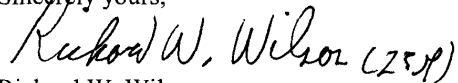
The parties expect a resolution through mediation by the end of October 2004, but would like the ability to extend mediation as long as progress is being made.

While this matter is being mediated, the parties respectfully request that the petition be held in abeyance.

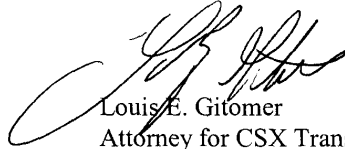
Enclosed are the original and 10 copies of this letter. Please time and date stamp the additional copy of this letter and return it with our messenger. Thank you for your assistance.

If you have any questions please call or email me.

Sincerely yours,

Handwritten signature of Richard W. Wilson in cursive, with the initials (25.8) written at the end.

Richard W. Wilson
Attorney for Maumee & Western Railroad
Corporation and RMW Ventures LLC

Handwritten signature of Louis E. Gitomer in cursive.

Louis E. Gitomer
Attorney for CSX Transportation, Inc.