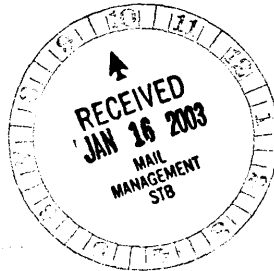


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Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

Re: Docket No. AB-167 (Sub. No. 1094)A
Chelsea Property Owners – Abandonment –
Portion of the Consolidated Rail Corporation's
West 30th Street Secondary Track in New York, NY

Dear Secretary Williams:

By letter dated January 10, 2003, the Friends of the High Line, Inc. ("FHL") endorsed the City of New York's effort to obtain a trail use agreement regarding the High Line and suggested that the Board might wish to suspend consideration of FHL's Petition to Reopen, filed August 16, 2002, pending the possible negotiation of such an agreement. Consolidated Rail Corporation ("Conrail") opposes FHL's suggestion that the Board's consideration of FHL's Petition to Reopen be suspended.

As discussed in the Reply that Conrail filed on January 10, 2003, to the pleading that the City filed on December 17, 2002, concerning a possible trail use agreement, there are serious questions both about whether a trail use agreement is legally permissible in this case and about whether the City and State of New York are prepared to meet the specific conditions that the railroad parties have set for such an agreement. Particularly given these uncertainties, there is no justification for delaying action on FHL's independent Petition to Reopen.

This case has already dragged on an extraordinarily long time. Conrail neither supports nor opposes FHL's Petition to Reopen, but Conrail has consistently asked that the Board deal

MAYER. BROWN, ROWE & MAW

Honorable Vernon A. Williams
January 15, 2003
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with that petition expeditiously.¹ The theoretical possibility of a trail use agreement should not be allowed to stand in the way of prompt resolution of FHL's petition.

Sincerely yours,



Robert M. Jenkins III

Counsel for Consolidated Rail
Corporation

RMJ/bs

cc: All Parties

¹ See Reply of Consolidated Rail Corporation to "The Friends of the High Line, Inc.'s Petition to Reopen the 1992 Abandonment Decision," filed September 19, 2002, and Reply of Consolidated Rail Corporation to Motion of City of New York for 90-Day Extension of Time, filed October 9, 2002.