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May 16, 2005

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Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Room 700
Washington, D. C. 20423

FILED

MAY 16 2005

**SURFACE
TRANSPORTATION BOARD**

RE: Docket No. AB-55 (Sub-No. 645X), *CSX Transportation, Inc.—
Abandonment Exemption—in Floyd County, KY*

Dear Secretary Williams:

The Middle Creek National Battlefield Foundation (Middle Creek) requested a notice of interim trail use/rail banking for approximately 9.1 miles of railroad between milepost COQ-1.0 at McNalley and milepost COQ-10.1 near East David, in Floyd County, KY in the above-entitled proceeding. The current extension of the negotiating period expired on March 6, 2005. Even though the previous extension has expired, CSX Transportation, Inc. ("CSXT") has not consummated the abandonment, has been unable to finalize negotiations with Middle Creek, and desires to continue to negotiate for interim trail use/rail banking with Middle Creek. CSXT respectfully requests the Board to reinstate and grant a 180-day extension of time to September 2, 2005 to negotiate trail use with Middle Creek. Additionally, CSXT respectfully requests a 180-day extension of the date to consummate the abandonment to November 1, 2005.

Enclosed are the original and 10 copies of this letter, and a filing fee of \$350. Please time and date stamp a 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

Louis E. Gitomer

Attorney for: CSX Transportation, Inc.

cc: Mr. Fitzpatrick

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**SURFACE
TRANSPORTATION BOARD**