

PARDEE RESOURCES COMPANY

1717 Arch Street, 33rd Floor
Philadelphia, PA 19103-2751
Telephone: 215-405-1260
Fax: 215-405-1263

Jeffrey W. Wagner
General Counsel and Secretary

216613
May 24, 2006



Via FedEx Overnight Service

Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Room 700
Washington DC 20006

Re: Docket No. AB-55-667X - CSX Transportation, Inc.
Abandonment Exemption -in Harland County, KY

ENTERED
Office of Proceedings
Part of
Public Record

Dear Secretary Williams:

Enclosed are the original and 10 copies of a Request to Accept a Late Filed pleading. Please time and date stamp the additional copy of this letter and return it to me in the self-addressed, stamped envelope. Thanks for your assistance.

Sincerely,

Jeffrey W. Wagner
Attorney for Pardee & Curtin Realty LLC

JWW:jg
Enclosures

216613



BEFORE THE SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-55-667X

CSX TRANSPORTATION, INC
ABANDONMENT EXEMPTION-
IN HARLAN COUNTY, KY

REQUEST TO ACCEPT
A LATE FILED PLEADING

ENTERED
Office of Proceedings
MAY 25 2006
Part of
Public Record

Jeffrey W. Wagner
Attorney for Pardee & Curtin Realty LLC
1717 Arch Street, 33rd Floor
Philadelphia, PA 19103

Dated: May 24, 2006

BEFORE THE SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-55-667X

CSX TRANSPORTATION, INC
ABANDONMENT EXEMPTION-
IN HARLAN COUNTY, KY

REQUEST TO ACCEPT
A LATE FILED PLEADING

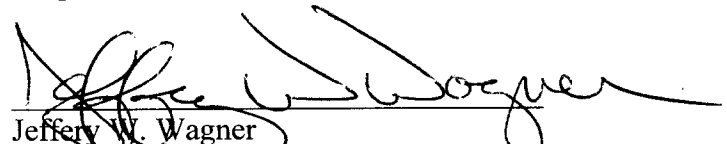


Pursuant to the Surface Transportation Board Notice of Exemption served May 4, 2006, Pardee (a non-carrier), filed a Notice of Intent to file an Offer of Financial Assistance ("OFA") under 49 CFR 1152.27. The OFA is to purchase the interest, and any other assets of CSX Transportation, Inc (CSX) related to the 12.56 mile rail line on its Southern Region, Huntington Division-West Cumberland Valley Subdivision from milepost OWH 258.5 to the end of the track at milepost OWH-271.06 in Harlan County, Ky.

The Notice was delivered to Federal Express Company in Philadelphia on Friday, May 19, 2006 with specific instruction to deliver the Notice to the Surface Transportation Board on Monday May 22, 2006. Apparently Federal Express attempted a delivery at 06:45, A.M; before the offices of STB were opened. A further attempt was to be made at 10:30 A.M. on Monday, but the attempt was not made. The Notice was finally filed by Federal Express with the STB on Tuesday May 22, 2006.

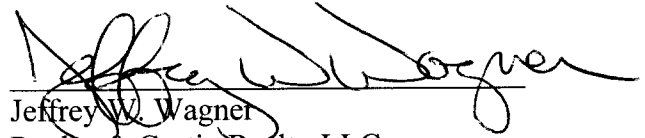
In view of the fact that a good faith effort was made to file on time and the fact that there is no injury to any of the parties to this proceeding, it is requested that the Notice be accepted.

Respectfully submitted,


Jeffery W. Wagner
Attorney for Pardee & Curtin Realty LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing instrument was served by E-Mail at Steven_Armbrust@CSX.com, and by Federal Express Overnight Service this 24th day of May, 2006 upon: Steven C. Armbrust, Esq. 500 Water Street, Jacksonville, FL 32202.



Jeffrey W. Wagner
Pardee & Curtin Realty LLC