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Finucane Law Office
LLP

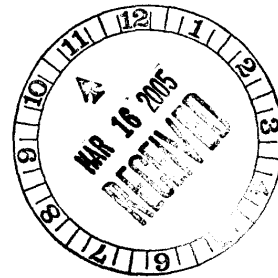
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Chambersburg, PA 17201
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March 14, 2005

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



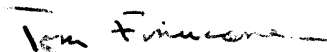
Re: STB Docket No. AB-55 (Sub-No. 568X)
CSX Transportation, Inc. – Abandonment
Exemption in Franklin County, Pennsylvania

Dear Mr. Williams:

I represent the Borough of Chambersburg. Enclosed herewith please find the original and 10 copies of the Borough's response to New Franklin Properties, LLC's petition for reconsideration.

Please file the original and 9 copies and return one stamped copy to me in the envelope provided.

Very truly yours,



THOMAS J. FINUCANE
Borough Solicitor

ENTERED
OFFICE OF PROCEEDINGS
MAR 16 2005
Public Record

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4
MAR 16 2005
RECEIVED

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB-55 (SUB-NO. 568X)

ENTERED
Office of Proceedings
MAR 16 2005
Office of
Public Counsel

**CSX TRANSPORTATION, INC.
ABANDONMENT EXEMPTION
IN FRANKLIN COUNTY, PENNSYLVANIA**

IN RE: PETITION OF NEW FRANKLIN PROPERTIES, LLC,
PURSUANT TO 49 C.F.R. 1117.1, FOR RECONSIDERATION
OF THE BOARD'S DECISION ISSUED ON JULY 8, 2004,
AND, PURSUANT TO 49 C.F.R. 1152.25(E), TO REOPEN
THE DECISION SERVED BY THE BOARD ON MARCH 9,
1999, TO PERMIT THE FILING OF AN OFFER OF
FINANCIAL ASSISTANCE, NUNC PRO TUNC

BOROUGH OF CHAMBERSBURG'S REPLY TO PETITION

March 14, 2005

Thomas J. Finucane
Finucane Law Office LLP
273 Lincoln Way East
Chambersburg, PA 17201
717 264-4104
No. PA 07290

Attorney for Borough of
Chambersburg

Response

The Borough adopts the response of CSX and incorporates herein by reference. Except as otherwise set forth in the response of CSX or below all the allegations of the petitioner are denied.

The allegations in the petition as to the history of the matter are substantially correct. However the remainder is argumentative and contains no new information that would require a reopening of the matter.

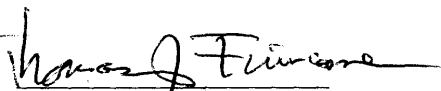
The Borough in good faith has been working with CSX towards a transfer of Segments 1 and 2 to the Borough.

The Borough should own Segment 1 because it leaves the possibility of future rail use (although none is now planned) for Segment 2 (which will be rail banked) rather than moving ownership of Segment 1 into the control of a non-public owner.

The matter should not be reopened given the extensive delay by petitioner and it's rehashing of issues already decided. Furthermore the Borough would be prejudiced because of time and expense it has already incurred in arranging a transfer from CSX of Segment 1. The Borough and CSX are very close to getting the transfer completed.

No extraordinary change has occurred to merit a reopening of the matter.

Wherefore it is requested that the various requests of the petitioner be denied.



Thomas J. Finucane
Borough Solicitor

March 14, 2005

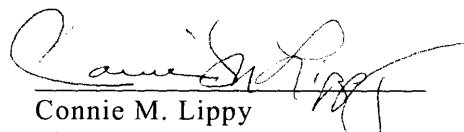
CERTIFICATE OF SERVICE

I, Connie M. Lippy, a secretary in the law offices of Finucane Law Office LLP, hereby certify that I have served this day the foregoing document, by depositing same in the United States First Class Mail, postage prepaid, in Chambersburg, Pennsylvania, to the person and address indicated below:

Charles O. Beckley, II, Esquire
Beckley & Madden
P.O. Box 11998
Harrisburg, PA 17108

Louis E. Gitomer, Esquire
Ball Janik, LLP
1455 F Street, NW, Suite 225
Washington, D.C. 20005

March 14, 2005


Connie M. Lippy
Finucane Law Office LLP