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April 18, 2019

Ms. Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

ENTERED
Office of Proceedings
April 18, 2019
Part of
Public Record

Re: **Docket No. AB-55 (Sub-No. 741X), CSX Transportation, Inc.—Abandonment
Exemption—in the Raleigh County, W. Va.**

Dear Ms. Brown:

CSXT Transportation, Inc. (“CSXT”) responds to the letter dated April 18, 2019 (copy attached) by the New River Gorge Regional Development Authority (the “Authority”) in which the Authority seeks an extension of the April 22, 2019 deadline to negotiate interim trail use/rail banking for the approximately 15.12-mile rail line on the Southern Region, Huntington East Division, Big Marsh Fork Subdivision, former Jarrolds Valley Subdivision, between milepost CLP 0.0 and milepost CLP 15.12 near Whitesville, in Raleigh County, WV (the “Line”) that is the subject of the above-referenced abandonment proceeding.

CSXT agrees to the requested one year extension of the interim trails use/rail banking negotiation period until April 22, 2020. CSXT has not consummated abandonment of the Line.

As provided in 49 C.F.R. § 1152.29(e)(2), the extension of the trail negotiation period until April 22, 2020, creates a regulatory barrier to consummation of the abandonment, which provides CSXT with an additional 60 days to consummate the abandonment to June 21, 2020, if trail negotiation is unsuccessful. CSXT respectfully requests that the Board confirm that the extension of the consummation period as provided in the regulations applies in this instance.

Thank you for your assistance. If you have any questions, please contact me.

Sincerely yours,
Louis E. Gitomer

Louis E. Gitomer, Esq.
Attorney for CSX Transportation, Inc.

Cc: Mr. Brouse



April 18, 2019

Ms. Cynthia Brown
Chief, Section of Administration
Surface Transportation Board- Office of Proceedings
395 E Street, SW
Washington DC 20423-0001

RE: 1-Year Extension for Interim Trail Use Negotiations
CSX Abandonment in Raleigh County, West Virginia
No. AB-55 (Sub-No. 741X)

Ms. Brown:

This request is filed by the New River Gorge Regional Development Authority (NRGRDA), the economic development entity for Raleigh County, West Virginia.

- A. CSX Transportation, Inc. (CSXT) filed a verified notice of exemption to abandon an approximate 15.12 mile line of rail in its Southern Region, Huntington East Division, Big Marsh Fork subdivision. The line extends between milepost CLP 0.0 and CLP 15.12 near Whitesville in Raleigh County, West Virginia. Notice of exemption was served and published in the Federal Register on April 2, 2015.
- B. On October 27, 2015, NRGRDA filed a request for Public Use Condition for the line. By order dated November 3, 2015, the Board granted the request to implement interim trail use and to permit public use negotiations as specifically set forth in the order. The interim trail use period is set to expire on April 22, 2019.

NRGRDA requests a one-year extension of the interim trail use period. Representatives of CSX Transportation have indicated that they will concur with the extension request. We further request a waiver be granted for the filing fee associated with this extension.

By my signature below, I certify service upon CSX, 500 Water Street-J-315, Jacksonville, Florida 32202, by U.S. mail, postage prepaid, first class, on April 18, 2019 and have provided an electronic copy to CSX representatives listed below.

Respectfully submitted,


Joe Brouse

cc: Lewis Gitomer
Matt Coffing
Jeff Raines
Jeff Miller