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February 5, 2018

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  
February 5, 2018  
Part of  
Public Record

Re: **Docket No. AB-55 (Sub-No. 775X), CSX Transportation, Inc.—  
*Abandonment—in Clark, Floyd, Lawrence, Orange, and Washington Counties,  
IN***

Dear Ms. Brown:

CSX Transportation, Inc. (“CSXT”) respectfully requests that the request for an extension of time to file a notice of intent to file an offer of financial assistance by Indianapolis Metropolitan Railway Company (MRY”) be denied.

CSXT filed a Notice of Exemption on December 19, 2017 to abandon an approximately 62.3-mile rail line on its Northern Region, Louisville Division, Hoosier Subdivision between milepost 00Q 251.7, near Bedford, and milepost 00Q 314.0, near New Albany, in Clark, Floyd, Lawrence, Orange, and Washington Counties, Ind. (the Line). The Surface Transportation Board (the “Board”) published a notice in the Federal Register on January 8, 2018.

On January 26, 2018, the Board found that “Mr. Didelius’ and MRY’s notices of intent to file an OFA (including any relevant supplements and amendments) do not comply with the Board’s new requirements at 49 C.F.R. § 1152.27(c)(2)(i). As such, a determination of preliminary financial responsibility cannot be made.” However, instead of rejecting the notices, the Board ordered that “Mr. Didelius and MRY have until February 5, 2018, to supplement their notices of intent so as to comply with the Board’s new OFA rule.”

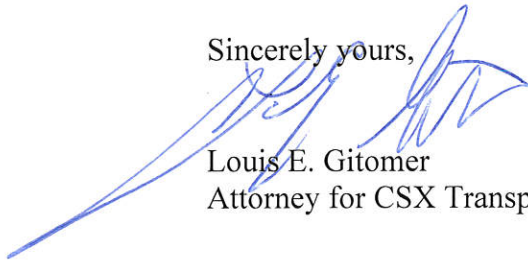
Now, 10 days later, MRY claims that the issues raised by CSXT warrant an extension of two weeks. The issues raised by CSXT are the same issues that the Board ordered MRY to comply with by February 5, 2018, if MRY wanted to continue the OFA process. MRY waited until the due date to seek an extension from the Board.

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MRY has not demonstrated good cause for its failure to comply with the Board's order as required by 49 CFR 1104.7(b) in order to justify an extension of time to file the notice of intent. Therefore, CSXT respectfully requests the Board to deny MRY's extension request.

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

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Louis E. Gitomer", is written over the typed name and title.

Louis E. Gitomer  
Attorney for CSX Transportation, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that I have caused this letter to be served upon all parties of record by electronic service.

A handwritten signature in blue ink, appearing to read "Louis E. Gitomer", is written over a horizontal line.

Louis E. Gitomer  
February 5, 2018