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Office of Proceedings

SEP 19 2002

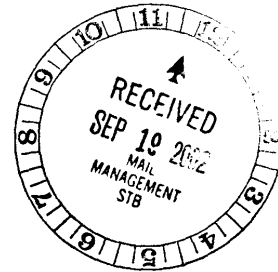
September 19, 2002

BY HAND

Part of
Public Record

The Honorable Vernon A. Williams, Secretary
Surface Transportation Board
Office of the Secretary
1925 K Street, NW
Washington, DC 20423-0001

206221



Re: Docket No. AB-167 (Sub-No. 1094)¹ — Abandonment —
Portion of the Consolidated Rail Corporation's
West 30th Street Secondary Track in New York, N.Y.

Dear Secretary Williams:

Enclosed are an original and ten (10) copies of the "Response of CSX Corporation and CSX Transportation, Inc., to The Friends of the High Line, Inc.'s Petition to Reopen the 1992 Abandonment Decision" for filing in the above-referenced docket.

Please note that a 3.5-inch diskette containing a WordPerfect 5.1 formatted copy of this filing is also enclosed.

Kindly date-stamp the additional copy of this letter and the "Response" at the time of filing and return them to our messenger.

Thank you for your assistance in this matter. Please contact the undersigned at (202) 942-5858 if you have any questions.

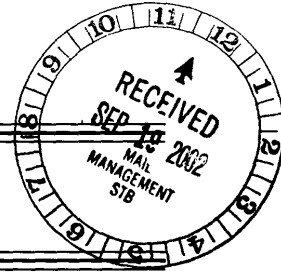
Respectfully yours,

Dennis G. Lyons
Counsel for CSX Corporation and
CSX Transportation, Inc.

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Enclosures

206 221
BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-167 (SUB-NO. 1094) *A*



CHELSEA PROPERTY OWNERS — ABANDONMENT —
PORTION OF THE CONSOLIDATED RAIL CORPORATION'S
WEST 30TH STREET SECONDARY TRACK IN NEW YORK, N.Y.

**RESPONSE OF CSX CORPORATION AND CSX TRANSPORTATION, INC.,
TO THE FRIENDS OF THE HIGH LINE, INC.'S
PETITION TO REOPEN THE 1992 ABANDONMENT DECISION**

ENTERED
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SEP 19 2002

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Public Record

Of Counsel:

Peter J. Shudtz
CSX CORPORATION
One James Center
901 East Cary Street
Richmond, VA 23219

Dated: September 19, 2002

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*Counsel for CSX Corporation and
CSX Transportation, Inc.*

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-167 (Sub-No. 1094)

CHELSEA PROPERTY OWNERS — ABANDONMENT —
PORTION OF THE CONSOLIDATED RAIL CORPORATION'S
WEST 30TH STREET SECONDARY TRACK IN NEW YORK, N.Y.

RESPONSE OF CSX CORPORATION AND CSX TRANSPORTATION, INC.,
TO THE FRIENDS OF THE HIGH LINE, INC.'S
PETITION TO REOPEN THE 1992 ABANDONMENT DECISION

CSX Corporation and CSX Transportation, Inc. (collectively "CSX"), submit this response to "The Friends of the High Line, Inc.'s Petition to Reopen the 1992 Abandonment Decision" ("TFH Petition"), filed in this docket on August 16, 2002.

The interest of CSX in this matter has been described in previous filings with the Board in this docket, most recently in CSX's Response to the "Motion of Chelsea Property Owners for an Order Finding that the Attached Settlement Agreement Satisfies the Surety Condition in the ICC'S September 16, 1992 Order in this Proceeding," filed on September 3, 2002.

CSX takes no position as to whether the Board should grant or deny the TFH Petition. CSX is concerned, however, by the continuing delay of the conclusion of this matter, already very old. If the Board grants the TFH Petition

in whole or in part, CSX respectfully requests that any further proceedings in this docket be handled expeditiously. In any and all events, the core economic principle of the ICC in its Decision of September 16, 1992, should, CSX urges, be respected and maintained: That principle is that the liability of Conrail for any demolition of the High Line consequent upon the issuance of a Certificate of Abandonment, or other order to the Board granting abandonment, be limited to \$7 million. CSX perceives nothing in the TFH Petition that is at variance with that principle.

Respectfully submitted.



Of Counsel:
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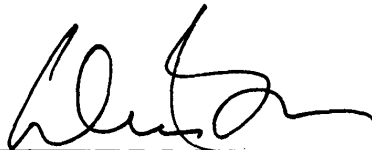
Dated: September 19, 2002

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*Counsel for CSX Corporation and
CSX Transportation, Inc.*

CERTIFICATE OF SERVICE

The undersigned counsel for CSX Corporation and CSX Transportation, Inc. hereby certifies that on this 19th day of September, 2002, a copy of the foregoing "Response of CSX Corporation and CSX Transportation, Inc., to The Friends of the High Line, Inc.'s Petition to Reopen the 1992 Abandonment Decision" were served on all parties of record by first-class mail, postage prepaid, or more expedited method.



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