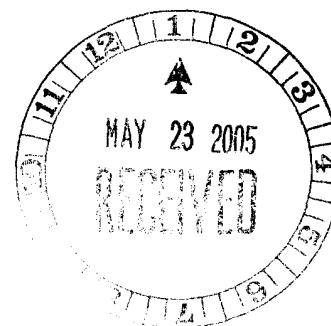


214/045

BEFORE THE
SURFACE TRANSPORTATION BOARD



Finance Docket #34698

PETITION OF BAY COLONY RAILROAD
CORPORATION FOR DECLARATORY ORDER

ENTERED
Office of Proceedings

MAY 23 2005

Part of
Public Record

Leonard M. Singer
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Attorney for Massachusetts
Bay Transportation Authority

Dated: May 20, 2005

BEFORE THE
SURFACE TRANSPORTATION BOARD



Finance Docket #34698

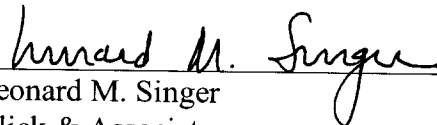
MOTION FOR EXTENSION OF TIME

The Massachusetts Bay Transportation Authority ("MBTA") moves that the time in which it must file a response to Bay Colony Railroad Corporation's ("Bay Colony") Petition for Declaratory Order be extended from May 23 to June 28, 2005. The grounds for this motion are that the MBTA and Bay Colony wish to explore settlement of the issues raised by the Petition for Declaratory Order. The MBTA and Bay Colony have recently exchanged information relating to the status of record title to the easement reserved by Penn Central in its 1973 deed. This information may enable them to reach a settlement of many, if not all, of the issues raised by the Petition for Declaratory Order. The MBTA wishes to avoid the expense of filing a reply to the Petition for Declaratory Order while settlement is being explored.

Bay Colony assents to this motion.

MASSACHUSETTS BAY
TRANSPORTATION AUTHORITY

By its attorney,


Leonard M. Singer
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Assented to:

BAY COLONY RAILROAD CORP.

By its attorney,

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