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March 7, 2008

VIA E-FILING

The Honorable Anne K. Quinlan, Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0001

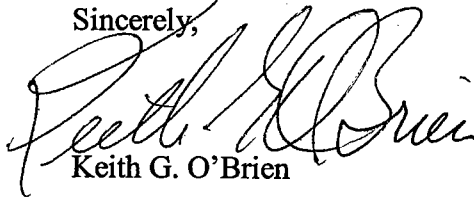
Re: STB Docket No. AB-156 (Sub-No. 26X)
Delaware and Hudson Railway Company, Inc. d/b/a Canadian Pacific
Railway Company – Abandonment Exemption – In Albany County, NY
EXPEDITED CONSIDERATION REQUESTED

Dear Secretary Quinlan:

Enclosed for filing in the above-referenced proceeding is a Joint Petition to further Extend the Negotiation Period and Hold the Proceeding in Abeyance filed on behalf of R. Freedman & Son ("Freedman") and Delaware and Hudson Railway Company, Inc. d/b/a Canadian Pacific Railway Company ("D&H"). In light of the impending deadline sought to be extended and held in abeyance, expedited consideration of the Petition is requested.

If there are any questions about this matter, please contact me directly, either by telephone: (202) 663-7852 or by email: kobrien@bakerandmiller.com.

Sincerely,



Keith G. O'Brien

cc: Anthony Dawson
W. Karl Hansen
All Parties of Record

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB DOCKET NO. AB-156 (SUB-NO. 26X)

**DELAWARE AND HUDSON RAILWAY COMPANY, INC.
D/B/A CANADIAN PACIFIC RAILWAY COMPANY
- ABANDONMENT EXEMPTION - IN ALBANY COUNTY, NY**

**JOINT PETITION OF R. FREEDMAN & SON, INC., AND DELAWARE AND
HUDSON RAILWAY COMPANY, INC. D/B/A CANADIAN PACIFIC
RAILWAY COMPANY TO FURTHER EXTEND NEGOTIATION PERIOD AND
HOLD PROCEEDING IN ABEYANCE**

EXPEDITED CONSIDERATION REQUESTED

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**Attorney for Delaware and Hudson
Railway Company, Inc.
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**Attorneys for R. Freedman
& Son, Inc.**

March 7, 2008

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB DOCKET NO. AB-156 (SUB-NO. 26X)

**DELAWARE AND HUDSON RAILWAY COMPANY, INC.
D/B/A CANADIAN PACIFIC RAILWAY COMPANY
- ABANDONMENT EXEMPTION - IN ALBANY COUNTY, NY**

**JOINT PETITION OF R. FREEDMAN & SON, INC., AND DELAWARE AND
HUDSON RAILWAY COMPANY, INC. D/B/A CANADIAN PACIFIC
RAILWAY COMPANY TO EXTEND NEGOTIATION PERIOD AND
HOLD PROCEEDING IN ABEYANCE**

Pursuant to 49 CFR 1117.1, R. Freedman & Son, Inc. ("Freedman") and Delaware and Hudson Railway Company, Inc. d/b/a Canadian Pacific Railway Company ("D&H") petition the Board for an order further extending the offer of financial assistance ("OFA") negotiating period and holding further proceedings in the above-captioned docket in abeyance until June 30, 2008, in order to allow for the resolution of issues relating to utilization of the involved line and to afford the parties time to formalize and close on their just-reached agreement in principle pursuant to which Freedman will acquire the line without the need for further Board intervention.

In support of their joint petition, Freedman and D&H state as follows:

By a decision served on December 5, 2007 ("December 5 Decision"), the Board accepted Freedman's OFA and stated that, if the parties were unable to agree to terms under which Freedman would acquire the subject rail line, Freedman could submit a request to the Board to set terms and conditions by no later than December 31, 2007. Subsequently, pursuant to the joint request of Freedman and D&H the Board issued a

decision on December 28, 2007 extending the OFA negotiating period until March 31, 2008.

Since the Board's December 28 Decision, Freedman and D&H have continued to engage in good faith negotiations toward finalization of a purchase agreement, and preparations for an appropriate transfer of ownership.

On February 22, 2007, the Village of Green Island secured an order to show cause asking a New York State court to adjudicate certain issues regarding a settlement stipulation entered into between the Village and R. Freedman & Son, Inc. four years ago. These issues are similar to those raised in the correspondence of the Mayor dated January 14, 2008 entered as part of the public record in this proceeding on January 23, 2008.

A preliminary conference was held on the morning of March 4, 2008. The matter is scheduled to be fully submitted to the court on March 24, 2008. Freedman welcomes the judicial resolution of the issues raised by the Village.

In order to allow this state court proceeding to proceed to resolution and to afford Freedman and D&H adequate time to complete preparations for transfer of the line Freedman and D&H jointly urge that good cause exists for the Board to extend the negotiations deadline and hold further proceedings in this docket in abeyance pending expeditious resolution of issues before the court and finalization of the parties' agreement. This private sector solution will conserve administrative resources and

directly serve the national transportation policy goal of minimizing the need for federal regulatory intervention. See 49 U.S.C. 10101(2).¹

Finally, in light of the impending expiration of the current negotiating period, Freedman and D&H respectfully request expedited Board action on this petition.

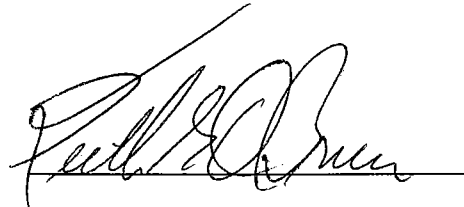
WHEREFORE, for good cause shown, Freedman and D&H respectfully request that the Board issue an order extending the negotiating period and holding further proceedings in this docket in abeyance until June 30, 2008.

Respectfully submitted,



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Railway Company, Inc.
d/b/a Canadian Pacific Railway Company



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Attorneys for R. Freedman & Son,
Inc.

Dated: March 7, 2008

¹ The joint Freedman/D&H petition is modeled after, and adheres to, the processes employed by the Board in Tennessee Railway Company – Abandonment Exemption – In Anderson and Campbell Counties, TN, et al., STB Docket No. AB-290 (Sub-Nos. 259X and 260X) (“Tennessee Railway”), in which, pursuant to separate joint requests, the Board granted extensions of the 30-day OFA negotiation period and held the proceedings in abeyance following an agreement in principal among the offeror and railroad. See Tennessee Railway decisions served on July 14, 2005 and on September 30, 2005.

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of March, 2008, I caused copies of the foregoing Joint Petition to Extend the Negotiation Period and Hold the Proceeding in Abeyance to be served upon all parties of record in this proceeding by first class United States mail, postage prepaid, or via more expeditious means of delivery.



Keith G. O'Brien