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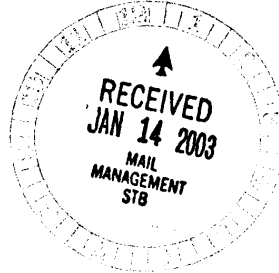
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January 13, 2003

By Fax and Federal Express

The Honorable Vernon A. Williams
Secretary, Surface Transportation Board
Mercury Building, Room 700
1925 K Street, N.W.
Washington, D.C. 20423



**Re: Financial Docket No. 34281 - LB Railco, Inc. - Lease and Operation
Exemption - Providence and Worcester Railway Company**

Dear Secretary Williams:

We are legal counsel for the National Solid Wastes Management Association, Jet-A-Way, Inc., and New Bedford Wastes Services, LLC (the "Industry Parties"). By letter dated January 2, 2003, LB Railco, Inc. ("LB Railco") requested an extension of time to file a reply to the submittals of the Industry Parties and the Town of Millbury (the "Town"). On January 6, 2003, the Surface Transportation Board (the "Board") granted LB Railco's request and set a deadline of January 17, 2003, for LB Railco to file a reply. We are writing on behalf of the Industry Parties to bring to the Board's attention that LB Railco's anticipated "reply" to the Industry Parties' submission would be a reply to a reply. This is specifically prohibited by 49 CFR § 1104.13(c) and we are therefore requesting that the Board clarify its January 6, 2003 Decision.

In a Decision dated November 22, 2002, the Board stayed LB Railco's Notice of Exemption. In response, LB Railco submitted a request to lift the stay, dated December 10, 2002. On December 17, 2002, the Industry Parties submitted their Reply to LB Railco's petition to lift stay.¹ On December 30, 2002, the Industry Parties supplemented their Reply with a Verified Statement.

¹ The complete title of the Industry Parties' December 17, 2002 submittal is: "Reply to LB Railco, Inc.'s petition to lift stay and motion to dismiss notice of exemption on the ground that waste handling operations of LB Railco, Inc. are not subject to exemption under 10501(b) of the ICCTA, or alternatively, motion to require a firm impact statement pursuant to 40 CFR § 1105.5(d) not account of the probability of significant environmental impacts."

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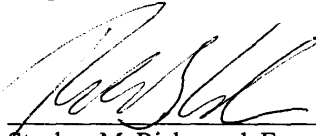
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In its request for an extension, LB Railco characterized the Industry Parties' December 17, 2002 submittal as a "motion." The Industry Parties' December 17, 2002 submittal, however, was not a motion. This submittal was provided to the Board as a reply to LB Railco's petition to lift the stay. The Board's Rules of Practice provide that "a reply to a reply is not permitted." 49 CFR § 1104.13(c). As such, the Board's January 6, 2003, Decision extending the time for LB Railco to submit a reply should not be deemed to authorize LB Railco to submit a reply to the Industry Parties' reply.

For these reasons, the Industry Parties respectfully request that the Board issue an order clarifying its January 6, 2003, Decision to state that while LB Railco may file a reply to the Town's motion no later than January 17, 2003, the Board's January 6, 2003, Decision does not authorize LB Railco to submit a reply to the Industry Parties' Reply, dated December 17, 2002.

In accordance with the Board's requirements, an original of this document and 10 copies are submitted herewith and copies are being served upon the representatives of parties identified below.

Respectfully Submitted,



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CERTIFICATION OF SERVICE

I hereby certify that I have this 13th day of January, 2003 served copies of the foregoing upon the following parties of record in this proceeding by fax and first class mail, postage pre-paid, in accordance with the rules of practice of the Surface Transportation Board:

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