



ENTERED
Office of Proceedings

NOV 23 2007

Part of
Public Record

220777

Law Department
500 Water Street, J150
Jacksonville, FL 32202
TEL 904-359-1229
eFAX 904-245-3357
Steven_Armbrust@CSX.com

STEVE ARMBRUST
COUNSEL
BUSINESS & GOVERNANCE

Admitted in NY - Not Admitted in FL
FL Authorized Notary Public

November 21, 2007

Via DHL Express – Overnight (Return Request Requested)

Honorable Vernon A Williams, Secretary
Surface Transportation Board
395 E Street, SW
Washington, D C 20024



**Re: Docket No. AB-565 (Sub-No. 1X), New York Central Lines, LLC—
Abandonment Exemption in Middlesex County, Massachusetts**

Dear Secretary Williams

Reference is made to the letter dated October 19, 2007 (and filed with the Board on November 20, 2007) from Maureen G Valente, Town Manager, on behalf of the Town of Sudbury ("Sudbury"), requesting an extension of the NITU negotiating deadline for a portion of the 1 4-mile portion of line (the "Sudbury Line") in the above captioned matter that extends north from the Framingham town line at MP QBS 3 40 to the intersection of the former Penn Central Transportation Company line at MP QBS 4 80¹ (the "Sudbury Extension Request") (The entire line in the above captioned matter consists of a 4 80-mile portion of a line of railroad known as the Albany Division, Fitchburg Subdivision, extending from milepost QBS 0 00 at Framingham to milepost QBS 4 80 at South Sudbury, in Middlesex County, MA (the "Line"))

CSX Transportation, Inc ("CSXT"), as successor by merger to New York Central Lines, LLC, acknowledges the Sudbury Extension Request and wishes to continue the negotiations for an NITU regarding the Sudbury Line and therefore concurs in the request for an extension of the negotiating deadline to May 18, 2008 and also requests an extension of the consummation deadline for abandonment of the Line to July 17, 2008 ^[2]

¹ It appears that Sudbury inadvertently described the end point of the Sudbury Line at "MP QBS 4 90" instead of "MP QBS 4 80" CSXT (as defined in this letter) does not believe this is a disputed issue, but merely a typographical error that CSXT did not raise with Sudbury earlier

^[2] The most recent extension for negotiating trail use for the Line expired on November 20, 2007 (the "Negotiating Deadline") and the current consummation deadline for consummating the abandonment is January 15, 2008, however, CSXT is still actively negotiating with Sudbury and desires to continue such negotiations

Honorable Vernon A. Williams, Secretary
Surface Transportation Board
November 21, 2007

**Re: Docket No. AB-565 (Sub-No. 1X), New York Central Lines, LLC—
Abandonment Exemption in Middlesex County, Massachusetts**

In addition, the remaining 3.4-mile portion of the Line (the "Framingham Line"), which portion of the Line extends from milepost QBS 0.00 at Framingham to milepost QBS 3.40 at the Framingham town line (the "Framingham Line"), is also subject to the Negotiating Deadline. However, CSXT also has not consummated the abandonment with respect to the Framingham Line, has been unable to finalize NITU negotiations with the Town of Framingham ("Framingham") with respect to the Framingham Line, and desires to continue to negotiate for interim trail use/rail banking with Framingham with respect to the Framingham Line. CSXT has recently been in contact with representatives of each of Framingham and the Trust For Public Land (and understands they have also communicated regarding various options regarding the Framingham Line). Therefore, CSXT also respectfully requests an extension of the NITU negotiating deadline with respect to the Framingham Line to May 18, 2008 and requests an extension of the consummation deadline for abandonment of the Framingham Line to July 17, 2008 (collectively with the Sudbury Extension Request, the "NITU Extension Requests").

Accordingly, CSXT respectfully requests that the Board grant the NITU Extension Requests.^[3]

Enclosed are the original and ten copies of this letter, together with payment in the amount of \$350.00. Please time and date stamp the additional copy of this letter and return it in the enclosed self-addressed stamped envelope. Thank you for your assistance. If you have any questions please call or email me.

Very truly yours,



Steven C. Armbrust

cc Parties of Record

^[3] As the Board noted in its Decision in this proceeding on December 11, 2006, "[i]n the event a carrier has not consummated an abandonment at the end of the previously imposed negotiating period and has indicated its willingness to continue negotiations, the Board retains jurisdiction and the NITU negotiating period may be extended." See STB Docket AB-565 (Sub-No. 1X), December 11, 2006 (citing Birt v. STB, 90 F.3d 580, 588-90 (D.C. Cir. 1996); Grantwood Village v. Missouri Pac. R.R. Co., 95 F.3d 654, 659 (8th Cir. 1996)).