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SURFACE
TRANSPORTATION BOARD

July 10, 2007

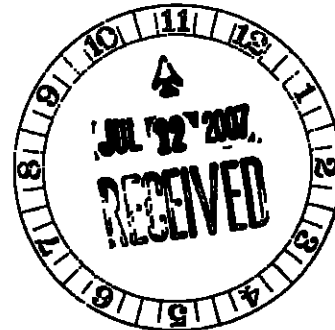
VIA DHL EXPRESS

Honorable Vernon A. Williams
Secretary
Surface Transportation Board
395 East St. SW
Washington, D. C. 20423

ENTERED
Office of Proceedings

JUL 12 2007

Part of
Public Record



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

Dear Secretary Williams:

Reference is made to the letter, dated July 3, 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 November 20, 2007.²

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".

² The most recent extension for negotiating trail use for the Line expired on May 24, 2007 (the

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. Therefore, CSXT also requests an extension of the NITU negotiating deadline with respect to the Framingham Line to November 20, 2007 (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 10 copies of this letter, together with a check in the amount of \$350. Please time and date stamp the additional copy of this letter and return it in the enclosed self addressed stamped envelop. Thank you for your assistance. If you have any questions please call or email me.

Very truly yours,



Steven C. Armbrust

cc: Partics of Record

"Negotiating Deadline") and the current consummation deadline for consummating the abandonment is July 23, 2007; however, CSXT is still negotiating with Sudbury and desires to continue such negotiations.

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)).