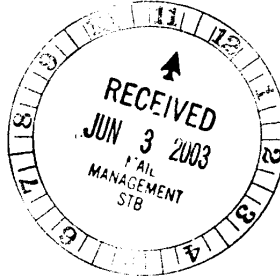


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LEONARD, STREET AND DEINARD

PROFESSIONAL ASSOCIATION



May 28, 2003

Diane P. Gerth
612-335-1463
diane.gerth@leonard.com

The Honorable Vernon Williams
Secretary, Surface Transportation Board
1925 K Street NW
Washington D.C. 20423

Re: Delaware & Hudson Railroad Company, Inc. – Abandonment of Trackage Located in Albany County, New York (U.S. Postal Zip Codes 12202, 12077, 12054, and 12186) STB Docket No. AB-156 (Sub. No. 23X)

Dear Mr. Williams:

Enclosed for filing please find the original executed Verification and Certification for the above-referenced Notice of Exemption. A facsimile copy was filed last week, and we are following up with the original executed Verification and Certification.

I have enclosed a duplicate copy of this letter and a self-addressed stamped envelope. Kindly date stamp the letter and return it to the undersigned.

If there are any questions, please do not hesitate to contact me.

Very truly yours,
LEONARD, STREET AND DEINARD
PROFESSIONAL ASSOCIATION

DIANE P. GERTH

DPG/kaa
Enclosure

ENTERED
Office of Proceedings

JUN 3 2003

Part of
Public Record

150 SOUTH FIFTH STREET SUITE 2300 MINNEAPOLIS, MINNESOTA 55402 TEL 612-335-1500 FAX 612-335-1657

LAW OFFICES IN MINNEAPOLIS, SAINT PAUL, MANKATO, SAINT CLOUD AND WASHINGTON, D.C.

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WWW.LEONARD.COM

VERIFICATION

I, Stephen Fisk, Senior Manager Business Development for the Delaware and Hudson Railway Company, Inc., hereby verify that I have carefully examined all of the statements concerning the operations over Delaware and Hudson's Voorheesville Running Track (a.k.a. Albany Main) the Notice of Exemption, including the map attached as Exhibit No. 1 to the Notice; that I have knowledge of the matters set forth therein; and that all such statements made and matters set forth are true and correct to the best of my knowledge, information, and belief.

The foregoing is made on behalf of Delaware and Hudson Railway Company, Inc., by the undersigned after due and careful investigation of the matters herein certified. I verify under penalty of perjury under the laws of the United States of America, that I have been authorized by Delaware and Hudson Railway Company, Inc., to verify and file with the Surface Transportation Board the foregoing statement; that I know the contents thereof and the facts asserted therein; that I declare that the foregoing is true and correct.

Date: may 21, 2003

Stephen Fisk

CERTIFICATION THAT RAIL LINE MEETS
CRITERIA OF 49 C.F.R. SECTION 1152.50(b)

I, Stephen Fisk, Senior Manager Business Development for the Delaware and Hudson Railway Company, Inc., hereby certify that with respect to the trackage that is the subject of this Notice of Exemption in Docket AB-156 (Sub-No. 23X), Delaware and Hudson Railway has had no movements over the subject trackage in at least two years. No local traffic has been handled to or from any customer for at least two (2) years prior to the date hereof and any overhead traffic routed over this line can be and has been rerouted over other lines. Further, I certify that no formal complaint has been filed by a user of rail service on the line (or a State or local government entity acting on behalf of such user) regarding cessation of service over the line segment and that no such complaint is either pending with the Commission or any U.S. District Court or has been decided in favor of a complainant within the two-year period immediately preceding the filing of this Notice.

The foregoing Certification is made on behalf of Delaware and Hudson Railway Company, Inc., and Canadian Pacific Railway by the undersigned after due and careful investigation of the matters herein certified. I verify under penalty of perjury under the laws of the United States of America, that I have been authorized by Delaware and Hudson Railway Company, Inc., to verify and file with the Surface Transportation Board the foregoing statement; that I know the contents thereof and the facts asserted therein; that I declare that the foregoing is true and correct.

Dated: May 16, 2003

