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BY HAND

The Honorable Vernon A. Williams, Secretary
Surface Transportation Board
Office of the Secretary
1925 K Street, NW
Washington, DC 20423-0001

207059



Re: Docket No. AB-167 (Sub-No. 1094)A — Abandonment —
Portion of the Consolidated Rail Corporation's
West 30th Street Secondary Track in New York, N.Y.

Dear Secretary Williams:

CSX Corporation and CSX Transportation, Inc. (collectively, "CSX") have seen and reviewed the letter to you of "The Friends of the Highline" ("Friends"), dated January 10, 2003, and the letter to you commenting thereon by Consolidated Rail Corporation ("Conrail"), filed on January 16, 2003.

CSX's views coincide generally with those expressed on Conrail's behalf. There are two proposals before the Board: the implementation of the CPO Motion, and the Rails-to-Trails Proposal recently put forward by the City of New York. The disposition of the Highline has been an open issue for over a decade. The two proposals each are claimed by their proponents as the solution, but the feasibility of each is questioned by the proponents of the other, citing issues properly to be decided by the Board.

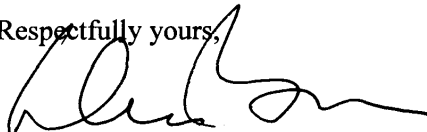
It is in the public interest that the issues be resolved promptly, and the fairest and most efficient way if for the Board to resolve the issues raised against each of the solutions as soon as legally possible, to the fullest extent within the Board's powers.

The Friends' proposal that its Motion for reopening be held in abeyance is an effort to put the solution it dislikes at a disadvantage by leaving issues related to that solution unresolved. Accommodating such a tactic will create an uneven playing field. Since the issue of reopening on environment issues has been raised, and will be raised again by The Friends when it suits them, the Board should pass on the reopening issue and resolve it expeditiously, as CSX has urged throughout the current phase of this lengthy proceeding.

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The Honorable Vernon A. Williams, Secretary
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Respectfully yours,

A handwritten signature in black ink, appearing to read "D. Lyons", written over the closing "Respectfully yours,".

Dennis G. Lyons
*Counsel for CSX Corporation and
CSX Transportation, Inc.*

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cc Parties of Record