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August 31, 2005

VIA FEDERAL EXPRESS

Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001

Re: Finance Docket No. 29963
Bay Colony Railroad Corp.--Modified Rail Certificate

Finance Docket No. 34698
Bay Colony Railroad Corp.--Petition for Declaratory Order

ENTERED
Office of Proceedings
SEP 1 2005
Part of
Public Record

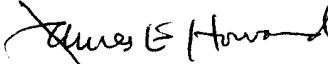
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214634

Dear Secretary Williams:

Enclosed for filing in the above captioned matters are duplicate originals and 20 copies of a "Joint Status Report and Request to Continue to Hold Proceedings in Abeyance". If you have any questions with respect to this matter, please direct them to me or to Mr. Singer. Thank you very much for your assistance.

Very truly yours,


James E. Howard

Enclosures
cc: Leonard M. Singer

BEFORE THE
SURFACE TRANSPORTATION BOARD



Finance Docket No. 29963

214633

BAY COLONY RAILROAD CORPORATION--MODIFIED RAIL CERTIFICATE

Finance Docket No. 34698

214634

BAY COLONY RAILROAD CORPORATION--PETITION
FOR DECLARATORY ORDER

JOINT STATUS REPORT AND REQUEST TO CONTINUE TO HOLD
PROCEEDINGS IN ABEYANCE

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Railroad Corporation

Dated: August 31, 2005

BEFORE THE
SURFACE TRANSPORTATION BOARD

Finance Docket No. 29963

BAY COLONY RAILROAD CORPORATION--MODIFIED RAIL CERTIFICATE

Finance Docket No. 34698

BAY COLONY RAILROAD CORPORATION--
PETITION FOR DECLARATORY ORDER

JOINT STATUS REPORT AND REQUEST TO CONTINUE
TO HOLD PROCEEDINGS IN ABEYANCE

In a decision served on July 11, 2005, the Board granted the request of the Massachusetts Bay Transportation Authority ("MBTA") and Bay Colony Railroad Corporation ("Bay Colony") to hold the above captioned proceedings in abeyance in order to afford the parties an opportunity to discuss settlement of the issues and directed the parties to report on the status of their discussions by September 1, 2005. For the reasons outlined below, the MBTA and Bay Colony respectfully request the Board to continue to hold these matters in abeyance in order to enable the parties to complete their negotiations.

The MBTA and Bay Colony have made substantial progress. In particular, it is anticipated that CSX Transportation will, within the next several days, execute and deliver to Bay Colony an assignment of easement rights with respect to freight operations on the Millis Industrial Track. In addition, the parties have prepared and are continuing to review a draft of a trackage rights agreement which would supplement the easement. It is anticipated that the

trackage rights agreement will be in final form within the next several weeks. The assignment of the easement and the completion of the trackage rights agreement will resolve all of the issues between the parties.

Given the substantial progress made thus far and the need to complete the actions described above, the MBTA and Bay Colony request the Board to continue to hold these proceedings in abeyance.

Respectfully submitted,

MASSACHUSETTS BAY
TRANSPORTATION AUTHORITY

BAY COLONY
RAILROAD CORPORATION

By its Attorney

By its Attorney

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