

109503

S. E. Manecke
307 Forest Ridge Rd.
Indiana, PA 15701
(724) 349-1681

Nov. 29, 2003

Hon. Vernon A. Williams
Secretary
Surface Transportation Board
Mercury Building, #711
1925 K Street, NW
Washington, DC 20423-0001



Re: STB Finance Docket No. 34410
Buffalo & Pittsburgh Railroad, Inc. –
Acquisition and Operation Exemption –
CSX Transportation, Inc.
Petition to Stay

Dear Secretary Williams:

Enclosed please find for filing the original and ten (10) copies of the
above-referenced Petition to Stay.

Please time stamp the extra copy of this letter to indicate receipt, and return it to
me in the stamped self-addressed envelope provided for your convenience.

Respectfully,

Siegfried E. Manecke

Enclosures

ENTERED
Office of Proceedings

DEC 1, 2003

Part of
Public Record

209503

Before the
Surface Transportation Board

Siegfried E. Manecke
307 Forest Ridge Rd.
Indiana PA 15701

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DEC 1 2003
MAIL
MANAGEMENT
STB

STB Finance Docket No. 34410

ENTERED
Office of Proceedings

DEC 1 2003

Petition to Stay and Revoke Exemption

Part of
Public Record

Dear Secretary Williams:

Petitioner Fred Manecke hereby requests the Board to stay and revoke the STB Decision of Nov. 19 in reference to the above noted case.

My name is Fred Manecke and I am a citizen of Indiana County, Pennsylvania and my interest in this proceeding originally was that the railroad would operate near the rear of my property. This is no longer my concern, since I firmly believe that even if rehabilitated, the line would never be used. My concern now is that it would be a tremendous waste of Federal Tax dollars under the TEA-21 program. I am 77 years old and collect Social Security. Since the Federal Government cannot fund Social Security properly, I must pay Federal Income Tax on 85% of my Social Security.

I only learned that this petition had been filed on the 7th of November, very soon after it appeared on the STB's web site, and had inadequate time to file a motion in opposition within the time allowed under 49 CFR 1104.13.

I oppose the Petition because this line has been inactive since 1993, when the ICC granted BPRR a discontinuance of service exemption on the line between Cloe and Homer City. A quote from that decision follows: "In order to become marginally profitable, B&P estimates that based upon current costs, the volume of coal traffic would have to increase to over 7,000 carloads per year." This would be in addition to the volume of cars produced by other shippers prior to the discontinuance. In view of this information, it is a reasonable conclusion that the BPRR could not operate profitably with a volume of only 2600 cars. (40 cars times 65 trains per year) The 1993 ICC decision also granted BPRR an abandonment exemption for the 1.86 mile line known as the Lucerne Branch.

I oppose the Petition because it is not in the public interest for the citizens of Indiana Borough and White Township. The line is totally within the county of Indiana, but there are no economic benefits for any county residents.

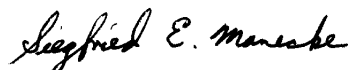
I oppose the Petition because of significant socioeconomic, cultural resource, recreational, and natural resource impacts as stated in Environmental Assessment Finance Docket No. 33928. STB Identification No. 32392.

I oppose the Petition because of the waste of natural resources that have occurred in the past ten (10) years and that are likely to occur in the next ten (10) years if the line is reactivated and not used. For the past ten (10) years school buses have been forced to stop at all the crossings in Indiana Borough, White Township and other townships in Indiana County. This has resulted in great loss of energy due to wear and tear on brakes, wear and tear on rubber, and increased fuel consumption. On Jan 8, 2001 the PUC received an application (Docket A-0011722) by PennDOT to remove the tracks at the Oakland Ave. crossing in connection with a road improvement project on Oakland Ave. A field investigation was held on Jan. 12, 2001. In addition the conference also discussed other crossings along CSX tracks in the Borough of Indiana. The result of this investigation has not been published, but obviously CSX would not agree. The docket is still an active docket after two and one half (2 ½) years.

I oppose the petition because BPRR does not have a contract to deliver coal to the Homer City Power Plant as stated by a BPRR representative after questioning at a Chamber of Commerce meeting to inform members and politicians of the status of the railroad. Also a BPRR representative made statements at that meeting that are in direct conflict with the verified statements BPRR made in the petition.

In conclusion and for the foregoing reasons, Petitioner Siegfried E. Manecke requests that the board grant this Petition to Stay and Revoke Exemption.

Respectfully submitted,



Siegfried E. Manecke
307 Forest Ridge Rd.
Indiana, PA 15701

I hereby affirm that the foregoing is true to the best of my knowledge, information and belief.

Dated: November 29, 2003



Siegfried E. Manecke

A copy of this Petition was mailed, postage prepaid, on November 29, 2003 to:

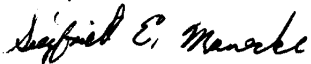
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Siegfried E. Manecke