

July 7, 2008

The Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-00001

Re: Docket No. AB-1010
CSX Transportation, Inc. Adverse Abandonment in Shelby County, TN

Docket No. AB-55 (Sub-No. 684X)
CSX Transportation, Inc — Abandonment Exemption—In Shelby County, TN

222991

Dear Acting Secretary Quinlan:

I am writing to you as counsel for Memphis Community Connector and Shelby County, Tennessee ("Trail Use Petitioners") in each of the above-referenced proceedings, which pertain to abandonment of the same CSX Transportation, Inc. ("CSXT") rail line in Shelby County, Tennessee, known as the Cordova Branch. The Trail Use Petitioners initiated the adverse abandonment action in Docket No. AB-1010 by filing a Petition for Waiver and Exemption on April 26, 2007. However, that proceeding has remained inactive since CSXT subsequently filed a Notice of Exemption to voluntarily abandon the Cordova Branch on September 7, 2007, in Docket No. AB-55 (Sub-No. 684X). Since then, the Trail Use Petitioners have engaged in negotiations with CSXT for an interim trail use/rail banking agreement in the latter docket. Because the Notice of Interim Trail Use ("NITU") issued by the Board expired on June 22, 2008, without any significant progress towards a final agreement, the Trail Use Petitioners desire to renew their adverse abandonment proceeding.

In accordance with the Board's decision served on April 30, 2008 in Docket No. AB-55 (Sub-No. 684X), CSXT must exercise its authority to abandon the Cordova Branch on or before August 21, 2008. If CSXT does so, the Trail Use Petitioners' adverse abandonment action in Docket No. AB-1010 will be rendered moot. However, if CSXT does not do so, the Trail Use Petitioners desire to promptly file their application for adverse abandonment of the Cordova Branch. But, before the Trail Use Petitioners can file their adverse abandonment application, they require action from the Board on a Petition for Reconsideration, filed on October 30, 2007, of the Board's October 10, 2007 decision in Docket No. AB-1010.

The Trail Use Petitioners are concerned that CSXT has no intention to consummate its voluntary abandonment of the Cordova Branch by the August 21st deadline. If no consummation occurs by that date, it will be apparent that CSXT's Notice of Exemption to abandon the Cordova Branch was principally a ploy to delay the adverse abandonment action. CSXT, however, can

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remove this doubt by either promptly filing its abandonment consummation notice for the Cordova Branch, or at least informing the Board in response to this letter of its intent to do so.

In the absence of such assurances from CSXT, the Trail Use Petitioners ask the Board to promptly and expeditiously issue a decision on their pending Petition for Reconsideration in Docket No. AB-1010 that will enable them to promptly file an adverse abandonment application if CSXT fails to consummate the abandonment by August 21st.

Sincerely,



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