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December 21, 2005

VIA FEDERAL EXPRESS

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

Re: Finance Docket No. 34811
New Amsterdam & Seneca Railroad Company, LLC--Lease and Operate--
Line in Fostoria, Ohio

Dear Secretary Williams:

Enclosed for filing in the above-captioned matter are the original and 10 copies of a Verified Notice of Exempt Transaction including, as Exhibit B, a caption summary in the form required by 49 CFR 1150.34. Also enclosed are a check in the amount of \$1,500 representing the filing fee and a computer disk containing the Notice and the caption summary.

Could you please date stamp the enclosed extra copy of the Notice and return it to me in the enclosed self-addressed, stamped envelope? If there are any questions with respect to this matter, please direct them to me. Thank you very much for your assistance.

Very truly yours,

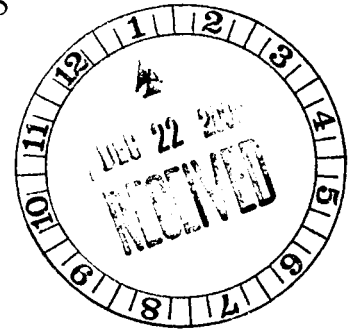
James E. Howard
James E. Howard

Enclosures

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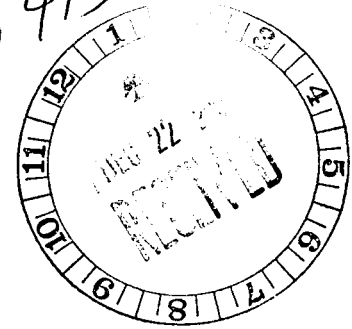
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THOMPSON SQUARE



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BEFORE THE
SURFACE TRANSPORTATION BOARD



Finance Docket No. 34811

RECEIVED
DEC 22 2005
SURFACE
TRANSPORTATION BOARD

NEW AMSTERDAM & SENECA RAILROAD COMPANY, LLC -- LEASE
AND OPERATION EXEMPTION -- LINE IN FOSTORIA, OHIO

VERIFIED NOTICE OF EXEMPT TRANSACTION

FILED
DEC 22 2005
SURFACE
TRANSPORTATION BOARD

ENTERED
Office of the Clerk

DEC 22 2005

By
Public

James E. Howard LLC
One Thompson Square
Suite 201
Charlestown, MA 02129
Tel. No. 617-886-9322

Attorney for New Amsterdam &
Seneca Railroad Company, LLC

Dated: December 21, 2005

BEFORE THE
SURFACE TRANSPORTATION BOARD

Finance Docket No. 34811

NEW AMSTERDAM & SENECA RAILROAD COMPANY, LLC -- LEASE AND
OPERATION EXEMPTION -- LINE IN FOSTORIA, OHIO

VERIFIED NOTICE OF EXEMPT TRANSACTION

In accordance with 49 C.F.R. 1150.31-1150.34, New Amsterdam & Seneca Railroad Company, LLC ("NASR") hereby submits this Verified Notice of Exempt Transaction. The following information corresponds to the requirements of 49 C.F.R. 1150.33:

49 C.F.R. 1150.33(a). The full name and address of the applicant is

New Amsterdam & Seneca Railroad Company, LLC
12500 County Road 18
Fostoria, Ohio 44830

49 C.F.R. 1150.33(b). The name, address and telephone number of the representative of the applicant who should receive correspondence is

James E. Howard
One Thompson Square
Suite 201
Charlestown, MA 02129
617-886-9322

49 C.F.R. 1150.33(c). NASR, a noncarrier, has reached an agreement with Sunny Farms Landfill, LLC ("Sunny Farms"), a noncarrier, to lease approximately 1.25 miles of track owned by Sunny Farms and located in Fostoria, Ohio. The line connects with the

Fostoria Subdivision line of CSX Transportation ("CSX") at approximately mile post BI 36.

49 C.F.R. 1150.33(d). NASR will be the operator of the line.

49 C.F.R. 1150.33(e). The proposed transaction is summarized below:

(1) The name and address of the entity which is leasing the line to NASR is

Sunny Farms Landfill, LLC
12386 Township Road
Fostoria, OH 44830

(2) The parties propose to implement the transaction on or about, but not before, January 15, 2005.

(3) The lines to be operated by NASR are approximately 1.25 miles in length, and they consist of a line which connects with the Fostoria Subdivision line of CSX at approximately mile post BI 36 in Fostoria, Ohio and 3 tracks at the end of the connecting line.

(4) NASR will be acquiring and operating a total of 1.25 miles of line.

(5) Sunny Farms is not a railroad and does not by leasing the line to NASR intend to become a railroad or to provide common carrier transportation by rail. The line was built in 2004 and has been used by Sunny Farms to switch cars to and from CSX at the connection at mile post BI 36 for the disposition of waste material at the landfill operated by Sunny Farms at the site.

By means of this transaction, NASR, a noncarrier, intends to become a common carrier by rail, and its entire rail line will initially consist of the 1.25 miles of line in Fostoria. NASR will provide common carrier rail transportation service consisting of the switching and handling of gondola cars and intermodal containers containing waste

material shipped primarily from origins in New York, Connecticut and New Jersey. NASR intends to serve additional rail customers on the line requiring transloading and intermodal services. In particular, NASR intends to develop business hauling aggregates, scrap and other commodities to destinations in New York, Connecticut and New Jersey in order to make more efficient use of gondolas and other rail cars that are delivered to the landfill. NASR expects to enter into an interchange agreement with CSX, as well as other commercial arrangements with CSX and other rail carriers, in order to handle both existing and new rail traffic to and from the line of NASR.

NASR and Sunny Farms are both wholly owned subsidiaries of Regus Industries, LLC ("Regus"), which is controlled by Gordon Reger. Mr. Reger also has a controlling interest in the New York Cross Harbor Railroad Corporation, a class III rail carrier. It is anticipated that prior to the implementation of the transaction described in this Notice, Mr. Reger will file a verified notice of exemption pursuant to 49 C.F.R. 1180.2 regarding his control of a second rail carrier.

49 C.F.R. 1150.33(f). A map indicating the line, the area to be served and roads, cities and states in the area is attached as Exhibit A.

49 C.F.R. 1150.33(g). The projected annual revenues of NASR will not exceed \$5,000,000. A certificate complying with 49 C.F.R. 1150.33(g) is attached as Exhibit B.

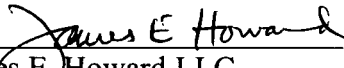
Caption Summary. A caption summary in the form prescribed by 49 C.F.R. 1150.34 is attached as Exhibit C.

Environmental and Historic Impact. In accordance with 49 C.F.R. 1105.6(c)(2), the proposed transaction does not require any environmental documentation, because there will be no significant changes that exceed the thresholds established in 49 C.F.R.

1105.7(e)(4) or (5). No historic report is required, because the proposed transaction meets the criteria of 49 C.F.R. 1105.8(b)(1).

Respectfully submitted,

NEW AMSTERDAM & SENECA
RAILROAD COMPANY, LLC


James E. Howard LLC
One Thompson Square
Suite 201
Charlestown, MA 02129
Tel. No. 617-886-9322

Attorney for New Amsterdam &
Seneca Railroad Company, LLC

Dated: December 21, 2005

VERIFICATION

State of New York :
County of ERIE : SS

Jordan Litwiniak, being duly sworn, deposes and states that he has read the foregoing Verified Notice of Exempt Transaction, knows the facts asserted there are true and the same are true as stated.



Jordan Litwiniak
Director of Operations
New Amsterdam & Seneca Railroad
Company, LLC

Subscribed and sworn to before me
this 20th day of December, 2005



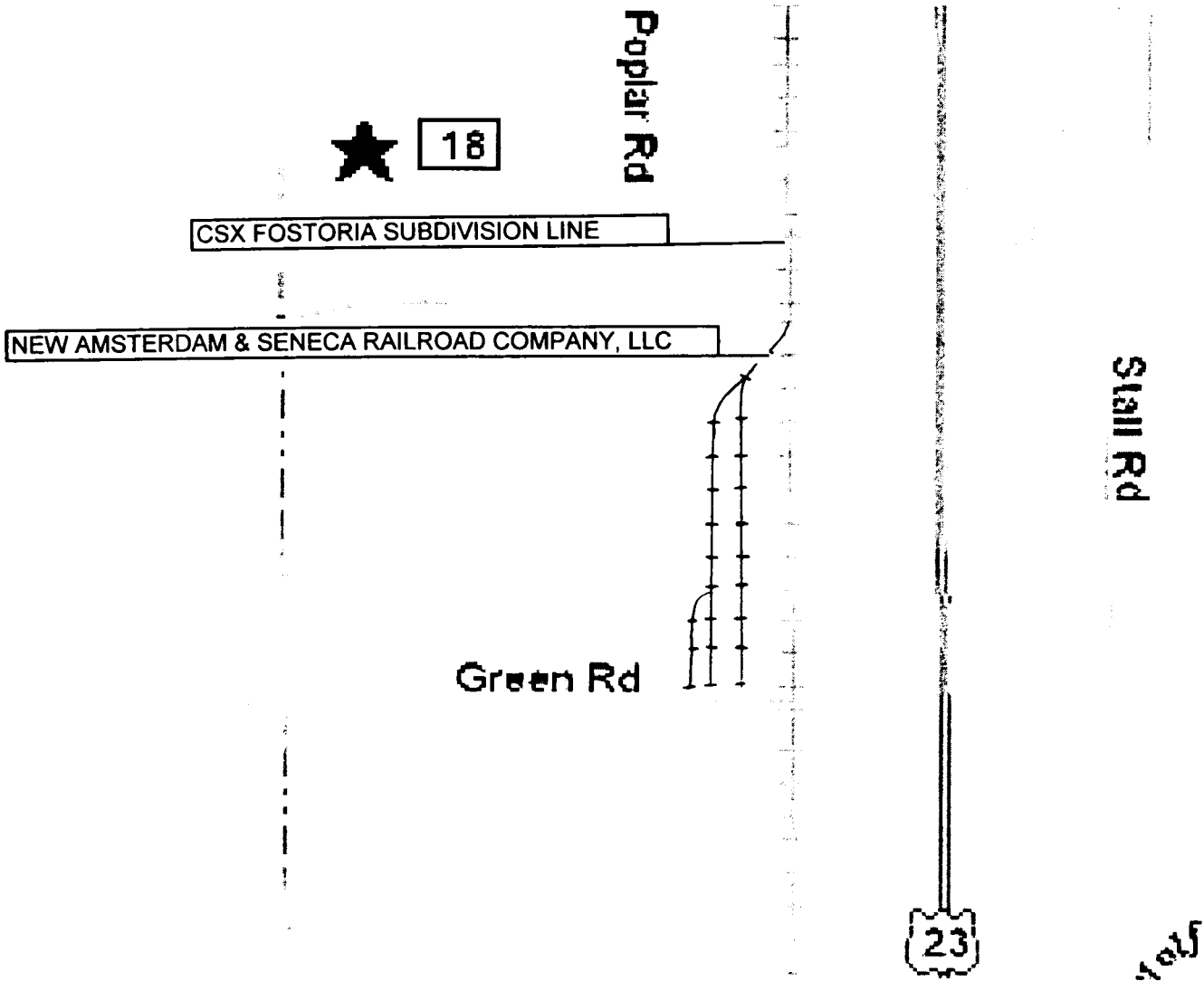
Notary Public

DOUGLAS E. SZALASNY
Notary Public, State of New York
Qualified in Erie County

My Commission Expires:

~~My Commission Expires~~ 2/1/2007

EXHIBIT A



FOSTORIA, OH

EXHIBIT B

CAPTION SUMMARY

SURFACE TRANSPORTATION BOARD

NOTICE OF EXEMPTION

Finance Docket No. 34811

NEW AMSTERDAM & SENECA RAILROAD COMPANY, LLC -- LEASE AND
OPERATION EXEMPTION -- LINE IN FOSTORIA, OHIO

New Amsterdam & Seneca Railroad Company, LLC ("NASR"), a noncarrier, has filed a Verified Notice of Exemption under 49 C.F.R. 1150.31 to lease and operate a line located in Fostoria, Ohio. The owner and lessor of the line is Sunny Farms Landfill, LLC, a noncarrier. The line is approximately 1.25 miles in length, and it connects with the Fostoria Subdivision line of CSX Transportation at mile post BI 36.

Any comments must be filed with the Surface Transportation Board and served on

James E. Howard LLC
One Thompson Square, Suite 201
Charlestown, MA 02129

This Notice is filed under 49 C.F.R. 1150.31. If the Notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke the exemption will not automatically stay the transaction.

EXHIBIT C

CERTIFICATION

I, Jordan Litwiniak, Director of Operations of New Amsterdam & Seneca Railroad Company, LLC, hereby certify under penalty of perjury that (1) the projected annual revenues of New Amsterdam & Seneca Railroad Company, LLC will not exceed \$5,000,000 and will not exceed the maximum amount for a Class III rail carrier as set forth in 49 C.F.R. 1201 and (2) I am qualified and authorized to make this certification on behalf of New Amsterdam & Seneca Railroad Company, LLC.



December 20th, 2005