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United States District Court

District of Maine

Chambers of
GENE CARTER
U.S. Senior District Judge

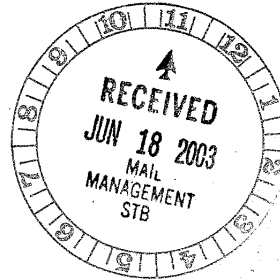
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Office of Proceedings

156 Federal Street
Portland, Maine 04101

June 13, 2003

JUN 18 2003

Part of
Public Record



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

Re: STB Finance Docket No. 33989, Pejepscot Industrial Park, Inc., d/b/a Grimmel
Industries - Declaratory Order - and Request to Expedite Decision on Petition for
Reconsideration

Dear Secretary Williams:

As I believe you may be aware, the civil suit in the above matter has been pending before this Court since April of 1999. I have met with counsel today and they have advised me that the defendant therein filed a Petition to Reconsider the Surface Transportation Board's decision dated May 9, 2003.

I am anxious, as are counsel, to move this case along in this Court since it contains state-law-based claims in addition to the federal claim that has recently been before the Board. Therefore, I respectfully request that the Board take whatever action is necessary to resolve the Petition for Reconsideration as expeditiously as possible. I will be most grateful for the Board's favorable consideration of this request.

Very truly yours,

A handwritten signature in black ink, appearing to read "Gene Carter", with a long horizontal flourish extending to the right.

Gene Carter
Senior United States District Judge

GC:ss

cc: Eric L. Hirschhorn, Esq.
James T. Kilbreth, Esq.
Glen L. Porter, Esq.

account the nature of the areas bordering the site. If that proved insufficient, noise attenuating measures would be deployed.

Q. Storage of salt and other materials on site.

A. Because of the contaminated nature of the property, we would not store salt since it may exacerbate the site conditions and clean up efforts. NET does not plan to store material on site due to the fact that any storage would lessen space for rails and reload activities and the key to success at the property would be a compact and efficient rail operation which maximizes car movements and minimizes car and material storage.

Q. Hours of operation

A. Open up to 2 shifts (16 hours per day) with closure likely occurring during the hours that NET is scheduled to exchange cars with Guilford Rail.

Q. Would NET affect or be traveling over a superfund site and a rail station located about ½ mile south of the property.

A. NET's development will not be near the referenced superfund site and our rail traffic will run north from our property to Guilford's main line in Lowell, MA and will not run to the south since there are no connecting lines to the south.

Q. NET was asked if it would delay filing with the STB until mid-July. NET indicated that it would consider delay in filing with the STB but that mid-July would be too long.

3. Meeting on June 11, 2003, at Textron Headquarters, Rte 129, Wilmington with Joe Dalton, Policy Director for Rep. Edward J. Markey (7th Dist. Mass), Patrick J. Lally, Congressional Aide for Rep. Edward J. Markey (7th Dist. Mass), Gary M Barrett, District Director for Rep. John F. Tierney (6th Dist. Mass), and Carolyn Stewart, Communications Director District Director for Rep. John F. Tierney (6th Dist. Mass).

Summary of Discussions:

Presented relationship of reloading facilities and long hauls and the need for such reloading facilities. Discussed the nature of the public meeting and answered questions similar to those raised at the May 28, 2003 meeting.