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December 19, 2014

237291

VIA E-FILING

Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

ENTERED
Office of Proceedings
December 19, 2014
Part of
Public Record

Re: ***Massachusetts Department of Transportation – Acquisition Exemption –
Certain Assets of CSX Transportation, Inc., STB Docket No. FD 35892***

Dear Ms. Brown:

Today, the Massachusetts Department of Transportation (“MassDOT”) tendered under separate cover the following two filings in the above-referenced proceeding: (1) a verified notice of exemption (the “Notice”) encompassing MassDOT’s acquisition of certain railroad assets in the Commonwealth of Massachusetts owned by CSX Transportation, Inc. (“CSXT”); and (2) MassDOT’s motion (the “Motion”) to dismiss the concurrently-filed Notice as involving a transaction that does not require Board authorization.

In connection with those filings, MassDOT has taken the added step of notifying the three freight customers located along the line in question of the proposed railroad assets transaction and corresponding Board proceeding by mailing today to each customer (identified in the enclosed list that CSXT has supplied) a copy of the Notice and Motion via USPS first class service, postage prepaid. An example of the cover letter included in the package to each customer is also enclosed herewith.

If there are any questions about this matter, please contact me directly, either by telephone: (312) 252-1504 or by email: rwimbish@fletcher-sippel.com.

Respectfully submitted,



Robert A. Wimbish
Attorney for Massachusetts
Department of Transportation

Enclosures (2)

CSXT FRAMINGHAM SECONDARY CUSTOMERS

Robert Bury Panels Inc.
One Mill Pond Road
Walpole, MA 02081
Contact: Kevin Walsh
Phone: (508)-660-2879

Foxboro Terminals
208 North St.
Foxboro, MA 02035
Contact: Joe Gualtieri
Phone: (508) 543-1119 x1410

JP Noonan Transportation, Inc.
PO Box 400
West Bridgewater, MA 02379
Contact: Jim Queenan

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December 19, 2014

Robert Bury Panels Inc.
Attn: Kevin Walsh
One Mill Pond Road
Walpole, MA 02081

**Re: *Massachusetts Department of Transportation – Acquisition Exemption –
Certain Assets of CSX Transportation, Inc., STB Docket No. FD 35892***

Dear Mr. Walsh:

Today, the Massachusetts Department of Transportation (“MassDOT”) submitted filings to the U.S. Surface Transportation Board (“STB”) in connection with MassDOT’s proposed acquisition of certain railroad assets in Massachusetts owned by CSX Transportation, Inc. (“CSXT”). The railroad assets consist of a rail route commonly referred to as the Framingham Secondary extending from Mansfield, MA, to Framingham, MA. The transaction parties to hope to consummate the asset transaction by or before March 20, 2015.

Of note, the subject railroad asset sale will not involve a transfer of freight operating rights. CSXT will retain its existing freight carrier rights and obligations. Accordingly, MassDOT does not foresee a material change in service arrangements for CSXT customers as a result of the proposed transaction.

The enclosed materials, provided to you as information and as a courtesy, are the regulatory filings submitted to the STB today in connection with this transaction. *You are not expected or obligated to participate in the STB proceeding, but you are entitled to do so if you wish.*

If you have any questions, you are welcome to contact the undersigned counsel for MassDOT, or you may direct inquiries directly to CSXT. Should you decide to contact CSXT, please direct your inquiries to CSXT’s counsel as follows: Lou Gitomer, 600 Baltimore Avenue, Suite 301, Towson, MD, 21204; (410) 296-2250, Lou@lgraillaw.com.

Sincerely,



Robert A. Wimbish
Attorney for Massachusetts
Department of Transportation

Enclosures