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Admitted in FL

November 2, 2011

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Via electronic filing:

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

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Re: Docket No. AB-565 (Sub-No. 1X), *New York Central Lines, LLC—Abandonment Exemption—in Middlesex County, MA*

Dear Ms. Brown:

By letter filed on November 1, 2011, the Town of Sudbury (“Sudbury”) requests a 180-day extension of the NITU negotiating deadline for the 1.4-mile portion of the line (the “Sudbury Line”) that extends north from the Framingham town line at MP QBS 3.40 to the intersection of the former Penn Central Transportation Company line at MP QBS 4.80¹ in the above captioned matter. (The entire line in the above captioned matter consists of a 4.80-mile line of railroad known as the Albany Division, Fitchburg Subdivision, extending from milepost QBS 0.00 at Framingham to milepost QBS 4.80 at South Sudbury, in Middlesex County, MA (the “Line”).)

CSX Transportation, Inc. (“CSXT”), as successor by merger to New York Central Lines, LLC, has not consummated the abandonment, has been unable to finalize negotiations with Sudbury, and desires to continue to negotiate for interim trail use/rail banking with Sudbury. Accordingly, CSXT agrees to a 180-day extension of the NITU negotiating period (i.e., until April 27, 2012)² to continue negotiations with Sudbury.

As provided in 49 CFR 1152.29(e)(2), the extension of the NITU negotiation period until April 27, 2012, creates a regulatory barrier to consummation of the abandonment, which provides CSXT with an additional 60 days to consummate the abandonment to June 26, 2012, if trail negotiation is unsuccessful. CSXT respectfully requests that the Board confirm that the extension of the consummation period as provided in the regulations applies in this instance.

¹ It appears that Sudbury inadvertently described the end point of the Sudbury Line at “MP QBS 4.90”. CSXT (as defined in this letter) does not believe this is a disputed issue, but merely a typographical error.

² The current NITU negotiating period for the Sudbury Line expired on October 30, 2011. Sudbury appears to have inadvertently calculated the 180-day extension of the NITU negotiating deadline to be May 2, 2012 – as opposed to April 27, 2012. Although CSXT would accept either date as the new NITU negotiating deadline, CSXT respectfully suggests setting the date to April 27, 2012 to avoid confusion in the future.

Cynthia T. Brown
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CSXT is e-filing this notice. Thank you for your assistance. If you have any questions please call or email me.

Very truly yours,


Kathryn R. Barney

cc: Maureen G. Valente