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SEC

SERVICE DATE - JULY 16, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 34375

JAMES RIFFIN, DBA NCCR L.L.C.–CONSTRUCTION, OPERATION AND
TRACKAGE RIGHTS EXEMPTIONS–IN BALTIMORE COUNTY, MD

Decided: July 15, 2003

On July 7, 2003, James Riffin, dba NCCR L.L.C. (NCCR), filed a verified notice of exemption seeking authority to (a) construct and operate what NCCR describes as 20.9 miles of industrial track and 5 spurs, and (b) acquire trackage rights from Norfolk Southern Corporation (NS) over a line operated by its subsidiary, Norfolk Southern Railway Company (NSR), between milepost 14.2 and milepost 14.35 on NSR's Cockeyville Industrial Track near Cockeyville, MD, in Baltimore County, MD. On July 11, 2003, NS and NSR filed a request to stay the effectiveness of the notice.

On July 14, 2003, NCCR filed a letter to withdraw its verified notice of exemption in this proceeding. NCCR states that it plans to file a petition for exemption in lieu of the notice at a later date. NCCR's request to withdraw will be granted and the proceeding will be dismissed. Because the notice is being withdrawn and the proceeding is being dismissed, it is unnecessary to act upon Norfolk Southern's stay request.

It is ordered:

1. The request to withdraw the verified notice of exemption is granted and the proceeding in STB Finance Docket No. 34375 is dismissed.
2. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary