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SERVICE DATE – AUGUST 9, 2005

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 34690

NEW HAVEN NATIONAL RAIL TERMINAL
TRANSPORTATION COMPANY, L.L.C.
– LEASE AND OPERATION EXEMPTION –
3.5 MILES OF TRACK IN THE FORMER CEDAR HILL YARD,
NEW HAVEN AND NORTH HAVEN, CT

Decided: August 8, 2005

On June 8, 2005, New Haven National Rail Terminal Transportation Company, L.L.C. (NHNRT), a noncarrier, filed a verified notice of exemption under 49 CFR 1150.31 to lease and operate approximately 3.5 miles of track located in Connecticut, in the City of New Haven and the Town of North Haven, in the former Cedar Hill Yard.

By decision served June 14, 2005, the notice of exemption filed by NHNRT in this proceeding was held in abeyance pending further order of the Board. That decision also stated that the exemption purported to be covered by the notice would not become effective, in either the then current form of the notice or an amended form, in the absence of a further order of the Board. NHNRT was also ordered to file, on August 8, 2005, either an amendment to its notice or a motion to dismiss its notice.

By letter filed August 8, 2005, NHNRT has requested an extension, to September 9, 2005, of the deadline by which it must either amend its notice or move to dismiss it.

The extension request is reasonable, and, therefore, it will be granted.

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The notice of exemption filed by NHNRT in this proceeding will continue to be held in abeyance pending further order of the Board and the exemption purported to be covered by the notice may not become effective, in either the form of the notice filed June 8, 2005, or an amended form, in the absence of a further order of the Board.

2. NHRRT shall file, by September 9, 2005, either an amendment to its notice or a motion to dismiss its notice.

3. This decision is effective on August 9, 2005.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary