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SEC

SERVICE DATE - MARCH 25, 2002

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-596

NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION — ADVERSE
ABANDONMENT — NEW YORK CROSS HARBOR RAILROAD
IN BROOKLYN, NY

Decided: March 22, 2002

On December 4, 2001, New York City Economic Development Corporation (NYCEDC), on behalf of the City of New York (City), filed an application under 49 U.S.C. 10903 requesting that the Board find that the public convenience and necessity require or permit the adverse abandonment of the tracks and facilities at the Bush Terminal Yards (a/k/a “First Avenue Yards”) and the floatbridge and related tracks at the Harborside Industrial Center (a/k/a “Brooklyn Army Terminal”) (jointly the tracks and facilities) in Brooklyn, Kings County, NY. The New York Cross Harbor Railroad (NYCH) presently operates over the tracks and facilities under a lease with the City and protests the application.

By letter filed on March 20, 2002, NYCEDC asks that the proceeding be held in abeyance for 60 days to allow the parties to engage in discussions regarding potential solutions to the issues raised in this proceeding. In its filing, NYCEDC represents that it is authorized by NYCH to file the letter as a joint request. NYCEDC states that the parties will notify the Board as to the status of the discussions at the end of the 60-day period.

The request to hold the proceeding in abeyance is reasonable and will be granted.

It is ordered:

1. This proceeding will be held in abeyance for 60 days from the date of service.
2. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary