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SERVICE DATE – LATE RELEASE JANUARY 15, 2010

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 35314

DECISION

MASSACHUSETTS COASTAL RAILROAD, LLC—ACQUISITION—
CSXT TRANSPORTATION, INC.

Decision No. 3

Decided: January 15, 2010

NOTICE TO THE PARTIES:

The attached service list has been compiled from notices of intent to participate submitted in accordance with the procedural schedule set forth in Decision No. 2, served on December 21, 2009,¹ as corrected in a notice served on December 23, 2009.

Each person actively participating as a Party of Record in this proceeding must, by January 25, 2010, serve a copy of all filings submitted so far in this proceeding on each Party of Record (designated on the attached service list as “Party of Record”) to the extent such filings have not previously been served upon such other parties. Each Party of Record also will be required to file with the Board, by January 25, 2010, a certificate of service, indicating that the service required by the preceding sentence has been accomplished.

Any document filed in this proceeding must be filed either via the Board’s e-filing format or in the traditional paper format. Any person e-filing a document should attach a document and otherwise comply with the instructions found on the Board’s website at “www.stb.dot.gov” at the “E-FILING” link. Any person filing a document in the traditional paper format should send to the Board an original and 10 paper copies of the document (and also an electronic version).

Every filing made by a Party of Record after the service date of this Notice must have its own certificate of service indicating that all Parties of Record on the service list have been served with a copy of the filing. As stated in Decision No. 2, Members of the United States Congress and Governors are not parties of record and, therefore, need not be served with copies of filings, unless any such Member of Congress or Governor has requested to be, and is designated as, a Party of Record.

¹ Decision No. 2 was published at 74 Fed. Reg. 68301-05 (Dec. 23, 2009), and the corrective notice was published at 74 Fed. Reg. 68909 (Dec. 29, 2009).

All persons on the attached service list should review the list and determine whether information about their address and status (as a Party of Record or Non-Party) is correct. The list reflects the Board's policy of allowing only one official representative per party to be placed on the service list. In this proceeding, if a request was made in the notice of intent to participate to have more than one name added to the service list as a Party of Record representing a particular entity, the extra name was added to the service list as a "Non-Party." Any person designated as a Non-Party will receive copies of Board decisions, orders, and notices but not copies of official filings. Persons seeking to change their status must accompany that request with a written certification that he or she has complied with the service requirements set forth at 49 CFR 1180.4, and any other requirements set forth in Decision No. 2 and this notice.

Requests to change or correct service list information, or to be deleted from the service list, must be filed **in writing** with the Board by January 25, 2010. Parties must submit such requests either via the Board's e-filing format or in the traditional paper format (an original plus 10 copies). Requests submitted in the paper format should be directed to:

Surface Transportation Board
Re: STB Finance Docket No. 35314
395 E Street, S.W.
Washington, DC 20423-0001

By the Board, Rachel D. Campbell, Director of the Office of Proceedings.

SERVICE LIST

PARTY OF RECORD

John H. Broadley
John H. Broadley & Associates, P.C.
Canal Square
1054 Thirty-First Street, N.W.
Washington, D.C. 20007

Represents: Mass Coastal Railroad, LLC

PARTY OF RECORD

Louis E. Gitomer
Law Offices of Louis E. Gitomer, LLC
600 Baltimore Avenue, Suite 301
Towson, MD 21204

Represents: CSX Transportation, Inc.

PARTY OF RECORD

Richard S. Edelman
O'Donnell, Schwartz & Anderson
1300 L Street, N.W.
Suite 1200
Washington, D.C. 20005

Represents: Brotherhood of Railroad Signalmen and Brotherhood of Maintenance of Way
Employes Division/IBT

PARTY OF RECORD

James E. Howard
1 Thompson Square
Suite 201
Charlestown, MA 02129

Represents: Bay Colony Railroad Corp.

PARTY OF RECORD

Clinton J. Miller
United Transportation Union
14600 Detroit Avenue
Cleveland, OH 44107

NON-PARTY

Steven C. Armbrust
CSX Transportation, Inc.
500 Water Street J-150
Jacksonville, FL 32202

NON-PARTY

Peter J. Shudtz
CSX Transportation, Inc.
500 Water Street J-150
Jacksonville, FL 32202

NON-PARTY

Melanie B. Yasbin
Law Offices of Louis E. Gitomer, LLC
600 Baltimore Avenue, Suite 301
Towson, MD 21204

Represents: CSX Transportation, Inc.