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February 8, 2012

Ms. Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D. C. 20423

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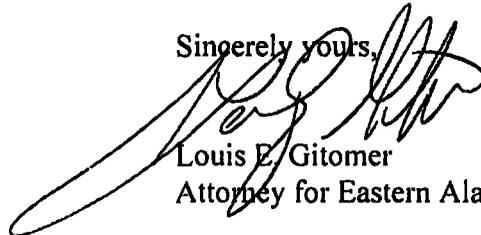
RE: **Finance Docket No. 35583, *Eastern Alabama Railway LLC v. Utilities Board of the City of Sylacauga***

Dear Ms. Brown:

It has come to the attention of the Eastern Alabama Railway LLC that the Opening Statement in the above entitled proceeding inadvertently included as Exhibit C a document related to settlement negotiations. We request the Board to delete Exhibit C from the Opening Statement and not publish it on the Board's web site. For the Board's convenience, a copy of the Opening Statement without Exhibit C is enclosed. We apologize for any trouble this may have caused the Board.

Thank you for your assistance. If you have any questions please call or email me.

Sincerely yours,



Louis E. Gitomer
Attorney for Eastern Alabama Railway LLC

Enclosure

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Office of Proceedings

FEB 09 2012

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Public Record