

LAW OFFICES OF
LOUIS E. GITOMER, LLC.

LOUIS E. GITOMER
Lou@lgraillaw.com

MELANIE B. YASBIN
Melanie@lgraillaw.com
410-296-2225

600 BALTIMORE AVENUE, SUITE 301
TOWSON, MARYLAND 21204-4022
(410) 296-2250 • (202) 466-6532
FAX (410) 332-0885
234254

May 16, 2013

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

ENTERED
Office of Proceedings
May 16, 2013
Part of Public
Record

RE: **Docket No. AB-55 (Sub-No. 656X), CSX Transportation, Inc.–
Abandonment Exemption– in Marion County, WV**

Dear Ms. Brown:

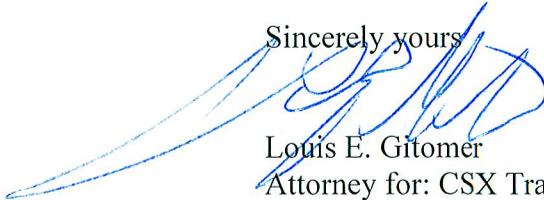
CSX Transportation, Inc. (“CSXT”) responds to the letter filed by the Marion County Commission (“Marion”) on May 16, 2013, seeking an extension of time to negotiate interim trail use/rail banking.

CSXT agrees with Marion to the extension of time until November 25, 2013 to negotiate interim trail use/rail banking for the 17.51-mile rail line on its Southern Region, Huntington Division East, Fairmont Subdivision, between Barrackville, milepost BS-306.32, and Mannington, milepost BS-319.48, including the Dents Run Spur between milepost BSB 0.00 and milepost BSB 4.35, in Marion County, WV (the “Line”). CSXT has not consummated the abandonment of the Line.

As provided in 49 CFR 1152.29(e)(2), the extension of the trail negotiation period until November 25, 2013, creates a regulatory barrier to consummation of the abandonment, which provides CSXT with an additional 60 days to consummate the abandonment to July 28, 2013, if trail negotiation is unsuccessful. CSXT respectfully requests that the Board confirm that the extension of the consummation period as provided in the regulations applies in this instance.

CSXT is efilng this response. Thank you for your assistance. If you have any questions please call or email me.

Sincerely yours



Louis E. Gitomer

Attorney for: CSX Transportation, Inc.

cc: Kris Cinalli