

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**STB Finance Docket No. 35749**

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**Boston and Maine Corp., et al. v. Town of Winchester, et al. –  
Petition for Declaratory Order**

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234528  
ENTERED  
Office of Proceedings  
July 11, 2013  
Part of  
Public Record

**MOTION TO PARTICIPATE AS *AMICUS CURIAE* OF  
CSX TRANSPORTATION, INC.;  
HOUSATONIC RAILROAD COMPANY, INC.;  
MASSACHUSETTS RAILROAD ASSOCIATION; AND  
NORFOLK SOUTHERN RAILWAY COMPANY**

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Dated: July 11, 2013

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CSX Transportation, Inc.; Housatonic Railroad Company, Inc.; Massachusetts Railroad Association; and Norfolk Southern Railway Company (collectively, “Amici”) hereby move to participate as *amicus curiae* based on their interests in the matters that are the subject of the above-captioned proceeding. As stated in the brief that Amici submit with this motion, the issue presented is one of great legal and policy significance to railroads and their customers. Amici are particularly interested in this proceeding because the outcome of this matter will shape state and local involvement in and regulation of the provision of common carrier rail service to customers located within the Commonwealth of Massachusetts (where the impact of the Board's decision will be felt most immediately), and ultimately to rail-served customers throughout the nation.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I, Robert A. Wimbish, hereby certify that on this date I served by first class mail, postage prepaid, a copy of the foregoing motion to participate as *amicus curiae* in STB Docket No. 35749, *Boston and Maine Corp., et al. v. Town of Winchester, et al. – Petition for Declaratory Order* on all parties of record.

R. A. Wimbish

Dated: July 11, 2013