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May 28, 2013



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

Re: Docket No. AB-55 (Sub-No. 731X), CSX Transportation, Inc.—
Discontinuance of Service Exemption—in Oswego County, NY

Dear Ms Brown,

Enclosed are the original and 10 copies of a Verified Notice of Exemption for CSX Transportation, Inc. ("CSXT") to discontinue service over an approximately 0.85-mile rail line on its Northern Region, Albany Division, Fulton Subdivision, between milepost QMF 37.10 at the connection with CSXT's main line and milepost QMF 37.95 at the end of track, in Oswego County, NY. Also enclosed are a check for the filing fee of \$3,700, and a computer diskette containing the Notice in WORD and pdf format

Please time and date stamp the additional copy of this letter and Notice and return it in the enclosed prepaid envelope.

Thank you for your assistance. If you have any questions, please contact me.

Sincerely yours,

Louis E. Gitomer, Esq.
Attorney for CSX Transportation, Inc

Enclosure

FEE RECEIVED

MAY 28 2013

SURFACE
TRANSPORTATION BOARD

FILED

MAY 28 2013

SURFACE
TRANSPORTATION BOARD

ENTERED
Office of Proceedings

MAY 28 2013

Part of
Public Record

234306

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-55 (Sub-No. 731X)



CSX TRANSPORTATION, INC.—DISCONTINUANCE OF SERVICE EXEMPTION—
IN OSWEGO COUNTY, NY

VERIFIED NOTICE OF EXEMPTION

FEE RECEIVED
MAY 28 2013
SURFACE
TRANSPORTATION BOARD

FILED
MAY 28 2013
SURFACE
TRANSPORTATION BOARD

Steven C. Armbrust, Esq.
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
(904) 359-1229

Louis E. Gitomer, Esq.
Melanie B. Yasbin, Esq.
Law Offices of Louis E. Gitomer, LLC
600 Baltimore Avenue, Suite 301
Towson, MD 21204
(410) 296-2250
Lou@lgraillaw.com

Attorneys for CSX TRANSPORTATION,
INC.

Dated. May 28, 2013

ENTERED
Office of Proceedings
MAY 28 2013
Part of
Public Record

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No AB-55 (Sub-No. 731X)

CSX TRANSPORTATION, INC.— DISCONTINUANCE OF SERVICE EXEMPTION—
IN OSWEGO COUNTY, NY

VERIFIED NOTICE OF EXEMPTION

CSX Transportation, Inc (“CSXT”) files this Verified Notice of Exemption pursuant to the class exemption at 49 C.F.R. § 1152.50 for CSXT to discontinue service over an approximately 0.85-mile rail line on its Northern Region, Albany Division, Fulton Subdivision, between milepost QMF 37.10 at the connection with CSXT’s main line and milepost QMF 37.95 at the end of track, in Oswego County, NY (the “Line”). No local rail traffic has moved over the Line during the past two years. Any overhead traffic on the Line can be and has been rerouted.

Based on information in the possession of CSXT, the Line does not contain federally granted rights-of-way. Any documentation in the railroad’s possession will be made available promptly to those requesting it.

1. Proposed consummation date. The proposed consummation date is July 17, 2013.
2. Certification required by 49 C.F.R. § 1152.50(b). See Exhibit A.
3. Information required by 49 C.F.R. § 1152.22(a)(1) through (4), (7), and (8), and (c)(4).

(a) General.

- (1) Exact name of applicant. CSX Transportation, Inc.

(2) Whether applicant is a common carrier by railroad subject to 49 U.S.C.

Subtitle IV, Chapter 105. CSXT is a common carrier by railroad subject to 49 U.S.C Subtitle IV, Chapter 105.

(3) Relief sought. CSXT seeks to use the class exemption at 49 C.F.R. § 1152.50 to discontinue service over an approximately 0.85-mile rail line on its Northern Region. Albany Division, Fulton Subdivision, between milepost QMF 37.10 at the connection with CSXT's main line and milepost QMF 37 95 at the end of track, in Oswego County, NY The Oswego station is at milepost QMF 37.10, FSAC 17335, and OPSL 47385

(4) Map. See Exhibit B.

(7) Name, title, and address of representative of applicant to whom correspondence should be sent. Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, (410) 296-2250. Lou@lgraillaw.com

(8) List of all United States Postal Service ZIP Codes that the line proposed for discontinuance traverses. The Line traverses U.S. Postal ZIP Code 13126.

(c) Rural and community impact.

(4) Statement of whether the properties proposed to be discontinued are appropriate for use for other public purposes, including roads and highways, other forms of mass transportation, conservation, energy production or transmission, or recreation. If the applicant is aware of any restriction on the title to the property, including any reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed

CSXT is discontinuing service over the Line because the customer who used the Line is being served by CSXT from a portion of its line prior to the beginning of the discontinuance. The Line has been inactive. Once discontinuance of service is authorized, CSXT has agreed to allow the three private at-grade crossings to be paved over. Since service on the Line is being discontinued and not abandoned and CSXT is retaining the Line for future reactivation if demand for rail service resumes, the Line is not available for public use purposes. *See, Central Illinois Railroad Company—Discontinuance of Service Exemption—in Cook County, Ill., Docket No AB 1066 (Sub-No. 2X) slip op at 3 (STB served November 16, 2010)*

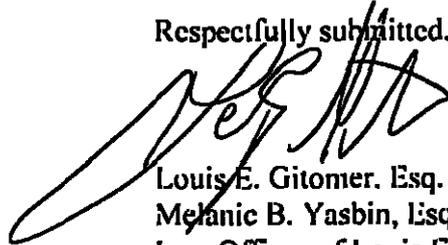
4. The level of labor protection. The interests of any railroad employees who may be adversely affected by the proposed discontinuance of service will be adequately protected by the labor protective conditions in *Oregon Short Line R. Co. –Abandonment–Goshen*, 360 I.C.C. 91 (1979).

5. Certification. Certificates of compliance with the notice requirements of 49 C.F.R. §§ 1152.50(d)(1) and 1105.11 are attached as Exhibit C.

6. Environmental Report. CSXT is not salvaging the track and materials on the Line. It is merely removing the rail from private grade crossings to allow them to be paved over. Because the shipper will continue to receive rail service over another track and the Line has not been used in several years, there will be no diversion of traffic from rail to truck. Therefore, CSXT does not have to prepare or file an Environmental Report. 49 C.F.R. §1105.6(c)(2).

7. Historic Report. CSXT is discontinuing service over the Line. It is not salvaging the track and materials on the Line. There will be no impact on historic properties. Therefore, CSXT does not have to prepare or file an Historic Report. 49 C.F.R. §1105.8(a).

Respectfully submitted.



Steven C. Armbrust, Esq.
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
(904) 359-1229

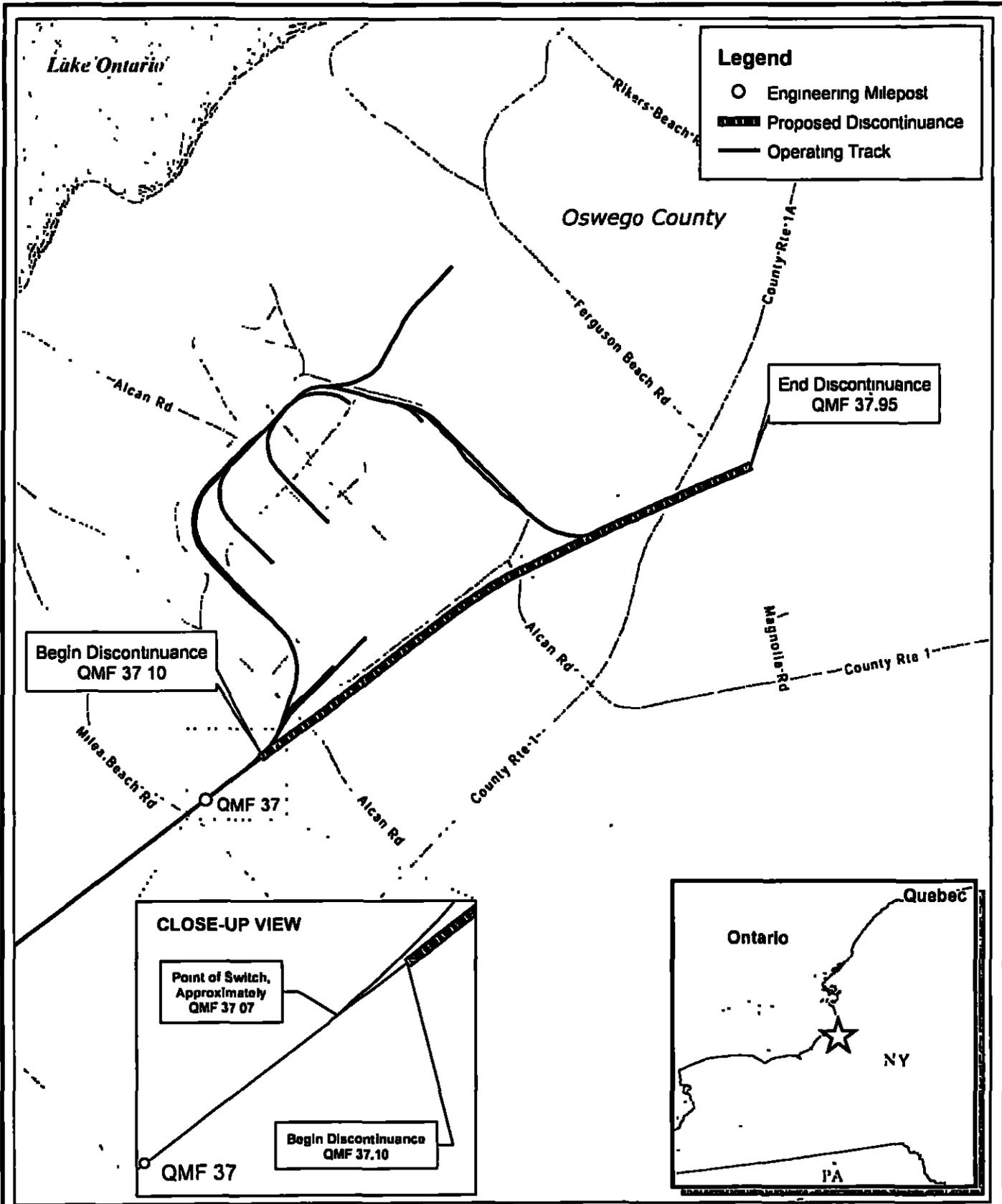
Louis E. Gitomer, Esq.
Melanie B. Yasbin, Esq.
Law Offices of Louis E. Gitomer
600 Baltimore Avenue, Suite 301
Towson, MD 21204
(410) 296-2250
Lou@lgraillaw.com

Attorneys for: CSX TRANSPORTATION,
INC

Dated. May 28, 2013

EXHIBIT A-VERIFICATION AND CERTIFICATION

EXHIBIT B-MAP



CSX Real Property, Inc

CSX Transportation, Inc.
Proposed Discontinuance of Service
STB Docket AB 55 (Sub-No. 731x)
QMF 37.10 to QMF 37.95
Albany Division - Fulton Subdivision
Oswego County, NY

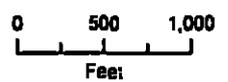


EXHIBIT C-CERTIFICATES OF SERVICE AND PUBLICATION

Pursuant to 49 C.F.R. § 1152.50 (d) (1), the undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 731X) was mailed via first class mail on May 16, 2013, to the following parties:

State Public Service Commission

Hon. Jaelyn A. Brillling
Secretary to the Commission
New York State Public Service Commission
Empire State Plaza
Agency Building 3
New York, NY 12223-1350

Military Traffic Management Command

Headquarters
Military Surface Deployment and Distribution Command
Transportation Engineering Agency
ATTN: SDTE-SA (Railroads for National Defense)
1 Soldier Way, Building 1900W
Scott AFB, IL 62225

National Park Service

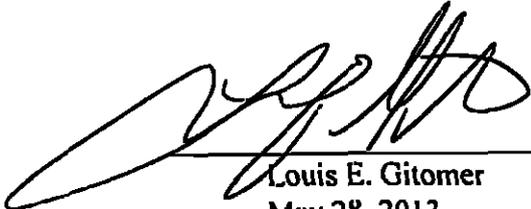
Mr. Rick Potts
Chief, Conservation and Outdoor Recreation Division
Rivers, Trails and Conservation Assistance Program National Park Service
1849 C Street, N.W. (Org Code 2220)
Washington, DC 20240

National Park Service

U.S. Department of Interior
National Park Service
Land Resources Division
1849 C Street, N.W.
Washington, DC 20240

U.S. Department of Agriculture

U.S. Department of Agriculture
Chief of the Forest Service
1400 Independence Avenue, S W
Washington, DC 20250-0003



Louis E. Gitomer
May 28, 2013

CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 731X) in the following form was advertised on May 23, 2013 in The Palladium Times, a newspaper of general circulation in Oswego County, NY as required by 49 C.F.R. § 1105.7(c) and 12.



Louis E. Gitomer
May 28, 2013

Notice of Intent To Discontinue Service

CSX Transportation, Inc. ("CSXT") gives notice that on or about May 28, 2013, it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments permitting the discontinuance of service over an approximately 0.85-mile rail line on its Northern Region, Albany Division, Fulton Subdivision, between milepost QMF 37.10 at the connection with CSXT's main line and milepost QMF 37.95 at the end of track, which traverses through United States Postal Service ZIP Code 13126, in Oswego County, NY. The proceeding will be docketed as No. AB-55 (Sub-No. 731X)

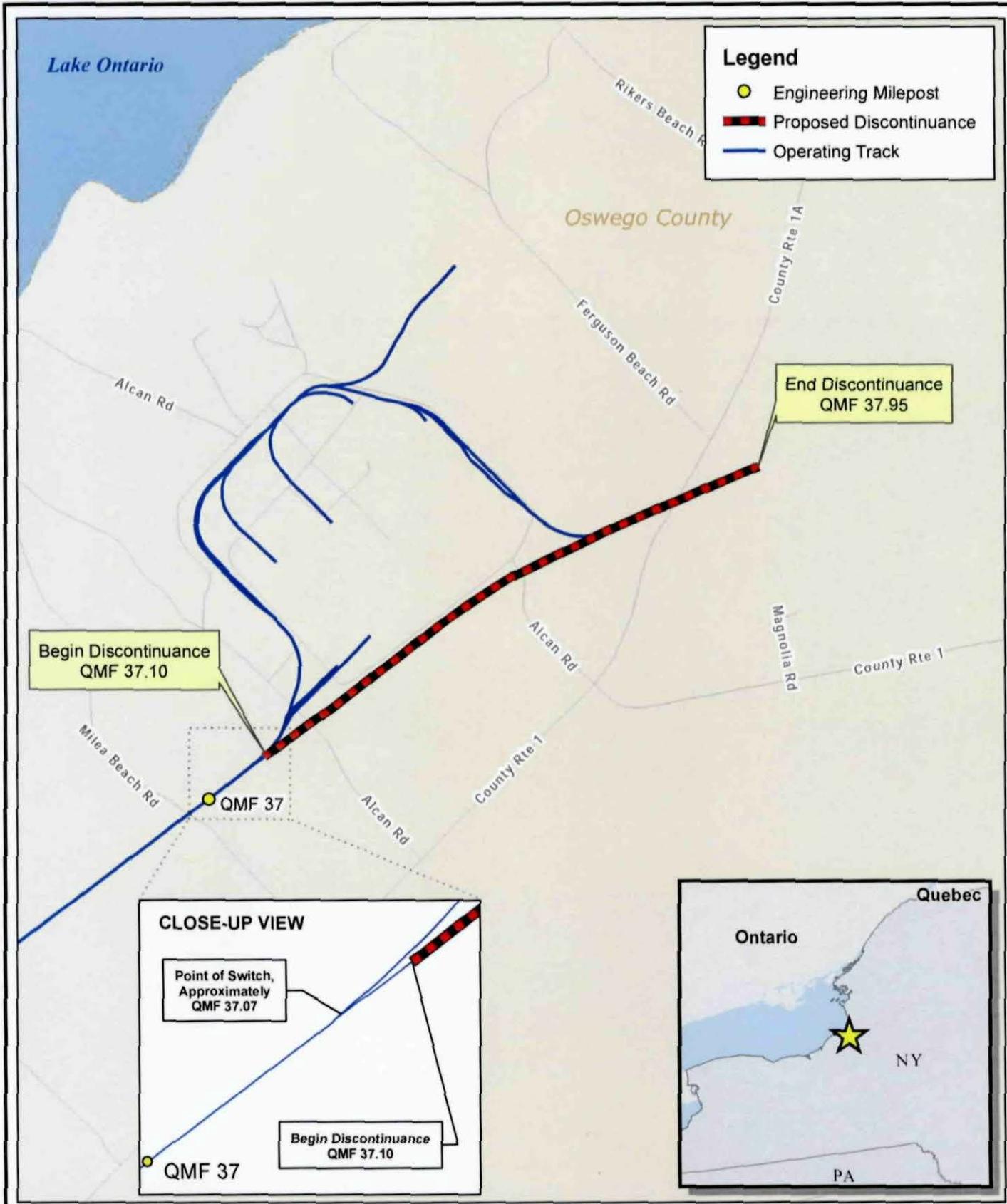
The Board's Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the OEA, Surface Transportation Board, Washington, DC 20423 or by calling that office at (202) 245-0295.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as offers of financial assistance) must be filed directly with the Board's Section of Administration, Office of Proceedings, 395 E Street, SW, Washington, DC 20423-0001 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicant's representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238. Copies of any comments or requests for conditions should be served on the applicant's representative: Louis E. Gitomer, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, (410)296-2250, Lou@lgraillaw.com.

**EXHIBIT D- ENVIRONMENTAL REPORT
NONE REQUIRED**

**EXHIBIT E- HISTORIC REPORT
NONE REQUIRED**

EXHIBIT F-COLOR EXHIBITS



CSX Real Property, Inc.

CSX Transportation, Inc.
Proposed Discontinuance of Service
STB Docket AB 55 (Sub-No. 731x)
QMF 37.10 to QMF 37.95
Albany Division - Fulton Subdivision
Oswego County, NY

