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ENTERED  
Office of Proceedings  
October 26 , 2015  
Part of  
Public Record



September 25, 2015



Chief, Section of Administration  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

*Re: Buffalo & Pittsburgh Railroad, Inc. - Abandonment Exemption - In Erie and Cattaraugus Counties, New York STB Docket No. AB-369 (Sub-No. 7X)*

This request is filed on behalf of Erie Cattaraugus Rail Trail, Inc. (Proponent) to request an extension of the deadline for negotiations with Buffalo & Pittsburgh Railroad, Inc. regarding the Notice of Interim Trail Use in the above-noted proceeding with respect to the rail line between Milepost 8.4 in the Town of Orchard Park, Erie County, New York and Milepost 36 in the Town of Ashford, Cattaraugus County, New York, a total distance of 27.6 miles. The current negotiating period expires on September 30, 2015.

Buffalo & Pittsburgh Railroad, Inc. and the Proponent do not anticipate being able to consummate an agreement regarding the NITU prior to the expiration of the NITU deadline, but wish to continue negotiations. Accordingly, the Proponent requests a 180-day extension of the NITU negotiation deadline to March 28, 2016. Buffalo & Pittsburgh Railroad, Inc. has acknowledged that it will concur with this request and will file a letter of concurrence once a copy of this letter is filed with the Board.

In addition, Erie Cattaraugus Rail Trail, Inc. requests a waiver of the Board's filing fees in accordance with 49 CFR 1002.2(e)(1).

By my signature below, I certify service upon David Collins, Buffalo and Pittsburgh Railroad, Inc., Eric M. Hocky, Thorp Reed & Armstrong, LLP, Joseph V. Kocsis, Jr., Western New York Railway Historical Society, Inc. and Tom Alworth, New York State Office of Parks, Recreation and Historic Preservation, by U.S. Mail, postage prepaid, first class, on September 25, 2015.

Respectfully submitted,

HOPKINS SORGI & ROMANOWSKI PLLC

Marc A. Romanowski, Esq.

cc: David Collins, President, Buffalo & Pittsburgh Railroad, Inc.  
Eric M. Hocky, Thorp Reed & Armstrong, LLP  
Joseph V. Kocsis, Jr., Western New York Railway Historical Society, Inc.  
Tom Alworth, Deputy Commissioner for Natural Resources, New York State Office of Parks

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