

LAW OFFICES OF
LOUIS E. GITOMER, LLC.

LOUIS E. GITOMER
Lou@lgraillaw.com

December 16, 2013

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

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

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

235199

ENTERED

Office of Proceedings
December 16, 2013
Part of
Public Record

RE: **Docket No. AB-1073X, Alabama & Florida Railway Co., Inc.—Abandonment
Exemption—in Geneva, Coffee and Covington Counties, Ala.**

Dear Ms. Brown:

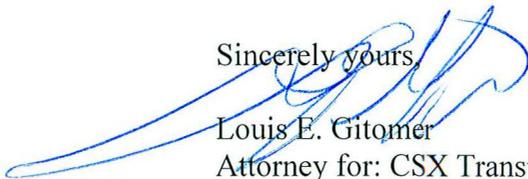
CSX Transportation, Inc. (“CSXT”) responds to the letter filed by the Alabama Trails Commission (“ATC”) on October 17, 2013, seeking an extension of time to negotiate interim trail use/rail banking and the response from the Alabama & Florida Railway Co., Inc. (“A&F”) dated December 16, 2013 agreeing to the extension.

As the owner of the real estate underlying the Line, CSXT agrees with A&F to the 120-day extension of time from December 16, 2013 until April 15, 2014 to negotiate interim trail use/rail banking for the 42.9-mile line of railroad between Andalusia, AL, milepost 581.3, and Geneva, AL, milepost 624.2 (the “Line”). CSX Transportation, Inc. (“CSXT”) sold the track and materials and the common carrier obligation to the predecessor of the Alabama & Florida Railway Co., Inc. (“A&F”) while retaining ownership of the real estate and leasing it to A&F. A&F has not consummated the abandonment of the Line. The Amendment to the Conditional Lease entered in October 2011 between CSXT and A&F is still effective.

As provided in 49 CFR 1152.29(e)(2), the extension of the trail negotiation period until April 15, 2014, creates a regulatory barrier to consummation of the abandonment, which provides A&F with an additional 60 days to consummate the abandonment to June 14, 2014, 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 e-filing 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: Mr. Byard
Mr. Mullins