

LAW OFFICES OF  
**LOUIS E. GITOMER, LLC**

LOUIS E. GITOMER  
Lou@lgrailaw.com

MELANIE B. YASBIN  
Melanie@lgrailaw.com  
410-296-2205

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

June 16, 2016

**240924**

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**  
**June 16, 2016**  
**Part of**  
**Public Record**

Re: **Docket No. AB-55 (Sub-No. 762X), CSX Transportation, Inc.—  
Discontinuance of Service Exemption—Boone County, WV**

Dear Ms. Brown,

By letter dated June 7, 2016, CSX Transportation, Inc. (“CSXT”) informed the Surface Transportation Board (the “Board”) that it had discovered that it omitted a zip code<sup>1</sup> in the Verified Notice of Exemption filed on May 20, 2016 in the above captioned proceeding (the “Notice”) and requested that the Notice be held in abeyance until June 16, 2016 to allow CSXT to: (1) notify the parties required under 49 CFR 1152.50(d)(1) (notice letters mailed on May 31, 2016); and (2) republish the notice of the proposed discontinuance in The Coal Valley News, a newspaper of general circulation in Boone County, as required by 49 CFR 1105.12, on June 15, 2016. By decision served on June 10, 2016, the Board granted CSXT’s request to hold the Notice in abeyance until June 16, 2016, and to extend the effective date of the proposed transaction until August 5, 2016.

CSXT requests permission to amend Exhibit C of its Notice to include the attached Certificates of Service and Publication, which reflect: (1) the service date of the revised notices, including the omitted zip code, on the parties required under 49 CFR 1152.50(d)(1); and (2) republication of the notice of proposed discontinuance with the omitted zip code. CSXT is also attaching copies of the revised notices, and will file a copy of the republication upon receipt from the newspaper.

CSXT requests the Board to reactivate this proceeding.

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

Sincerely yours,



Melanie B. Yasbin  
Attorney for CSX Transportation, Inc.

---

<sup>1</sup> Zip Code 25047

## **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. 762X) was mailed via first class mail on May 31, 2016, to the following parties:

### State Public Service Commission

Public Service Commission of West Virginia  
201 Brooks Street  
Charleston, WV 25301

### 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

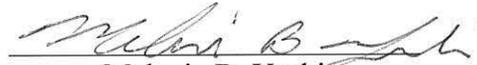
Mr. Rick Potts  
Chief, Conservation and Outdoor Recreation Division  
Rivers, Trails and Conservation Assistance Program National Park Service  
1849 C Street, N.W. (Org Code 2220)  
Washington, DC 20240

### 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

A handwritten signature in cursive script, appearing to read "Melanie B. Yasbin".

Melanie B. Yasbin

June 16, 2016

## CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 762X) in the following form was advertised on June 15, 2016 in the Coal Valley News, a newspaper of general circulation in Boone County, as required by 49 C.F.R. § 1105.7(c) and .12.



Melanie B. Yasbin

June 16, 2016

### Notice of Intent To Discontinue Service

CSX Transportation, Inc. (“CSXT”) gives notice that on or about June 10, 2016, 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 9.0-mile rail line on its Southern Region, Huntington Division, Laurel Fork Subdivision, Engineering C&O Division from the CSXT main line, milepost CLH 0.0, to the end of the line, milepost CLH 9.0, which traverses through United States Postal Service ZIP Codes 25114, 25021, and 25047, in Boone County. The proceeding will be docketed as No. AB-55 (Sub-No. 762X).

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@lgrailaw.com.

LAW OFFICES OF  
**LOUIS E. GITOMER, LLC**

LOUIS E. GITOMER  
Lou@lgraillaw.com

MELANIE B. YASBIN  
Melanie@lgraillaw.com  
410-296-2205

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

May 31, 2016

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

RE: Docket No. AB-55 (Sub-No. 762X), *CSX Transportation, Inc. – Discontinuance of Service Exemption—Boone County, WV<sup>1</sup>*

Dear Mr. Potts:

Please be advised that on or after May 20, 2016, CSX Transportation, Inc. (“CSXT”) expects to file with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue service over an approximately 9-mile rail line on its Southern Region, Huntington Division, Laurel Fork Subdivision, Engineering C&O Division, from milepost CLH 0.0 to milepost CLH 9.0, near Clothier, in Boone County, WV (the “Line”). There is one station on the Line, Ashely Kay at milepost CLH 7.3 (FSAC 81993/OPSL 65155.01).

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

In connection with the proposed abandonment, Federal Regulations at 49 C.F.R. 1152.50(d)(1) require that we provide you with the following information:

1. Name of railroad: CSX Transportation, Inc.
2. Description of line to be abandoned: CSXT proposes to discontinue service over an approximately 9-mile rail line on its Southern Region, Huntington Division, Laurel Fork Subdivision, Engineering C&O Division, from milepost CLH 0.0 to milepost CLH 9.0, near Clothier, in Boone County, WV. The Line traverses U.S. Postal ZIP Codes 25114, 25021, and 25047.

---

<sup>1</sup> This letter is to advise you that the railroad line passes through Zip Code 25047, which was inadvertently left out of the original letter dated May 10, 2016. Because of this oversight, CSX Transportation, Inc. (“CSXT”) expects to file, on June 10, 2016, an amendment to its original Notice of Exemption with the Surface Transportation Board.

Mr. Potts  
May 31, 2016  
Page 2

3. Abandonment procedure to be followed: CSXT intends to file a Notice of Exemption pursuant to 49 C.F.R. 1152.50. These exemption procedures are applicable to rail lines that have had no local traffic for at least two years and where any overhead traffic can be rerouted. No local traffic has moved over the Line for over two years, and any overhead traffic can be rerouted.
4. Date of filing: CSXT expects to file an amendment to the Notice of Exemption with the STB on or after June 10, 2016.

A map of the affected area is enclosed. If you have any questions please call or email me.

Sincerely yours



Melanie B. Yasbin  
Attorney for CSX Transportation, Inc.

Enclosure

LAW OFFICES OF  
**LOUIS E. GITOMER, LLC**

LOUIS E. GITOMER  
Lou@lgraillaw.com

MELANIE B. YASBIN  
Melanie@lgraillaw.com  
410-296-2205

May 31, 2016

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

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

RE: Docket No. AB-55 (Sub-No. 762X), *CSX Transportation, Inc. – Discontinuance of Service Exemption—Boone County, WV*<sup>1</sup>

Dear Madam/Sir:

Please be advised that on or after May 20, 2016, CSX Transportation, Inc. (“CSXT”) expects to file with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue service over an approximately 9-mile rail line on its Southern Region, Huntington Division, Laurel Fork Subdivision, Engineering C&O Division, from milepost CLH 0.0 to milepost CLH 9.0, near Clothier, in Boone County, WV (the “Line”). There is one station on the Line, Ashely Kay at milepost CLH 7.3 (FSAC 81993/OPSL 65155.01).

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

In connection with the proposed abandonment, Federal Regulations at 49 C.F.R. 1152.50(d)(1) require that we provide you with the following information:

1. Name of railroad: CSX Transportation, Inc.
2. Description of line to be abandoned: CSXT proposes to discontinue service over an approximately 9-mile rail line on its Southern Region, Huntington Division, Laurel Fork Subdivision, Engineering C&O Division, from milepost CLH 0.0 to milepost CLH 9.0, near

---

<sup>1</sup> This letter is to advise you that the railroad line passes through Zip Code 25047, which was inadvertently left out of the original letter dated May 10, 2016. Because of this oversight, CSX Transportation, Inc. (“CSXT”) expects to file, on June 10, 2016, an amendment to its original Notice of Exemption with the Surface Transportation Board.

Military Surface Deployment and Distribution Command  
Transportation Engineering Agency  
May 31, 2016  
Page 2

Clothier, in Boone County, WV. The Line traverses U.S. Postal ZIP Codes 25114, 25021, and 25047.

3. Abandonment procedure to be followed: CSXT intends to file a Notice of Exemption pursuant to 49 C.F.R. 1152.50. These exemption procedures are applicable to rail lines that have had no local traffic for at least two years and where any overhead traffic can be rerouted. No local traffic has moved over the Line for over two years, and any overhead traffic can be rerouted.

4. Date of filing: CSXT expects to file an amendment to the Notice of Exemption with the STB on or after June 10, 2016.

A map of the affected area is enclosed. If you have any questions please call or email me.

Sincerely yours



Melanie B. Yasbin  
Attorney for CSX Transportation, Inc.

Enclosure

LAW OFFICES OF  
**LOUIS E. GITOMER, LLC**

LOUIS E. GITOMER  
Lou@lgraillaw.com

MELANIE B. YASBIN  
Melanie@lgraillaw.com  
410-296-2205

May 31, 2016

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

Public Service Commission of West Virginia  
201 Brooks Street  
Charleston, WV 25301

RE: Docket No. AB-55 (Sub-No. 762X), *CSX Transportation, Inc. – Discontinuance of Service Exemption—Boone County, WV*<sup>1</sup>

Dear Madam/Sir:

Please be advised that on or after May 20, 2016, CSX Transportation, Inc. (“CSXT”) expects to file with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue service over an approximately 9-mile rail line on its Southern Region, Huntington Division, Laurel Fork Subdivision, Engineering C&O Division, from milepost CLH 0.0 to milepost CLH 9.0, near Clothier, in Boone County, WV (the “Line”). There is one station on the Line, Ashely Kay at milepost CLH 7.3 (FSAC 81993/OPSL 65155.01).

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

In connection with the proposed abandonment, Federal Regulations at 49 C.F.R. 1152.50(d)(1) require that we provide you with the following information:

1. Name of railroad: CSX Transportation, Inc.
2. Description of line to be abandoned: CSXT proposes to discontinue service over an approximately 9-mile rail line on its Southern Region, Huntington Division, Laurel Fork Subdivision, Engineering C&O Division, from milepost CLH 0.0 to milepost CLH 9.0, near Clothier, in Boone County, WV. The Line traverses U.S. Postal ZIP Codes 25114, 25021, and 25047.

---

<sup>1</sup> This letter is to advise you that the railroad line passes through Zip Code 25047, which was inadvertently left out of the original letter dated May 10, 2016. Because of this oversight, CSX Transportation, Inc. (“CSXT”) expects to file, on June 10, 2016, an amendment to its original Notice of Exemption with the Surface Transportation Board.

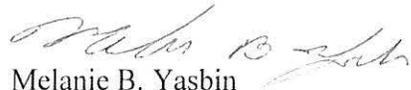
Public Service Commission of West Virginia  
May 31, 2016  
Page 2

3. Abandonment procedure to be followed: CSXT intends to file a Notice of Exemption pursuant to 49 C.F.R. 1152.50. These exemption procedures are applicable to rail lines that have had no local traffic for at least two years and where any overhead traffic can be rerouted. No local traffic has moved over the Line for over two years, and any overhead traffic can be rerouted.

4. Date of filing: CSXT expects to file an amendment to the Notice of Exemption with the STB on or after June 10, 2016.

A map of the affected area is enclosed. If you have any questions please call or email me.

Sincerely yours



Melanie B. Yasbin  
Attorney for CSX Transportation, Inc.

Enclosure

LAW OFFICES OF  
**LOUIS E. GITOMER, LLC**

LOUIS E. GITOMER  
Lou@lgraillaw.com

MELANIE B. YASBIN  
Melanie@lgraillaw.com  
410-296-2205

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

May 31, 2016

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

RE: Docket No. AB-55 (Sub-No. 762X), *CSX Transportation, Inc. – Discontinuance of Service Exemption—Boone County, WV*<sup>1</sup>

Dear Madam/Sir:

Please be advised that on or after May 20, 2016, CSX Transportation, Inc. (“CSXT”) expects to file with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue service over an approximately 9-mile rail line on its Southern Region, Huntington Division, Laurel Fork Subdivision, Engineering C&O Division, from milepost CLH 0.0 to milepost CLH 9.0, near Clothier, in Boone County, WV (the “Line”). There is one station on the Line, Ashely Kay at milepost CLH 7.3 (FSAC 81993/OPSL 65155.01).

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

In connection with the proposed abandonment, Federal Regulations at 49 C.F.R. 1152.50(d)(1) require that we provide you with the following information:

1. Name of railroad: CSX Transportation, Inc.
2. Description of line to be abandoned: CSXT proposes to discontinue service over an approximately 9-mile rail line on its Southern Region, Huntington Division, Laurel Fork Subdivision, Engineering C&O Division, from milepost CLH 0.0 to milepost CLH 9.0, near Clothier, in Boone County, WV. The Line traverses U.S. Postal ZIP Codes 25114, 25021, and 25047.

---

<sup>1</sup> This letter is to advise you that the railroad line passes through Zip Code 25047, which was inadvertently left out of the original letter dated May 10, 2016. Because of this oversight, CSX Transportation, Inc. (“CSXT”) expects to file, on June 10, 2016, an amendment to its original Notice of Exemption with the Surface Transportation Board.

National Park Service  
May 31, 2016  
Page 2

3. Abandonment procedure to be followed: CSXT intends to file a Notice of Exemption pursuant to 49 C.F.R. 1152.50. These exemption procedures are applicable to rail lines that have had no local traffic for at least two years and where any overhead traffic can be rerouted. No local traffic has moved over the Line for over two years, and any overhead traffic can be rerouted.
4. Date of filing: CSXT expects to file an amendment to the Notice of Exemption with the STB on or after June 10, 2016.

A map of the affected area is enclosed. If you have any questions please call or email me.

Sincerely yours



Melanie B. Yasbin  
Attorney for CSX Transportation, Inc.

Enclosure

LAW OFFICES OF  
LOUIS E. GITOMER, LLC

LOUIS E. GITOMER  
Lou@lgraillaw.com

MELANIE B. YASBIN  
Melanie@lgraillaw.com  
410-296-2205

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

May 31, 2016

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

RE: Docket No. AB-55 (Sub-No. 762X), *CSX Transportation, Inc. – Discontinuance of Service Exemption—Boone County, WV*<sup>1</sup>

Dear Madam/Sir:

Please be advised that on or after May 20, 2016, CSX Transportation, Inc. (“CSXT”) expects to file with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue service over an approximately 9-mile rail line on its Southern Region, Huntington Division, Laurel Fork Subdivision, Engineering C&O Division, from milepost CLH 0.0 to milepost CLH 9.0, near Clothier, in Boone County, WV (the “Line”). There is one station on the Line, Ashely Kay at milepost CLH 7.3 (FSAC 81993/OPSL 65155.01).

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

In connection with the proposed abandonment, Federal Regulations at 49 C.F.R. 1152.50(d)(1) require that we provide you with the following information:

1. Name of railroad: CSX Transportation, Inc.
2. Description of line to be abandoned: CSXT proposes to discontinue service over an approximately 9-mile rail line on its Southern Region, Huntington Division, Laurel Fork Subdivision, Engineering C&O Division, from milepost CLH 0.0 to milepost CLH 9.0, near Clothier, in Boone County, WV. The Line traverses U.S. Postal ZIP Codes 25114, 25021, and 25047.

---

<sup>1</sup> This letter is to advise you that the railroad line passes through Zip Code 25047, which was inadvertently left out of the original letter dated May 10, 2016. Because of this oversight, CSX Transportation, Inc. (“CSXT”) expects to file, on June 10, 2016, an amendment to its original Notice of Exemption with the Surface Transportation Board.

Chief of the Forest Service  
May 31, 2016  
Page 2

3. Abandonment procedure to be followed: CSXT intends to file a Notice of Exemption pursuant to 49 C.F.R. 1152.50. These exemption procedures are applicable to rail lines that have had no local traffic for at least two years and where any overhead traffic can be rerouted. No local traffic has moved over the Line for over two years, and any overhead traffic can be rerouted.

4. Date of filing: CSXT expects to file an amendment to the Notice of Exemption with the STB on or after June 10, 2016.

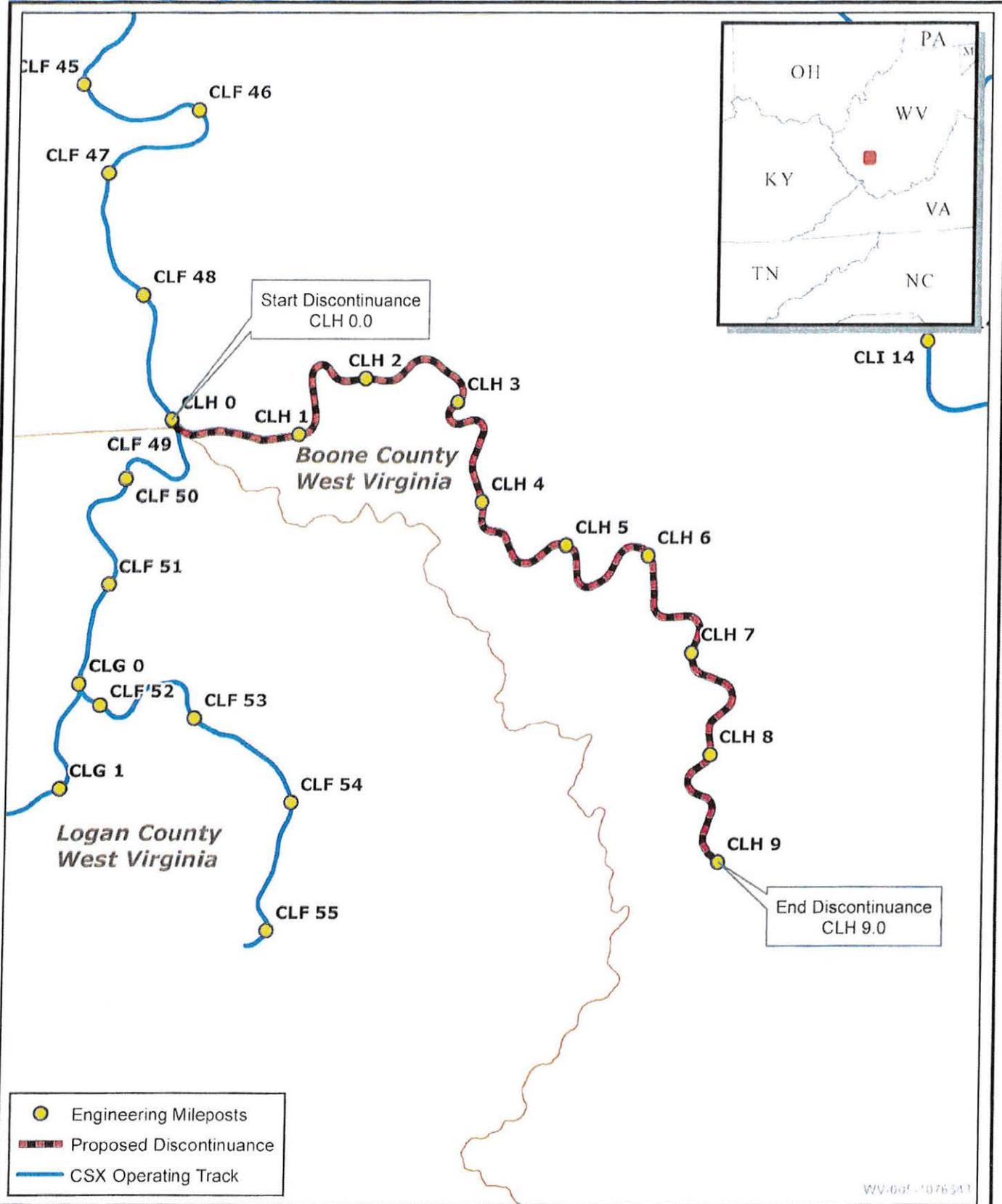
A map of the affected area is enclosed. If you have any questions please call or email me.

Sincerely yours



Melanie B. Yasbin  
Attorney for CSX Transportation, Inc.

Enclosure



-  Engineering Mileposts
-  Proposed Discontinuance
-  CSX Operating Track



**CSX Transportation, Inc.**  
**Proposed Discontinuance of Service**  
**Laurel Fork Subdivision**  
 Milepost CLH 0.0 to CLH 9.0 (9.0 Miles)  
 Boone County, WV  
 Huntington Division - Laurel Fork Subdivision  
 STB Docket No. AB 55 (Sub-No.762X )

