

140th anniversary  
**Nauman Smith**  
Attorneys At Law

RECEIVED  
OCT 18 2011  
MANAGEMENT  
STB

**Please Reply to:**  
P.O. Box 840  
Harrisburg, PA 17108-0840

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E-mail: [bdunlapjr@nssh.com](mailto:bdunlapjr@nssh.com)  
(717) 236-3010, Ext. 21

October 13, 2011

RECEIVED  
OCT 13 2011

Part of  
Public Hearing

Sarah L. Gulick, Director  
Bureau of Rail Freight, Ports & Waterways  
Pennsylvania Department of Transportation  
P.O. Box 2777  
Harrisburg, PA 17105-2777

David Dorfman, P.E.  
Railroads for National Defense Program  
SDDC Transportation Engineering Agency  
1 Soldier Way, Building 1900W  
Scott AFB, IL 62225-5006

U.S. Department of the Interior  
National Park Service  
Recreation Resources Assistance Division  
1201 Eye Street, NW, 9<sup>th</sup> Floor (Org Code  
2240)  
Washington, D.C. 20005

Heidi L. Wushinske, Assistant Counsel  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Tom Tidwell, Chief  
U.S. Forest Service  
1400 Independence Avenue, N.W.  
Washington, D.C. 20250-0003

U.S. Department of the Interior  
National Park Service  
Chief, Land Resources Division  
1849 C Street, N.W. - Room 3120  
Washington, DC 20240

RE: Docket No. AB 167 (Sub-No. 1191X)  
Consolidated Rail Corporation -- Abandonment  
Exemption -- in Philadelphia, Pennsylvania

231125

Docket No. AB 55 (Sub-No. 710X)  
CSX Transportation, Inc. -- Discontinuance  
Exemption -- in Philadelphia, Pennsylvania

231126

Docket No. AB 290 (Sub-No. 552X)  
Norfolk Southern Railway Company -- Discontinuance  
Exemption -- in Philadelphia, Pennsylvania

231127

Dear Sir/Madam:

This is to notify you pursuant to 49 C.F.R. 1152.50(d)(1) that on or after November 15, 2011, Consolidated Rail Corporation ("Conrail"), CSX Transportation, Inc. ("CSXT"), and Norfolk Southern Railway Company ("NS") intend to file combined Notices of Exemption with the Surface

Transportation Board for abandonment (Conrail) and discontinuance of service (CSXT and NS) of the rail line shown on the enclosed maps, and more fully described below:

Name: Berks Street Industrial Track

Location: Philadelphia, Pennsylvania, traversing United States Postal Service Zip Codes 19123, 19122 and 19134.

Description of Track: From approximately milepost 0.00± to approximately milepost 2.98± in the city of Philadelphia, Pennsylvania.

Length of Track: 2.98 total miles±

The Notices of Exemption will be filed pursuant to the provisions of 49 C.F.R. 1152.50 regarding abandonment of out-of-service lines of railroad. Because the subject line is out of service and has handled no traffic for the past two years, the abandonment will result in no change in current operations or maintenance. The purpose of the abandonment of Milepost 2.70 to 2.98 is to facilitate (i) the removal of the rail bridge at Milepost 2.92 that is the subject of a pending Pennsylvania Public Utility Commission bridge removal proceeding brought by the City of Philadelphia and (ii) the sale of Milepost 2.70 to 2.92 to a private developer for commercial development. Milepost 0.00 to 2.70 was sold to the City of Philadelphia in 1978. Conrail retained operating rights over the segment but the operating agreement did not impose any obligation on Conrail to provide rail service. There have been no customers served off of this segment for over two years. The only alternative considered is no action.

Based on information in our possession, 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.

If you have any questions concerning this proceeding, please contact me.

Very truly yours,



Benjamin C. Dunlap, Jr.

Enclosures

cc: Anne K. Quinlan, Secretary ✓  
Surface Transportation Board  
395 E Street, SW  
Washington, D.C. 20423-0001

Dennis Reidenbach, Regional Director  
National Park Service – Northeast Region  
U. S. Custom House  
200 Chestnut Street, 5th Floor  
Philadelphia, PA 19106

End Milepost 2.98

U.G. 2.92

BERKS STREET I.T.  
LINE CODE 0301

ANTRAX  
REINFORCED

ALLEGHENY AVE.

U.G. 2.80

INDIANA AVE.

Begin Milepost 2.70

OPERATING RIGHTS AREA

TRACKS  
RESERVED

ANTICIPATED LINE ABANDONMENT  
BERKS STREET I.T.

..... Anticipated abandonment  
..... Operating rights area

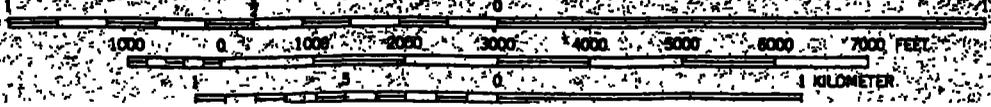
EXHIBIT "A" 1 of 2

PHILADELPHIA, PA - N.J.  
39075-12 TF-024  
1987  
PHOTOREVISED 1988  
D.M. & B.S. 1170 - 10/88 - V-01

BERMANTOWN, PA  
40075-42 TF-024  
1987  
PHOTOREVISED 1988  
D.M. & B.S. 1170 - 10/88 - V-01

Milepost 0.00

SCALE 1:24,000



250 000  
(PA)

426

5-MI. TO U.S. 13

425

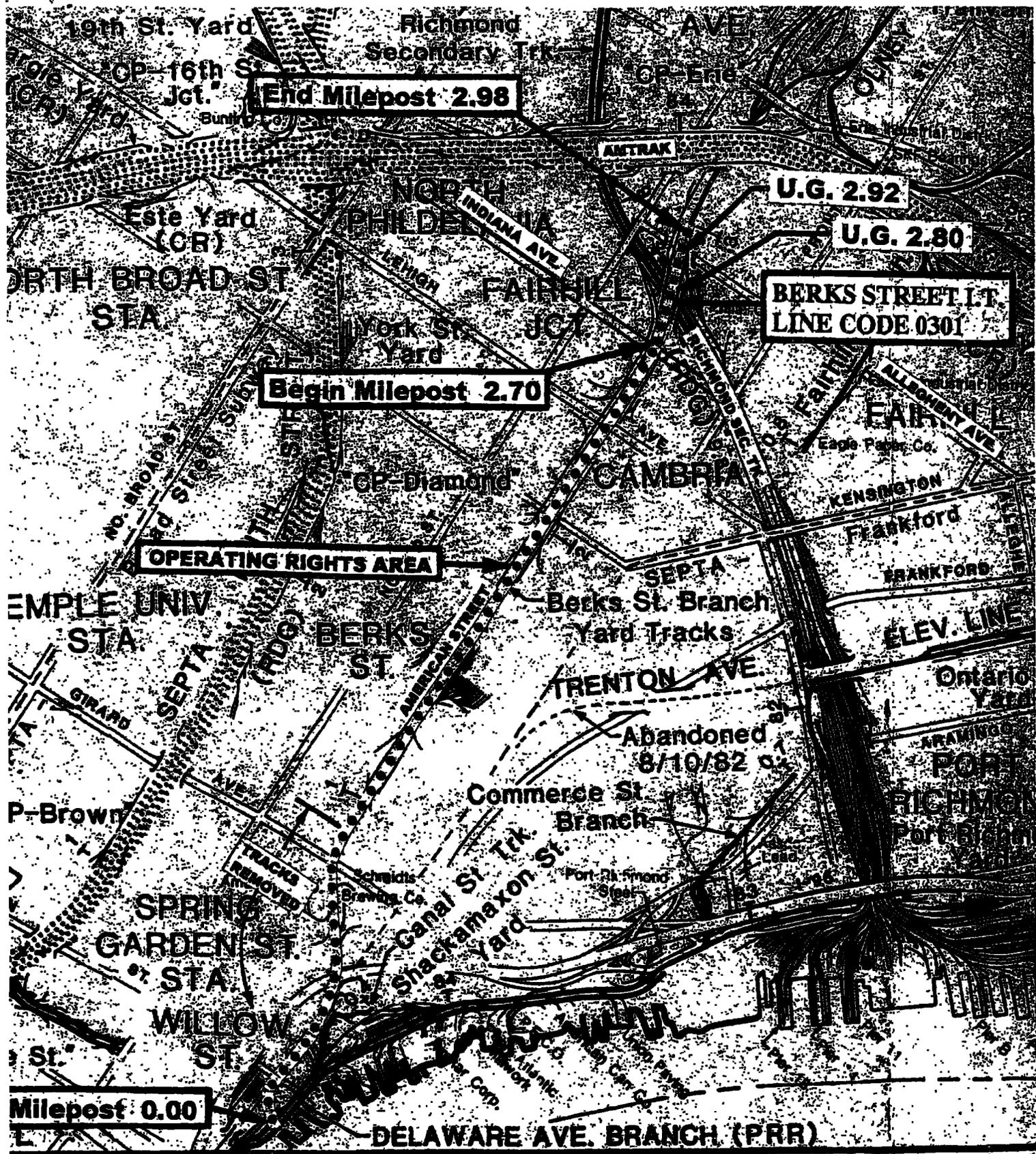
ARTS/ACCT BRIDGE & PA.  
TRENTON, N.J. 08611

424

423

57'30"

TO U.S. 130  
ATLANTIC CITY 85 MI.



**ANTICIPATED LINE ABANDONMENT  
 BERKS STREET I.T.**

■■■■■■■ Anticipated abandonment  
 ●●●●● Operating rights area

**NOT TO SCALE EXHIBIT "A" SHEET 2 of 2**