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THOMAS F. MCFARLAND

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Vernon A. Williams, Secretary
Surface Transportation Board
Case Control Unit, Suite 713
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Washington, DC 20423-0001

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October 17, 2002

206448



Re: ICC Docket No. AB-55 (Sub-No. 486), *CSX Transportation, Inc. -- Abandonment -- between Bloomington and Montezuma, in Parke County, IN*

Dear Mr. Williams:

Pursuant to ordering paragraph 4 on page 11 of the Board's decision in the above proceeding served September 13, 2002, this is to inform the Board that Petitioners Montezuma Grain Company, LLP and Parke County Redevelopment Commission do not intend to proceed under the OFA process to acquire the West Segment of the rail line involved in the proceeding.

However, neither the Board nor CSX Transportation, Inc. should conclude from that information that Petitioners have no further interest in the rail line (i.e., East and West Segment). Petitioners are considering filing a petition for judicial review of the Board's decision. While Petitioners recognize that CSXT can lawfully remove the track materials in the line in view of the effectiveness of the Board's decision, Petitioners remind all parties that a petition for judicial review can be timely filed on or before November 12, 2002.

Ten copies accompany the original of this communication. All parties are being served.

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Very truly yours,

Tom McFarland

Thomas F. McFarland
Attorney for Petitioners

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cc: David Coburn) by UPS overnight
Natalie Rosenberg) "
Ray Martin)

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