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July 13, 2007

ENTERED
Office of Proceedings

Mr Vernon A Williams
Secretary
Surface Transportation Board
1925 K St, NW Room 711
Washington, D.C 20423

JUL 18 2007

Part of
Public Record



Re: Boston and Maine Corporation and Springfield Terminal Railway Company, filing jointly STB Dock No AB-32 (Sub No 53x) and STB Docket No AB-355 (Sub-No. 55x)

Dear Mr Williams

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This comment should be treated as a protest or a petition for reconsideration in the above-captioned proceeding. This comment is filed on behalf of the City of Haverhill which is a political subdivision of the Commonwealth of Massachusetts interested in transportation and natural resources which is hereinafter referred to as "Commenter"

While not taking a position on the merits of this abandonment, Commenter requests issuance of a Public Use Condition as well as a Certificate or Notice of Interim Trail Use rather than an outright abandonment authorization between Mile post 4.66 and Milepost 6.13

A Public Use Conditions

Commenter requests the STB to find that this property is suitable for other public use, specifically trail use, and to place the following conditions on the abandonment:

1. An order prohibiting the carrier from disposing of the corridor, other than the tracks, ties and signal equipment, except of the public use on reasonable terms. The justification for this condition is that the City of Haverhill desires to convert the rail bed to an intermodal transportation facility linking the commuter rail station by walking and bicycling trail to the Bradford section of Haverhill and the downtown of Haverhill. The rail bed traverses an area adjacent to the Merrimack River across from the City's downtown. It is a significant component of the City's downtown intermodal transit plan. The time period sought is 180 days from the effective date of the abandonment authorization. Commenter needs this much time because the City has hired the engineering firm Earth Tech to design this intermodal facility and expects the 25% designs to be completed and available for public comment in August 2007. The City is currently negotiating with potential funding sources for this project and expects to secure funding within the 180 day period.

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2 An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts, and tunnels The justification for the condition is that these structures have considerable value for an intermodal transportation facility The time period requested is 180 days from the effective date of the abandonment authorization for the same reason as indicated above

B Interim Trail Use

The railroad right-of-way in this proceeding is suitable for rail banking In addition to the public use conditions sought above, Commenter also makes the following request:

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and rail banking under section 8 (d) under the National Trails Systems Act, 16 U S C 1247 (d), and the 49 C F R 1152.29, the City of Haverhill is willing to assume full responsibility for the management of, for any legal liability arising out of the transfer or use of and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by Boston and Maine Corporation and Springfield Terminal Railway Company and operated by the City of Haverhill

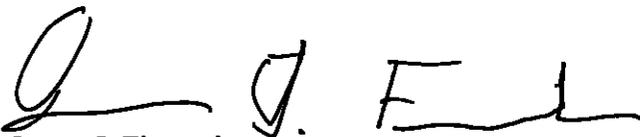
The property known as the Georgetown Branch extends from railroad milepost 4.66 to railroad milepost 6.13 near the county bridge a distance of 1.47 miles in Haverhill, Essex County,, Massachusetts The right-of-way is part of a line of railroad proposed for abandonment in [STB Docket No AB-32 (Sub-No 53X)] and [STB Docket No AB-355 (Sub-No 5x)]

A map depicting the right-of-way is attached

The City of Haverhill acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service

By my signature below, I certify upon Boston and Maine Corporation and Springfield Terminal Railway Company (attention Jeffrey C Royer, Esq), 1700 Iron Horse Park, North Billerica, MA 01862, by U S Mail, postage prepaid, first class, this July 13, 2007

Respectfully submitted,



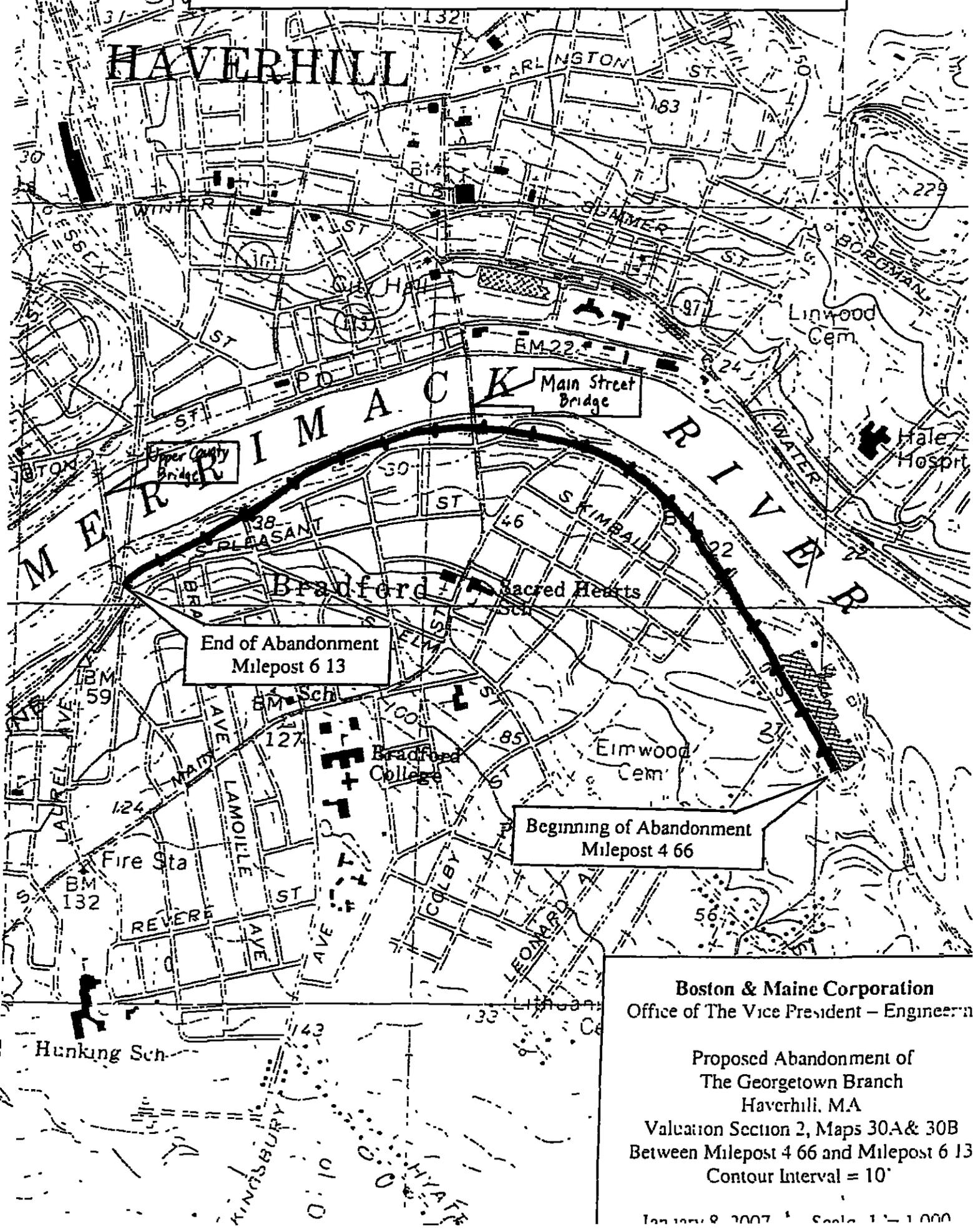
James J Fiorentini

Mayor

On behalf of the City of Haverhill

Abandonment Plan - Georgetown Branch

onstoll



End of Abandonment
Milepost 6 13

Beginning of Abandonment
Milepost 4 66

Boston & Maine Corporation
Office of The Vice President - Engineering

Proposed Abandonment of
The Georgetown Branch
Haverhill, MA
Valuation Section 2, Maps 30A & 30B
Between Milepost 4 66 and Milepost 6 13
Contour Interval = 10'