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November 19, 2008

VIA ELECTRONIC FILING

Hon. Ann K. Quinlan  
Acting Secretary  
Surface Transportation Board  
395 E Street, S W  
Washington, D.C. 20423

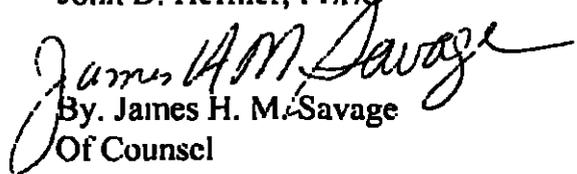
**RE: STB Docket No. AB-1020X**  
**East Penn Railroad, LLC-Abandonment Exemption-In Berks and**  
**Montgomery Counties, PA**

Dear Ms Quinlan:

On behalf of Berks County, we are electronically filing and simultaneously serving this request for a tolling of the deadline for filing an Offer of Financial Assistance pursuant to 49 CFR 1152.27. We have this day transmitted under separate cover a letter to counsel for East Penn Railroad requesting production of the information required pursuant to 49 CFR 1152.27(a)(1) through (3). A copy of the referenced letter is attached hereto as Exhibit 1. A service certification is also annexed hereto.

We thank the Board for its time and consideration.

Respectfully submitted,  
John D. Heffner, P.L.L.C.

  
By: James H. M. Savage  
Of Counsel

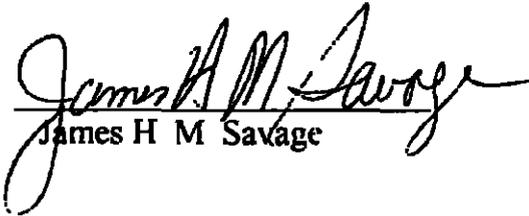
JHS/mhd  
Enc

**cc: Karl Morell, Esq (Via Electronic Mail w/enc.)  
Laurel Frankston Grass (Via First Class Mail w/enc.)**

**CERTIFICATE OF SERVICE**

I certify that I caused to have served this day by hand delivery and electronic mail upon counsel for Petitioner, and by first class mail upon counsel for Montgomery County a true copy of the within correspondence.

Dated. November 19, 2008

  
James H M Savage

**EXHIBIT 1**

LAW OFFICES  
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November 19, 2008

VIA MESSENGER

Karl Morell, Esq  
Ball Janik, LLP  
1455 F Street, NW - Suite 225  
Washington, D.C. 20005

RE: STB Docket No. AB-1020X  
East Penn Railroad, LLC-Abandonment Exemption-In Berks  
and Montgomery Counties, Pennsylvania

Dear Mr Morell,

On behalf of Berks County, we are propounding this request pursuant to 49 CFR 1152.27(a)(1) through (3) for production of the following information:

(1) ESPN's estimate of the annual subsidy and minimum purchase price required to keep the Colebrookdale Line in operation;

(2) ESPN's most recent reports on the physical condition of the Line, including but not limited to the condition of bridges, crossings, and signals;

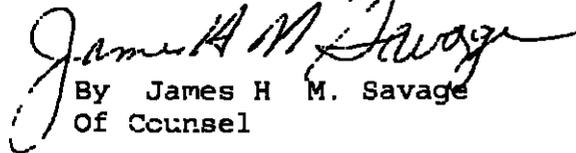
(3) Traffic, revenue, and other data necessary to determine the amount of annual financial assistance that would be required to continue rail transportation over the railroad Line. The data to be provided must at a minimum include ESPN's estimate of the net liquidation value (NLV) of the Line, with supporting data reflecting available real estate appraisals, assessments of the quality and quantity of track materials comprising the line, and removal cost estimates (including the cost of transporting removed materials to point of sale or point of storage for relay use), and an estimate of the cost of rehabilitating the

line to Federal Railroad Administration Class 1 Safety Standards (49 CFR 213).

Also transmitted this day under separate cover to the STB is Berks County's request for a tolling of the deadline for filing an offer of financial assistance. See, Exhibit 1.

Thank you in advance for your anticipated cooperation in furnishing this information

Sincerely yours,  
John D. Heffner, PLLC

  
By James H. M. Savage  
Of Counsel

JHS/mhd

cc. Hon Anne K. Quinlan  
Laurel Frankston Grass