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April 2, 2009

**E-FILING**

Hon Anne K. Quinlan  
Acting Secretary  
Surface Transportation Board  
395 E Street, S W  
Washington, D C. 20423-0001

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

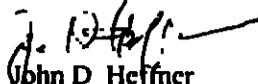
Dear Ms Quinlan:

I am writing on behalf of the Board of Commissioners of the County of Berks ("Berks") in connection with the above-captioned abandonment proceeding Berks had previously advised the Board in a letter dated March 24, 2009, that it was withdrawing its previously filed stay request and that Berks had consummated its acquisition of the subject railroad line.

By this letter, Berks seeks to clarify that it had acquired the subject line that was authorized for abandonment outside the offer of financial assistance process and pursuant to Common Carrier Status of States, State Agencies and Instrumentalities, and Political Subdivisions, 363 I C C 132 (1981).

Please contact me if you have any questions.

Respectfully submitted,

  
John D. Heffner  
Counsel for Berks

cc: **Joseph H. Dettmar, Esq.**  
**Karl Morell, Esq.**  
**James Savage, Esq.**  
**Hon. Mark Scott**