

225156

**LAW OFFICES OF
LOUIS E. GITOMER**

LOUIS E. GITOMER
LOU_GITOMER@VERIZON.NET

THE ADAMS BUILDING, SUITE 301
600 BALTIMORE AVENUE
TOWSON, MARYLAND 21204-4022
(202) 466-6532
FAX (410) 332-0885

May 22, 2009

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

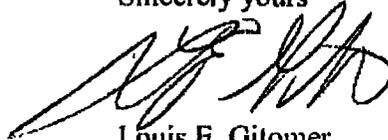
RE: Docket No. AB-55 (Sub-No. 694X), *CSX Transportation, Inc.-
Abandonment Exemption-in McMinn County, TN*

Dear Acting Secretary Quinlan:

Enclosed for e-filing is a copy of the verification of the publication of notice in
The Daily Post-Athenian on April 28, 2009.

Thank you for your assistance. If you have any questions please call or email me.

Sincerely yours



Louis E. Gitomer
Attorney for: CSX Transportation, Inc.

Enclosure

225756

PROOF OF PUBLICATION

Acct. Name:

LOUIS E. GITOMER

Acct. # 181759

STATE OF TENNESSEE

COST OF PUBLICATION

COUNTY OF MCMINN

LEGAL NOTICE

CSX Transportation, Inc. gives notice that on or about May 1, 2009 it intends to file with the Surface Transportation Board, Washington, DC 20423, a petition for exemption under 49 U.S.C. 10505 from the prior approval requirements of 49 U.S.C. 10903, et seq., permitting the abandonment of a 6.4-mile rail line on its Southern Region, Huntington, West Division, KD Subdivision, between Milepost OKW 327, Englewood, and Milepost OKW 333.4, Athens, known as the Athens Branch, which traverses through United States Postal Service ZIP Codes 37329 and 37303 in McMinn County, TN (the "Line"). The proceeding has been docketed as No. AB-55 (Sub-No. 694X).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 60 days after the filing of the petition for discontinuance of service exemption. Comments on environmental and energy matters should be filed no later than 30 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to SEA, Surface Transportation Board, Washington, DC 20423 or by calling SEA at 202-245-0295.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as: trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 395 E Street, SW Washington DC 20423 (See 49 CFR 1104.1(a) and 1104.3(a), and one copy must be served on applicants' representative. (See 49 CFR 1104.12(a). Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Con-

PERSONALLY appeared before me Crystal Danke of McMinn County, Tennessee.

who being duly sworn, made oath that he/she is a representative of the Publisher of THE DAILY POST-ATHENIAN, a newspaper of general circulation, published in the City of Athens County of McMinn and State of Tennessee and that the hereto attached publication appeared in the same on the following dates :

LEGAL NOTICE CSX TRANSPOR

04/28/2009

gressional and Public Services ; at 202-245-0233. Copies of any comments or requests for conditions should be served on the applicant's representative: Louis E. Gitomer, Law Offices of Louis E Gitomer, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, (410) 296-2250, Louis.Gitomer@vanzon.net insertion Date: April 28, 2009

The Daily Post-Athenian

PO BOX 340, ATHENS, TN 37371

(423) 745-5664



Subscribed and sworn to before me on this 27th day of April, 2009

Newspaper Representative: Crystal Danke

Notary Public: Sherry L. MacDonough

My Commission Expires: 9/25/12