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June 5, 2009

VIA ELECTRONIC FILING

Ms. Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

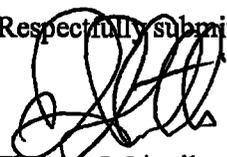
Re: **Finance Docket No. 35110**
Florida Department of Transportation -- Acquisition
Exemption -- Certain Assets of CSX Transportation, Inc.

Dear Secretary Quinlan:

By decision served May 14, 2009 in the above-captioned proceeding, the Board granted the request of the Florida Department of Transportation ("FDOT") to hold this proceeding in abeyance until June 8, 2009 to give FDOT time to review the implications on the proposed transaction given that the Florida legislation contemplated for the proposed transaction was not passed.

FDOT respectfully requests that the Board continue to hold this proceeding in abeyance for an additional 60 days. FDOT has not yet completed its ongoing review of the situation and needs additional time in which to do so and determine its next step in the pending matter. FDOT will advise the Board of its intentions by August 7, 2009.

Respectfully submitted,



Thomas J. Litwiler
Attorney for Florida Department of Transportation

TJL:tl

cc: Richard S. Edelman, Esq.