



225776

Law Department  
500 Water Street  
Speed Code J-150  
Jacksonville, FL 32202  
Fax (904) 245-3892  
Telephone (904) 359-1305  
Email [kathryn\\_barney@csx.com](mailto:kathryn_barney@csx.com)

**Kathryn R. Barney**  
Admitted in Florida

September 24, 2009

**Via electronic filing**

Honorable Anne K. Quinlan  
Acting Secretary  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423

Re: *STB Docket No. AB-55 (Sub-No. 613X), CSX Transportation, Inc. –  
Abandonment Exemption – in Jefferson County, Alabama*

Dear Acting Secretary Quinlan:

Reference is hereby made to the letter request of Mayor Jim Lowery, City of Fultondale (the "City") to the Board, dated September 8, 2009 and received by the Board on September 21, 2009, requesting a 180-day extension of the NITU negotiating period (the "Extension Request") in the above-entitled proceeding.<sup>1</sup>

CSX Transportation, Inc. ("CSXT") hereby acknowledges and concurs with the Extension Request as it has not consummated the abandonment, has been unable to finalize negotiations with the City, and desires to continue to negotiate for interim trail use/rail banking with the City. As Mr. Lowery's letter indicates, CSXT and the City have continued to negotiate for trail use and anticipate concluding negotiations for a trail use agreement soon, but will not be able to do so in advance of the NITU negotiating deadline (September 21, 2009).

Accordingly, CSXT respectfully requests the NITU negotiating period be extended for 180 days to March 20, 2010. Additionally, CSXT respectfully requests an extension of the date to consummate the abandonment of the line to May 19, 2010.

CSXT is e-filing this notice. Thank you for your assistance. If you have any questions please call or email me.

Very truly yours,

  
Kathryn R. Barney

cc: Parties of Record

---

<sup>1</sup> The last extension of the NITU negotiating period expired on September 21, 2009. From the date of the last extension and continuing to date, the City and CSXT were in discussions regarding the proposed trails and hoped to reach a final agreement in advance of the NITU deadline.