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November 21, 2003

VIA UPS

Mr. Vernon A. Williams, Secretary
Surface Transportation Board
Mercury Building
1925 K Street, N.W.
Washington, D.C. 20423

ENTERED
Office of Proceedings

NOV 24 2003

Part of
Public Record

RE: **STB Docket No. AB-254 (Sub-No. 7X)**
Providence and Worcester Railroad Company – Abandonment
Exemption in Southbridge, Webster and Dudley, Massachusetts,
Thompson, Connecticut (“Southbridge Running Track”)
Filed on October 15, 2003

Dear Secretary Williams:

In connection with the above referenced filing, enclosed please find ten (10) copies of supplemental material consisting of the following:

1. Pursuant to 49 CFR 1105.12 and Section 7 of the Notice of Exemption, affidavits and copies of the actual published newspaper notices from the Worcester Telegram & Gazette, Norwich Bulletin, Webster Times, Southbridge Evening News and Patriot Press; and

2. Pursuant to Section 9 (i) and (iii) of the Environmental Report, a letter from the Commonwealth of Massachusetts Department of Environmental Protection (“Mass DEP”) regarding water quality. It should be noted that P&W does not feel that this letter is responsive to its request. We stated in the application that

“Abandonment would result in no activity. Applicant does not intend to remove any rail or track material, crossties, ballast or bridges and plans to leave the right of way essentially untouched. Applicant does not intend to disturb any of the underlying roadbed or perform any activities that would cause sedimentation or erosion of soil.”

Mass DEP’s answer assumes we will be taking action and this is obviously incorrect.

PROVIDENCE AND WORCESTER RAILROAD COMPANY
75 HAMMOND STREET, WORCESTER, MA 01610 P.O. BOX 16551, WORCESTER, MA 01601
TELEPHONE (508) 755-4000 FAX (508) 795-0748



Please do not hesitate to contact me if you have any questions. Thank you.

Very truly yours,

Amy Silverstein
Assistant General Counsel

Enclosures

PUBLISHER'S CERTIFICATE

Commonwealth of Massachusetts

County of Worcester

On this 23 day of October 2003 personally appeared before the undersigned, a Notary Public, within and for said County and State

Pat Gliniecki, Legal Department

of the "WEBSTER TIMES", a weekly newspaper published at Northbridge, County of Worcester, Commonwealth of Massachusetts, who being duly sworn, states under oath that below is an advertisement from the WEBSTER TIMES, beginning on October 8, 2003 and ending on October 8, 2003, appearing 1 time(s) in the Classification, LEGAL NOTICES.


Pat Gliniecki

Subscribed and sworn to before me this 23 day of October, 2003.


Notary Public Madaline I. Daoust

My Commission Expires: February 6, 2009

LEGALS

LEGAL NOTICE

Providence and Worcester Railroad Company gives notice that on or about October 14, 2003, it intends to file with the Surface Transportation Board (the Board), Washington, DC 20423, a notice of exemption under 49 CFR 1152 Sub-part F-Exempt Abandonments permitting the abandonment of a 10.8 mile line of railroad between railroad milepost 0.18 and railroad milepost 10.98 which traverses through United States Postal Service ZIP Codes 01550, 01571, 01570 and 06277 in Southbridge, Dudley and Webster, Massachusetts and Thompson, Connecticut. The proceeding will be docketed as No. AB-254 (Sub-No. 7X).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 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 the Section of Environmental Analysis (SEA), Surface Transportation Board, Washington, DC 20423 or by calling that office at (202) 565-1539.

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, 1925 K Street, NW., 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 Congressional and Public Services at (202) 565-1592. Copies of any comments or requests for conditions should be served on the applicant's representative: Amy Silverstein, Assistant General Counsel, Providence and Worcester Railroad Company, 75 Hammond Street, Worcester, MA 01610.

October 8, 2003

Date Oct. 22, 2003

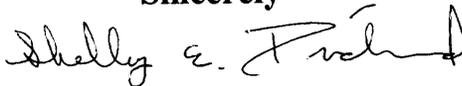
Affidavit

To Whom It May Concern:

This is to confirm that the Worcester Telegram & Gazette published a legal advertisement on October 8, 2003 in our newspaper concerning the Providence and Worcester Railroad Company notice of exemption.

If you have any questions regarding this matter, please feel free to call Monday through Friday from 8:30 a.m. to 5:00 p.m. at (508) 793-9203 or by faxing (508) 793-9315.

Sincerely



**Shelley E. Richard
Legal Advertising Representative**

Signed on this day



Notary Public

COMMISSION EXPIRES:
NOVEMBER 8, 2007

PUBLISHER'S CERTIFICATE

**Providence and Worcester
Railroad Company**

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Amy Silverstein, Assistant General Counsel, Providence and Worcester Railroad Company, 75 Hammond Street, Worcester, MA 01610.

State of Connecticut,

ss. Norwich

County of New London,

On this 10th day of October 2003

personally appeared before the undersigned, a Notary Public, within and for said County and State

Rachael Field, Accounting Clerk

of the "NORWICH BULLETIN" a daily newspaper published at Norwich, County of New London, State of Connecticut, who, being duly sworn, states oath that

Providence and Worcester Railroad Company

Providence and Worcester Railroad Company gives notice

that on or about October 14, 2003, it intends to file

a true copy of which is hereto annexed, was published in said newspaper

in its issue of the

8th October 2003

Rachael Field

Subscribed and sworn to before me this 10th day of October A.D. 2003

Nancy A. Miclette

Notary Public

My Commission Expires **NANCY A. MICLETTE**
NOTARY PUBLIC
MY COMMISSION EXPIRES MAY 21, 2007

INVOICE/STATEMENT

Patriot/Yankee Shopper
15 Sutton Road
PO Box 310
Webster, MA 01570

DATE
10/22/03

BILL TO
Providence and Worcester Railroad Co.
Attn: Wendy Lavelly
75 Hammond St.
Worcester, MA 01610

AMOUNT DUE AMOUNT ENC.

\$92.00

DATE	ITEM	DESCRIPTION	AMOUNT	BALANCE
09/30/03		Balance forward		0.00
10/08/03	PATRIOT	Legal Notice re: Surface Transportation Board	92.00	92.00

Sally Patterson

SALLY A. PATTERSON
Notary Public
Commonwealth of Massachusetts
My Commission Expires
September 5, 2008

SALLY A. PATTERSON
Notary Public
Commonwealth of Massachusetts
My Commission Expires
September 5, 2008

AMOUNT DUE

\$92.00

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PUBLISHER'S CERTIFICATE

Commonwealth of Massachusetts

County of Worcester

On this 23 day of October, 2003 personally appeared before the undersigned, a Notary Public, within and for said County and State

Pat Gliniecki, Legal Department

of the "SOUTHBRIDGE EVENING NEWS", a daily newspaper published at Southbridge County of Worcester, Commonwealth of Massachusetts, who being duly sworn, states under oath that below is an advertisement from the SOUTHBRIDGE EVENING NEWS, beginning on October 8, 2003 and ending on October 8, 2003, appearing 1 time(s) in the Classification, LEGAL NOTICES.

Pat Gliniecki
Pat Gliniecki

Subscribed and sworn to before me this 23 day of October, 2003.

Madaline I. Daoust
Notary Public Madaline I. Daoust

My Commission Expires: February 6, 2009

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October 8, 2003

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Notary Public Madaline I. Daoust

My Commission Expires: February 6, 2009

REC'D NOV 06 2003



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

MITT ROMNEY
Governor

KERRY HEALEY
Lieutenant Governor

ELLEN ROY HERZFELDER
Secretary

ROBERT W. GOLLEDGE, Jr.
Commissioner

November 3, 2003

Amy Silverstein, Esq.
Providence and Worcester Railroad Company
P.O. Box 16551
Worcester, MA 01601

Re: Southbridge Running Track from Southbridge through Dudley and Webster, Massachusetts

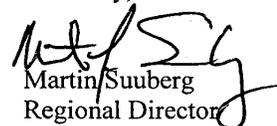
Dear Ms. Silverstein:

Your letter to Mr. Gaughan of DEP's Northeast Regional Office, dated September 11, 2003, regarding the above-referenced rail line has been forwarded to me for a response. Please note for purposes of subsequent correspondence that the subject rail line is located within the jurisdiction of DEP's Central Regional Office.

The proposed abandonment may affect water quality, particularly where tracks are located near streams, floodplains, wetlands or other aquatic areas sensitive to pollution. Prior to removing track materials on this line, your company may be required to obtain water quality certification or permits under the Massachusetts Wetlands Protection Act to prevent degradation of wetland resources and surface water quality. Your company may need to stabilize any exposed areas within the railroad right-of-way prior to abandonment to prevent sedimentation of protected resource areas, and it may need to manage contaminated soils, solid wastes and hazardous materials located along the right-of-way, in accordance with applicable state laws.

I encourage your company to contact the Service Center in DEP's Central Regional Office to arrange a pre-permitting review meeting prior to engaging in any regulated activity along the right-of-way. Please contact Ms. Christine Armstrong at (508) 767-2881 to schedule an appointment.

Sincerely,


Martin Suuberg
Regional Director

Cc: Christine Armstrong, Service Center

This information is available in alternate format. Call April McCabe, ADA Coordinator at 1-617-556-1171. TDD Service - 1-800-298-2207.

DEP on the World Wide Web: <http://www.mass.gov/dep>

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