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January 15, 2004

Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Suite 700
Washington, DC 20423

RE: Finance Docket No. 34438, *Huron & Eastern Railway Company, Inc.—Acquisition and Operation Exemption—Central Michigan Railway Company*

Dear Secretary Williams:

The Huron & Eastern Railway Company, Inc. ("HESR") is clarifying that it is merely acquiring the right of the Central Michigan Railway Company ("CMRY") to operate over the rail line owned by the Lake State Railway Company ("Lake State") between the South End of North Bay City Yard, milepost 55.77, and the North End of North Bay City Yard at the Centerline of Bangor Road, milepost 2.62 (the "Bay City Yard Line") in the Notice of Exemption filed by HESR on January 5, 2004 in the above entitled proceeding. Lake State will remain the owner of the Bay City Yard Line. HESR is merely succeeding to the operating rights of CMRY over the Bay City Yard Line.

An original and ten copies of this letter and attachment are enclosed. Please time and date stamp the extra copy of this letter and return it with our messenger. If you have any questions, please call or email me.

Sincerely yours,

A handwritten signature in black ink, appearing to read "L. Gitomer".

Louis E. Gitomer
Attorney for Huron & Eastern Railway
Company, Inc.

ENTERED
Office of Proceedings

JAN 15 2003

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Public Record