



KAPLAN KIRSCH ROCKWELL

August 21, 2007

Honorable Vernon A. Williams
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

**Re: *Maryland Transit Administration – Petition for Declaratory Order*
Finance Docket No. 34975**

Dear Sir:

I write to request that the Board expedite its consideration of the instant matter, which has been pending since December 2006. The Maryland Transit Administration (MTA) filed a Petition for Declaratory Order on December 22, 2006, asking the Board to find that MTA's 1990 acquisition of a line of railroad known as the Cockeyesville Industrial Track (CIT), was not subject to the Board's jurisdiction. The Board issued Decisions on March 30, 2007, and April 18, 2007, requesting additional information from MTA. MTA filed its response on April 20, 2007, clarifying questions that had arisen with respect to the mileage designations on the line and providing documentation relating to the history of the CIT. On May 11, 2007, Mr. James T. Riffin, without leave from the Board, filed "supplemental comments" in this proceeding.

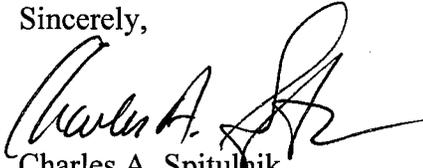
Since May 11, 2007, no further activity has occurred in connection with this matter. Because of the uncertainty created by the issues raised related to MTA's acquisition, use and ownership of this line, MTA is prevented from using and improving this asset for its intended passenger transit purposes and from making changes that will further enhance the safety of operations on this line. Clarification of the issues raised in MTA's Petition for Declaratory Order will allow Norfolk Southern (to whom common carrier obligations with respect to the CIT were transferred by Consolidated Rail Corporation, from whom MTA acquired the CIT) to refile its request for authority to abandon the line.¹ As NS explained in its previous abandonment proceeding, there is no shipper activity on the line and the CIT is clearly no longer required or used for freight railroad purposes.

¹ NS previously sought authority to abandon in Docket No. AB-290 (Sub-No. 237X), *Norfolk Southern Ry. Co. – Abandonment Exemption – In Baltimore Co., MD* (Service Date April 3, 2006).

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Accordingly, MTA requests that the Board expedite its decision in order to resolve the regulatory status of MTA's acquisition of the CIT. The Board's decision will permit MTA to implement the remaining actions required to permit MTA to make changes that will improve safety of light rail operations on the line, and to enjoy fully the benefits of its acquisition of this line for passenger transit purposes.

Sincerely,



Charles A. Spitulnik

cc: Mr. James Riffin
James Paschall, Esquire
T. Byron Smith, Esquire

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