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MAY 15 2008

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**TRANSPORTATION BOARD
SURFACE**

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May 14, 2008

MAY 15 2008

Admitted in NY - Not Admitted in FL
FL Authorized House Counsel

Via DHL Express - Overnight

FILED

Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, SW
Washington, D C 20024

ENTERED
Office of Proceedings

MAY 15 2008

Part of
Public Record



**Re: STB Docket No. AB-55 (Sub-No. 625X)
CSX Transportation, Inc. -- Abandonment
Exemption in Preston County, West Virginia**

Dear Acting Secretary Quinlan

By decision and notice of interim trail use or abandonment ("NITU") served on April 9, 2004 (the "NITU Decision"), the Board, under 49 U S C 10502, exempted from the prior approval requirements of 49 U S C 10903 the abandonment by CSX Transportation, Inc ("CSXT") of a 14.3-mile line of railroad extending from milepost BAJ 0 0 at Rowlesburg to milepost BAJ 14 3 near Albright in Preston County, WV (the "Line"), subject to trail use, public use, environmental, and standard employee protective conditions

The NITU Decision authorized The Friends of the Cheat ("Friends") to negotiate with CSXT for interim trail use/rail banking for the Line under the National Trails System Act, 16 U S C 1247(d). After various extensions of the NITU negotiating period, consummation of a portion of the Line and other related filings, the NITU negotiations related to the Line have been limited to the 9.78-mile portion of the Line extending from milepost BAJ 0 0 at Rowlesburg to milepost BAJ 9 78 at Camp Dawson, in Preston County, WV (the "NITU Segment") (See, e.g., the NITU extension request filed by Friends with the Board on November 21, 2005)

Although the current extension of the negotiating period expires on May 16, 2008, CSXT has not consummated the abandonment of the NITU Segment, and has been unable to finalize negotiations with Friends. Nevertheless, CSXT and Friends have continued to negotiate for trail use and desire to continue to negotiate for interim trail use/rail banking with respect to the NITU Segment

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Friends have acknowledged they will file a letter with the Board confirming their willingness to continue negotiating with CSXT for the NITU Segment soon after this filing. In addition, CSXT understands Friends have been successful in raising funds for the Line, and both parties consider the prospects of reaching an agreement are highly favorable.

Accordingly, CSXT respectfully requests the Board to grant a 180-day extension of time to November 12, 2008 to continue trail use negotiations with Friends with respect to the NITU Segment. Additionally, CSXT respectfully requests an extension of the date to consummate the abandonment with respect to the NITU Segment to January 11, 2009.

Enclosed please find the original and ten copies of this letter, and a filing fee of \$350.00.

Thank you for your assistance and please do not hesitate to contact me if you have any questions regarding this matter.

Very truly yours,



Steven C. Armbrust

cc Parties of Record