The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
ATTN: Elaine K. Kaiser
1925 K Street, N.W.
Washington, D.C. 20423-0001

Re: Finance Docket No. 33388 (Sub-No. 71), East Jersey
Railroad and Terminal Company--Trackage Rights--Lines
of Consolidated Rail Corporation in Hudson County, NJ

Dear Mr. Secretary:

Enclosed for filing in the captioned sub-proceeding
please find an original and ten (10) copies of an "Environmental
Verified Statement" submitted by the East Jersey Railroad and
Terminal Company in support of its anticipated Responsive Appli-
cation.

Also enclosed is a diskette with the enclosed filing in
Wordperfect 5.1 form.

Thank you for your attention to this matter.

Sincerely,

[Signature]

Donald G. Avery

Encl.

cc: Judge Leventhal (w/o diskette)
Parties of Record ( )

1Related to Finance Docket No. 33388, CSX Corporation and
CSX Transportation, Inc. and Norfolk Southern Railway Company--
Control and Operating Leases/Agreements--Conrail Inc. and Consol-
idated Rail Corporation--Transfer of Railroad Line by Norfolk
Southern Railway Company to CSX Transportation, Inc.
My name is Richard R. Fisette, and I am Vice President of the East Jersey Railroad and Terminal Company ("EJRR"), commonly referred to as the "East Jersey Railroad." My business address is 250 East 22nd Street, Bayonne, New Jersey 07002.

The "responsive application" that EJRR plans to file in this proceeding on October 21, 1997 will seek overhead trackage rights for EJRR to operate on approximately ten (10) miles of tracks presently owned and operated by Consolidated Rail Corporation ("Conrail") in Bayonne, Jersey City, and Newark. EJRR intends to use those trackage rights solely (1) to switch cars between points on disconnected segments of EJRR’s lines in the "Constable Hook" section of Bayonne, and (2) to reach Conrail’s Oak Island Yard for purposes of interchanging traffic with CSX and NS.

The traffic that EJRR will handle using the requested trackage rights would for the most part would move by rail
anyway, albeit in switching consists operated by the Shared Assets Area Operator (Conrail) instead of by EJRR, if the requested conditions were denied. The only pertinent operational change resulting from a grant of these trackage rights would be a modest increase in the frequency of switching movements between EJRR’s lines and Oak Island, amounting to less than one (1) round trip per day, on average. All of the line segments in question presently handle several times that number of train movements. Accordingly, I believe -- and hereby certify -- that the requested relief will not result in significant changes in carrier operations exceeding any of the quantitative or percentage thresholds set forth in 49 C.F.R. §§ 1105.7(e)(4) or (5).
Verification

STATE OF NEW JERSEY ) ss:
COUNTY OF HUDSON )

RICHARD R. FISETTE, being duly sworn, deposes and says
that he has read the foregoing verified statement, knows the
contents thereof, and that the same are true as stated.

[Signature]
Richard R. Fisette

Subscribed and sworn to before me
this 21st day of September, 1997.

[Signature]
Dennis M. BadUInteger
Notary Public in and for the State
of New Jersey.

My Commission Expires: March 1998
Certificate of Service

I hereby certify that I have this 1st day of October, 1997, caused copies of the foregoing document to be served by first-class mail upon Administrative Law Judge Leventhal and upon all parties of record, as listed on the official service list issued by the Board on August 19, 1997 in Decision No. 21.

Donald G. Avery