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Ms. Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

RE: **Docket No. AB-565 (Sub-No. 1X), *New York Central Lines, LLC—
Abandonment Exemption—in Middlesex County, MA***

Dear Ms. Brown:

CSX Transportation, Inc. (“CSXT”), the successor by merger to New York Central Lines, LLC, agrees to the request from The Town of Sudbury, Massachusetts (the “Town”) filed on November 2, 2020, requesting an extension until December 1, 2021 to negotiate interim trail use/rail banking over a 1.40-mile portion of the line proposed for abandonment in the above-entitled proceeding between milepost QBS 3.40, at the city line of Framingham, and milepost QBS 4.80, at the intersection of the former Penn Central Transportation Company line (the “Line”). CSXT has not consummated the abandonment of the Line. CSXT also responds to the “Comment Letter” filed by the National Association of Reversionary Property Owners (“NARPO”).

CSXT confirms that it has executed a written agreement with the Town contingent upon the completion of due diligence by the Town. CSXT agrees to the requested extension of the interim trails use/rail banking negotiation period on the Line until December 1, 2021.

NARPO erroneously states that “The town has been using the same excuses for the past many years to seek NITU extensions.” In the past, the Town has indicated progress in negotiations and that it wished to continue negotiations with CSXT. CSXT has consented to those requests. However, in the November 2, 2020 filing, the Town has advised the Board that it has entered a written agreement with CSXT, contingent on the completion of certain due diligence, which is expected to be completed in the first quarter of 2021.

NARPO’s comment also wrongly states that the extension contained “in the new STB NITU extension rules” does not pertain to the Town’s request. The Town fully justified the extension request based on the specific transitional rule adopted in *Limiting Extensions of Trail Use Negotiating Periods*, Docket No. EP 749 (Sub-No. 1) et al. (served December 4, 2019), slip

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op. at 11, which provided “as a transitional measure, parties engaged in negotiations under an existing CITU or NITU that was originally issued before February 2, 2017, may request one additional extension of one year, beyond the four-year anniversary of the issuance of the CITU or NITU, without showing extraordinary circumstances.” *Id.* See *CSX Transportation, Inc.- Abandonment Exemption-in Logan County, W. Va.*, Docket No. AB 55 (Sub-No. 763X) (served October 14, 2020), slip op. at 2. The Town meets the criteria of the transitional rule because it was granted a Notice of Interim Trail Use on October 12, 2001 in *New York Central Lines, LLC—Abandonment Exemption—In Middlesex County, MA*, STB Docket No. AB-565 (Sub-No. 1X) (served October 12, 2001).

CSXT requests that the Board grant the extension requested by the Town and not adopt NARPO’s unjustified attempt to disrupt the conversion of the Line to interim trail use based on NARPO’s inaccurate statements.

This letter is being efiled. Thank you for your assistance. If you have any questions please call or email me.

Sincerely yours

/s/ *Louis E. Gitomer*

Louis E. Gitomer
Attorney for: CSX Transportation, Inc.

CERTIFICATE OF SERVICE

I certify that this letter has been filed on all parties of record in this proceeding by email.

/s/ *Louis E. Gitomer*

Louis E. Gitomer

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