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BY E-FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E Street, S.W., Room 1034
Washington, DC 20024

Re: *Bessemer and Lake Erie Railroad Company – Acquisition and Operation – Certain Rail Lines of CSX Transportation, Inc. in Onondaga, Oswego, Jefferson, Saint Lawrence, and Franklin Counties, New York* (Docket No. FD 36347)

Dear Ms. Brown:

Applicant Bessemer and Lake Erie Railroad Company (“B&LE”) and CSX Transportation, Inc. (“CSXT”) each have pending petitions for reconsideration in this matter filed on June 5, 2020, requesting removal of Ordering Paragraph No. 3 of the Board’s decision of April 6, 2020 (“Approval Decision”).

The parties’ executed Purchase and Sale Agreement (“PSA”) included a Drop Dead Date of November 30, 2020 whereby either railroad could terminate the line sale agreement at any point after that date unless Closing had occurred. The parties hereby notify the Board that pursuant to a written amendment to the PSA, they have extended the Drop Dead Date to February 28, 2021. However, the parties note that integration planning, including CSXT’s negotiation of pre-consummation labor implementing agreements, will take some time after a Board decision before Closing could occur.

Under the circumstances, the parties respectfully request the Board issue its decision on the pending petitions for reconsideration of Ordering Paragraph No. 3 as soon as possible. B&LE and CSXT remain firmly committed to completion of the Transaction and to the realization of the significant public interest benefits that the Board recognized in its Approval Decision.

Sincerely,

/s/ Claire M. Maddox

*Counsel for Bessemer and
Lake Erie Railroad Company*

cc: All Parties of Record