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May 14, 2021

ENTERED
Office of Proceedings
May 14, 2021
Part of
Public Record

Ms. Cynthia Brown
Secretary, Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Re: Metro-North Commuter Railroad Company—Adverse Discontinuance of Trackage Rights—Housatonic Railroad Company, STB Docket No. AB-1311

Dear Ms. Brown:

On April 30, 2021, Metro-North Commuter Railroad Company (“Metro-North”) filed an Application for Adverse Discontinuance (“Application”) with the Surface Transportation Board (“Board”) in the above captioned matter. On May 12, 2021 Counsel for Metro-North was notified of an error in the list of United States Postal Zip Codes contained in the Notice of Intent letter (Application, Exhibit E) and the two newspaper notices required by 49 C.F.R. § 1152.20 (Application, Exhibit G and Exhibit H). The Zip Code 06811 was included in the list in error and the Zip Code 12564 was excluded. The list of United State Postal Zip Codes set forth in the Application for Adverse Discontinuance and in the Environmental and Historic Report is correct. The full list of Zip Codes through which the rail line at issue traverses is 12508, 12524, 12533, 12582, 12570, 12531, 12564, 12563, and 10509.

Metro-North respectfully requests the Board hold this proceeding in abeyance until June 7, 2021 in order to (1) provide the requisite fifteen-day notice to the Notice of Intent recipients set forth in 49 C.F.R. § 1152.20(a)(2), and (2) allow for the publication of a correction in the Westchester Putnam Journal and the Poughkeepsie Journal for three consecutive weeks. Copies of the Notice of Intent, the correction published in the newspapers and the requisite affidavits will be filed with the Board. If you have any questions, please do not hesitate to contact me at (202) 955-5600 or cspitulnik@kaplankirsch.com.

Yours Truly,



Charles A. Spitulnik

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of May 2021, I caused the foregoing Request for Abeyance to be served on the following parties by email:

Edward J. Rodriguez
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