

LAW OFFICES OF
LOUIS E. GITOMER, LLC

LOUIS E. GITOMER
Lou@lgraillaw.com

MELANIE B. YASBIN
Melanie@lgraillaw.com
410-296-2205

600 BALTIMORE AVENUE,
SUITE 301
TOWSON, MARYLAND 21204-4022
(410) 296-2250 * (202) 466-6532
FAX (410) 332-0885

303065

October 5, 2021

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

ENTERED
Office of Proceedings
October 5, 2021
Part of
Public Record

Re: **Docket No. AB-55 (Sub-No. 763X), CSX Transportation, Inc.—Abandonment
Exemption—in Logan County, WV**

Dear Ms. Brown:

CSXT Transportation, Inc. (“CSXT”) responds to the letter filed October 4, 2021, as amended on October 5, 2021, by the Georgetown and High Line Railway Company, LLC (“GHL”) in which GHL seeks a one-year extension of time to negotiate interim trail use/rail banking for the approximately 3.29-mile railroad line on CSXT’s Southern Region, Florence Division, Logan Subdivision, from milepost CLX 0.0, near Man, to milepost CLX 3.29 near Garnette, in Logan County, WV.

CSXT agrees to the requested extension of the interim trails use/rail banking negotiation period until October 24, 2022. There is a regulatory barrier to consummation of this abandonment (as provided in 49 C.F.R. § 1152.29(e)(2)) because CSXT has not completed the Section 106 process of the National Historic Preservation Act, as required by CSX *Transportation, Inc.-Abandonment Exemption-in Logan County, W. Va.*, Docket No. AB-55 (Sub-No. 763) (served October 26, 2016). CSXT has not consummated the abandonment of the Line.

As provided in 49 C.F.R. § 1152.29(e)(2), the extension of the trail negotiation period until April 24, 2022, creates a regulatory barrier to consummation of the abandonment, which provides CSXT with an additional 60 days to consummate the abandonment to December 23, 2022, if trail negotiation is unsuccessful. CSXT respectfully requests that the Board confirm that the extension of the consummation period as provided in the regulations applies in this instance.

Ms. Cynthia T. Brown
October 5, 2021
Page 2

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

Sincerely yours,

Louis E. Gitomer

Louis E. Gitomer
Attorney for CSX Transportation, Inc.

Cc: Parties of Record