

November 21, 2022

Katharine Lord Klein
kklein@k-plaw.com

305672

BY ELECTRONIC FILINGMs. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, D.C. 20423-0001**ENTERED**
Office of Proceedings
November 21, 2022
Part of
Public RecordRe: Pioneer Valley Railroad Company, Inc. – Abandonment Exemption – In the Town of
Southampton, Hampshire County, Massachusetts
Surface Transportation Board Docket No. – AB 531 (Sub-No. 3X)

Dear Ms. Brown:

This request is filed on behalf of the Town of Southampton, a Massachusetts municipal corporation, hereinafter referred to as “Proponent.”

Proponent requests issuance of a Notice of Interim Trail Use rather than an outright abandonment authorization for the line of railroad of Pioneer Valley Railroad Company, Inc. (“PVR”), subject of an Abandonment Exemption filing (the “Subject Line”). The Subject Line is located in Southampton, Hampshire County, Massachusetts, and runs approximately 4.25 miles from the northern terminus at Coleman Road (approximate milepost 69.70 in PVR’s original track chart) to the southern terminus at Brickyard Road, near its intersection with Valley Road (approximate milepost 73.95 in PVR’s original track chart).

The railroad right-of-way in this proceeding is suitable for rail banking. In order to establish interim trail use and rail banking, Proponent is willing to assume financial responsibility as set forth in the Statement of Willingness, included herewith.

The Town of Southampton, as a governmental entity, respectfully requests a waiver of the Board’s filing fees in accordance with 49 CFR 1002.2(e)(1).

Should you have any questions, please do not hesitate to contact me.

Very truly yours,



Katharine Lord Klein

KLK/caa

cc: Michael Schneider, Esq. (By Electronic Mail)

838124/SOUT/0057

FILING FEE WAIVED

**STATEMENT OF WILLINGNESS TO ASSUME
FINANCIAL RESPONSIBILITY**

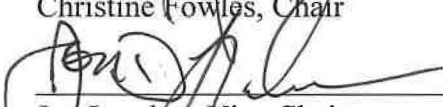
In order to establish interim trail use and rail banking under 16 U.S.C. 1247(d) and 49 CFR 1152.29 with respect to the right-of-way owned and operated by Pioneer Valley Railroad Company, Inc., the Town of Southamptton ("Interim Trail Sponsor") is willing to assume full responsibility for: (1) managing the right-of-way; (2) any legal liability arising out of the transfer or use of the right-of-way (unless the sponsor is immune from liability, in which case it need only indemnify the railroad against any potential liability); and (3) the payment of any and all taxes that may be levied or assessed against the right-of-way. The Subject Line, known as the Florence Secondary, extends from Milepost 69.70 to Milepost 73.95, a distance of approximately 4.25 miles in Southamptton, Hampshire County, Massachusetts. The right-of-way is the line of railroad proposed for abandonment in STB Docket No. AB 531 (Sub-No. 3X). A map of the property depicting the right-of-way is attached.

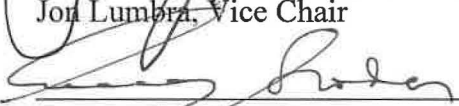
The Town of Southamptton acknowledges that use of the right-of-way is subject to the Interim Trail Sponsor's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service. A copy of this Statement is being served on Pioneer Valley Railroad Company, Inc., c/o Michael Schneider, Esq., Doherty Wallace Pillsbury & Murphy P.C., One Monarch Place, Suite 1900, Springfield, MA 01144, mschneider@dwpm.com on the same date it is being served on the Board.

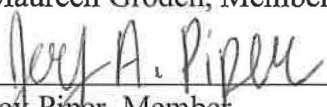
Executed this 10th day of November, 2023.

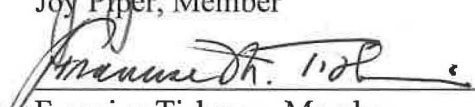
TOWN OF SOUTHAMPTON,
By Its Select Board


Christine Fowles, Chair


Jon Lumbré, Vice Chair


Maureen Groden, Member


Joy Piper, Member


Francine Tishman, Member