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December 27, 2022
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December 27, 2022

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20024

Re: Somerset Railroad Corporation – Abandonment Exemption –
in Niagara County, NY
Surface Transportation Board Docket No. AB 1303X

Dear Ms. Brown:

On December 27, 2022 the Town of Newfane submitted a request that the Board further extend the period of time allowed for the parties to negotiate interim trail use/rail banking ("NITU") in the above captioned proceeding. Under the Board's December 10, 2021 decision in this docket, the NITU period currently expires on January 22, 2023.

Somerset Railroad Corporation is agreeable to the Town of Newfane's request for a one-year extension of the negotiation period towards a potential NITU arrangement for the approximately 13.39 rail line between milepost 2.2 and the power plant at the end of its line, a distance of approximately 13.39 miles, in Niagara County, New York.

If you have any questions concerning this filing, please let me know.

Sincerely,



Justin J. Marks
Counsel to Somerset Railroad Corporation

cc: Eric M. Hocky, Clark Hill
James J. Sansone P.C., Counsel to Town of Newfane
Tom Alworth, N.Y. State Office of Parks, Recreation, and Historic Preservation