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September 30, 2025

BY E-FILING

Chief of Case Administration
Office of Chief Counsel
Surface Transportation Board
395 E Street, SW
Washington, DC 20024

ENTERED
Office of Chief Counsel
September 30, 2025
Part of
Public Record

Re: CSX Transportation, Inc. - Abandonment Exemption -
In Philadelphia County, PA
Docket No. AB-55 (Sub-No. 819X)
Late-filed Request for Notice of Interim Trail Use (color image included)

Dear Chief of Case Administration:

This request is filed on behalf of Open Space Institute Land Trust, Inc., a New York not-for-profit corporation ("OSILT" or "Proponent"). The filing fee of \$350 has been paid through Pay.Gov.

Proponent requests issuance of a Notice of Interim Trail Use ("NITU") with respect to the approximately 0.69-mile rail line extending between Milepost BCE 1.41 and Milepost BCE 2.1 in Philadelphia County, PA (the "Rail Line") that is the subject of this exempt abandonment proceeding. A map of the Rail Line is attached as Exhibit A to the enclosed Statement of Willingness to Assume Financial Responsibility ("Statement of Willingness").

Proponent requests that the Board issue a Notice of Interim Trail Use for the entire 0.69-mile Rail Line. In order to establish interim trail use and rail banking under Section 8(d) of the National Trails System Act, 16 U.S.C. §1247(d), and 49 CFR 1152.29, Proponent is willing to assume financial responsibility as set forth on the enclosed Statement of Willingness.

Under the notice of the exemption served and published by the Board in the Federal Register on July 14, 2025, requests for interim trail use were originally to be filed by July 24, 2025, and requests for public use conditions were to be filed by August 4, 2025. In a Decision served August 22, 2025 (the "August 22 Decision"), the Board granted a public use condition as requested by the City of Philadelphia (the "City") in its August 1, 2025 submission to the Board. The City's request indicated that the Rail Line had potential for a trail, recreational facility or as a potential local rail transportation option. The August 22 Decision, n. 2, indicated that if the City wished to pursue interim trail use/railbanking of the

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Rail Line, it would need to request issuance of a NITU under 49 CFR §1152.29. Following discussions with the City, OSLIT is filing this request in order to allow a NITU to be issued and to establish a framework for negotiation and preservation of the Rail Line for interim trail use.

The Board may accept late-filed NITU requests when the railroad has not yet consummated the abandonment and good cause exists for the delay in filing. 49 CFR §1152.29(b)(3). Here, CSXT has not consummated the abandonment. OSLIT was only recently brought into the NITU conversation by the City, and the Board's suggestion to the City in the August 22 Decision that a request for NITU could still be filed confirms that good cause exists to allow a delayed trail use request.

By my signature below, I certify service by e-mail of a copy of this request on counsel for CSX Transportation, Inc. as well as on all other parties of record.

Respectfully submitted,

CLARK HILL

/s/ Eric M. Hocky

Eric M. Hocky

EMH:e
Enclosure

cc: Melanie Yasbin, attorney for CSX Transportation, Inc.
William A. Mullins, attorney for Philadelphia Belt Line Railroad Company, Inc.
Blake Andres, City of Philadelphia

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and rail banking under Section 8(d) of the National Trails System Act, 16 U.S.C. §1247(d), and 49 CFR 1152.29 with respect to the Rail Line (as defined below") owned by CSX Transportation, Inc. ("CSXT"), Open Space Institute Land Trust, Inc., a New York not-for-profit corporation ("OSILT"), is willing to assume full responsibility for management of, for any legal liability arising out of the transfer of use of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for payment of any and all taxes that may be levied or assessed against, the Rail Line.

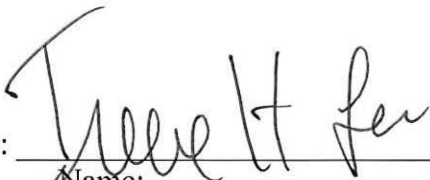
The Rail Line is the approximately 0.69-mile rail line extending between Milepost BCE 1.41 and Milepost BCE 2.1 in Philadelphia County, PA. The property is all of the line of railroad proposed for abandonment in STB Docket No. AB-55 (Sub-No. 819X).

A map depicting the Rail Line is attached as Exhibit A.

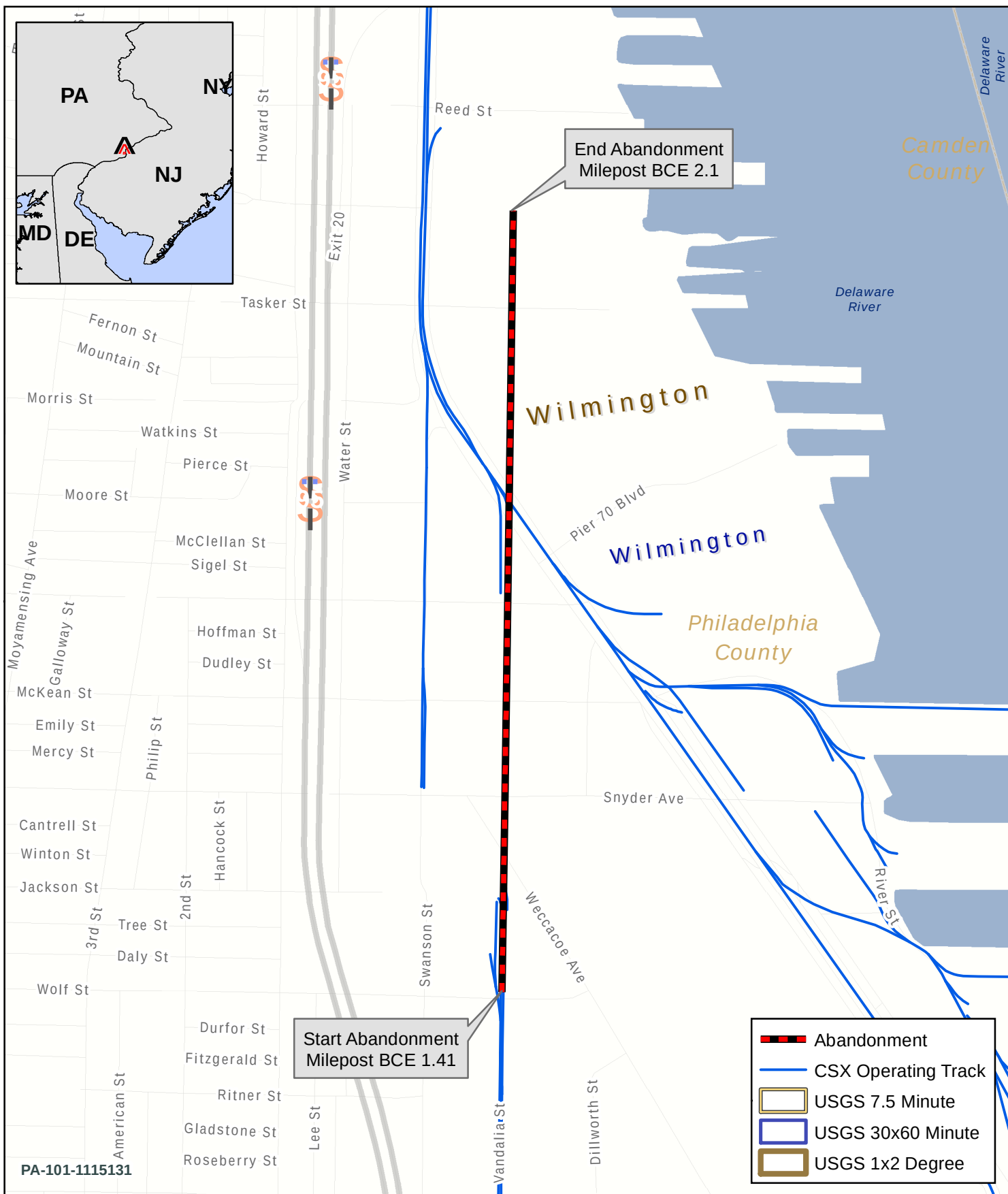
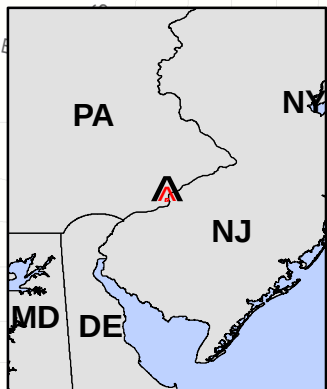
OSILT acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

A copy of this statement is being served on CSXT on the same date that it is being served on the Board.

Open Space Institute Land Trust, Inc.

By: 
Name: _____
Title: _____

Dated: September 30, 2025



CSX Transportation, Inc.
Abandonment
Philadelphia County - Philadelphia, PA
Philadelphia Sub
Milepost BCE 1.41 - 2.1
Total Distance of approx. 0.69 Miles
NE - Central East - Philadelphia
STB Docket No. AB 55 (Sub-No. 819X)

