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SERVICE DATE – LATE RELEASE AUGUST 21, 2009

SURFACE TRANSPORTATION BOARD

NOTICE

STB Finance Docket No. 35281

CSX TRANSPORTATION, INC.—TRACKAGE RIGHTS EXEMPTION—
COMMONWEALTH RAILWAY INCORPORATED

August 20, 2009

NOTICE TO THE PARTIES:

On August 12, 2009, a notice of exemption was served and published in the Federal Register (74 FR 40642) in this proceeding for the non-exclusive overhead trackage rights granted to CSX Transportation, Inc., by Commonwealth Railway Incorporated (CRI) over CRI's line of railroad between Suffolk, VA, milepost 16.50, and Churchland, VA, milepost 9.90, a distance of approximately 6.60 miles. The notice, at note 2, contained a reference to the need to disclose interchange commitments pursuant to 49 CFR 1180.4(g)(4). Because trackage rights agreements are required to be filed with a party's verified notice of exemption and are available to the public, further disclosure is not required in a notice of exemption for trackage rights and will not be required in such notices in the future.

All other information in the notice remains unchanged.

Rachel D. Campbell
Director, Office of Proceedings