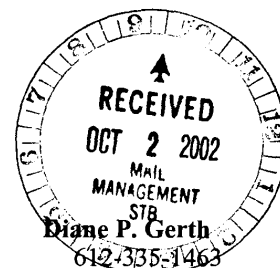


LEONARD, STREET AND DEINARD

PROFESSIONAL ASSOCIATION

206 298

September 30, 2002



dpg1463@leonard.com

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street N.W.
Washington, D.C. 20423-0001

**Re: Canada Southern Railway Company's Class Exemption From The Requirements of 49 U.S.C. Sections 10903- Notice of Exemption to Abandon - Abandonment of Line of Railroad Running Between Milepost 0.0 and Milepost 0.15, in Niagara County, State of New York (United States Postal Zip Code 14305)
S.T.B. Docket No. AB-584 (Sub No. 1X)**

Dear Secretary Williams:

Please find enclosed for filing the original and 10 copies of the Canada Southern Railway Company's Class Exemption from the Requirements of 49 U.S.C. Sections 10903 for the above-referenced trackage rights discontinuance. We have enclosed a check in the amount of \$2,700 pursuant to 49 C.F.R. Part 1002.2 as the filing fee, along with an IBM compatible floppy disc. I have enclosed a duplicate copy of this letter and a self-addressed, stamped envelope to be stamped with the filing date and returned to the undersigned.

If you have any questions regarding the above-referenced matter, please feel free to contact me.

Very truly yours,

LEONARD, STREET AND DEINARD

Diane P. Gerth
DPG:km

ENTERED
Office of Proceedings

OCT 2 2002

Part of
Public Record

cc: Bill Tuttle
Mike Franczak
Judy Mitchell

150 SOUTH FIFTH STREET SUITE 2300 MINNEAPOLIS, MINNESOTA 55402 TEL 612-335-1500 FAX 612-335-1657

2264062v1

LAW OFFICES IN MINNEAPOLIS, SAINT PAUL, MANKATO, SAINT CLOUD AND WASHINGTON, D.C.

WWW.LEONARD.COM

LEONARD, STREET AND DEINARD

PROFESSIONAL ASSOCIATION

206 298



dpg1463@leonard.com

September 30, 2002

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street N.W.
Washington, D.C. 20423-0001

FILE RECEIVED

OCT 2 2002

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Diane P. Gerth
DPG:km

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FILED

SURFACE
TRANSPORTATION BOARD

cc: Bill Tuttle
Mike Franczak
Judy Mitchell

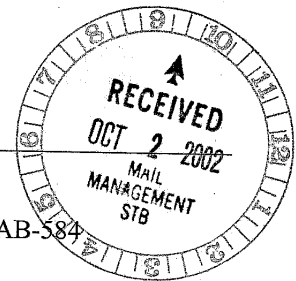
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2264062v1

LAW OFFICES IN MINNEAPOLIS, SAINT PAUL, MANKATO, SAINT CLOUD AND WASHINGTON, D.C.

WWW.LEONARD.COM

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C.



CANADA SOUTHERN RAILWAY
COMPANY-- ABANDONMENT OF
TRACKAGE LOCATED IN NIAGARA
COUNTY, NEW YORK)

DOCKET NO. AB-584
(SUB-NO. 1X)

ABANDONMENT OF TRACKAGE LOCATED
BETWEEN MILE POST 0.0 AND MILE POST 0.15 IN NIAGARA FALLS, NEW YORK,
WHICH TRAVERSES THROUGH UNITED STATES POSTAL ZIP CODE 14305, NIAGARA
COUNTY, STATE OF NEW YORK

NOTICE OF EXEMPTION
PURSUANT TO 49 U.S.C. SECTION 10502 AND 49 C.F.R. PART 1152.50

CLASS EXEMPTION FROM THE REQUIREMENTS
OF 49 U.S.C. SECTIONS 10903

FEE RECEIVED

OCT 02 2002

SURFACE

TRANSPORTATION BOARD

CANADA SOUTHERN RAILWAY COMPANY

Diane P. Gerth, Esq.

**LEONARD, STREET AND DEINARD
PROFESSIONAL ASSOCIATION**

150 South Fifth Street, Suite 2300
Minneapolis, Minnesota 55402

Tel: (612) 335-1463

Fax: (612) 335-1657

Date of Filing: September 30, 2002

ENTERED
Office of Proceedings

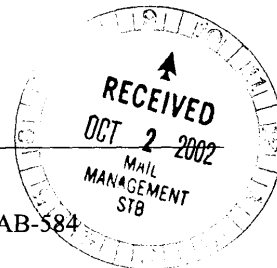
OCT 2 2002

Part of
Public Record

FILED

SURFACE
TRANSPORTATION BOARD

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C.



CANADA SOUTHERN RAILWAY)
COMPANY-- ABANDONMENT OF)
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NOTICE OF EXEMPTION
PURSUANT TO 49 U.S.C. SECTION 10502 AND 49 C.F.R. PART 1152.50

CLASS EXEMPTION FROM THE REQUIREMENTS
OF 49 U.S.C. SECTIONS 10903

CANADA SOUTHERN RAILWAY COMPANY

Diane P. Gerth, Esq.
LEONARD, STREET AND DEINARD
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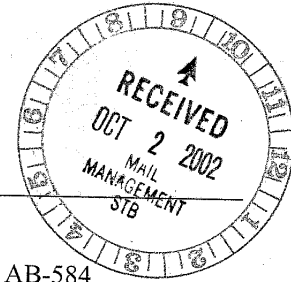
Date of Filing: September 30, 2002

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BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C.



CANADA SOUTHERN RAILWAY)
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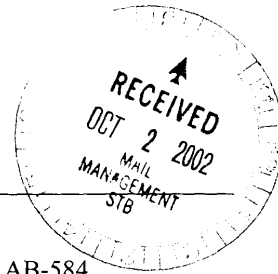
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NOTICE OF EXEMPTION
PURSUANT TO 49 U.S.C. SECTION 10502 AND 49 C.F.R. PART 1152.50

CLASS EXEMPTION FROM THE REQUIREMENTS
OF 49 U.S.C. SECTIONS 10903

The Canada Southern Railway Company, ("CSR") files this Notice of Exemption pursuant to 49 U.S.C. § 10502 and the Commission's regulations at 49 C.F.R. Part 1152.50. This Notice of Exemption is for CSR's abandonment of 0.15 mile of a portion of its line of in the vicinity of the international bridge between Mile Post 0.0 and Milepost 0.15 in the City of Niagara Falls, Niagara County, New York, which traverses through United States Postal Zip Code 14305. The line that is the subject of this Notice is located on the United States side of the international bridge. Trackage on the Canadian side of the bridge has been removed and that land sold for non-railroad use.

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C.



CANADA SOUTHERN RAILWAY)
COMPANY-- ABANDONMENT OF)
TRACKAGE LOCATED IN NIAGARA)
COUNTY, NEW YORK)

DOCKET NO. AB-584
(SUB-NO. 1X)

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No local traffic has moved over the line for at least 2 years and all overhead traffic has been routed over other lines. A map showing the line to be abandoned is attached as Exhibit No.

1.

In accordance with the requirements of 49 C.F.R. Part 1152.50, CSR submits the following:

1. WRITTEN NOTIFICATION OF FILING FOR ABANDONMENT EXEMPTION - 49 C.F.R. PART 1152.50(d)(1).

Said notification was served on the appropriate parties on September 9, 2002, at least ten (10) days prior to the filing date of this exemption. See Exhibit No. 2.

2. PROPOSED CONSUMMATION DATE - 49 C.F.R. PART 1152.50(d)(2).

CSR intends to consummate the proposed abandonment of its trackage on or after November 15, 2002.

3. CARRIER CERTIFICATION RE LOCAL AND OVERHEAD TRAFFIC AND STATUS OF NO COMPLAINTS - BY 49 C.F.R. PART 1152.50(b) and (d)(2).

The required Certification is annexed hereto as Exhibit No. 3.

4. INFORMATION REQUIRED BY 49 C.F.R. PARTS 1152.22(a)(1)-(4), (7) and (8) and (e)(4) (INCORPORATED BY REFERENCE IN 49 C.F.R. PART 1152.50(d)(2)):

- (a) PART 1152.22(a)(1) EXACT NAME OF APPLICANT.

Canada Southern Railway Company.

- (b) PART 1152.22(a)(2) WHETHER THE APPLICANT IS A COMMON CARRIER BY RAILROAD SUBJECT TO THE INTERSTATE COMMERCE ACT.

CSR is a common carrier by railroad subject to the Interstate Commerce Act and the Interstate Commerce Commission Termination Act of 1995 (Title 49 U.S.C.).

- (c) PART 1152.22(a)(3) RELIEF SOUGHT (ABANDONMENT OF LINE OR DISCONTINUANCE OF SERVICE).

CSR seeks authority to abandon a 0.15 mile portion of its trackage leading up to and to the middle of the international railway bridge at Niagara Falls, New York.

- (d) PART 1152.22(a)(4) DETAILED MAP

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- (d) PART 1152.22(a)(4) DETAILED MAP

See Exhibit No. 1.

(e) PART 1152.22(a)(7) NAME, TITLE AND ADDRESS OF REPRESENTATIVE OF APPLICANT TO WHOM CORRESPONDENCE SHOULD BE SENT.

Diane P. Gerth, Esq.
LEONARD, STREET AND DEINARD
PROFESSIONAL ASSOCIATION
150 South Fifth Street, Suite 2300
Minneapolis, MN 55402
Tel: (612) 335-1463
Fax: (612) 335-1657

(f) PART 1152.22(a)(8) LIST OF ALL UNITED STATES POSTAL ZIP CODES THAT THE LINE PROPOSED FOR ABANDONMENT TRAVERSES:

United States Postal Zip code 14305.

(g) PART 1152.22(e)(4) STATEMENT OF WHETHER THE PROPERTIES PROPOSED TO BE ABANDONED ARE SUITABLE FOR USE FOR OTHER PUBLIC PURPOSES, INCLUDING ROADS OR HIGHWAYS, OTHER FORMS OF MASS TRANSPORTATION, CONSERVATION, ENERGY PRODUCTION OR TRANSMISSION, OR RECREATION. IF THE APPLICANT IS AWARE OF ANY RESTRICTION ON TITLE TO THE PROPERTY, INCLUDING ANY REVERSIONARY INTEREST, WHICH WOULD AFFECT THE TRANSFER OF TITLE OR THE USE OF THE PROPERTY FOR OTHER THAN RAIL PURPOSES, THIS SHALL BE DISCLOSED.

The properties proposed to be abandoned are likely suitable for use as transportation infrastructure. However, because of the unique physical setting of the property, public use of the property may be difficult. The location of the bridge spanning a gorge at an international border, its historic private ownership, and the termination of rail use in Niagara Falls, Ontario all create formidable obstacles to public reuse of the property. Applicant is unaware of any restriction on title that would affect transfer of title.

5. PART 1152.50(d)(2) THE LEVEL OF LABOR PROTECTION.

CSR understands that in granting an exemption for the proposed abandonment, the Board does not relieve a carrier of its statutory obligation to protect the interests of employees. Accordingly, while CSR anticipates that no adverse effect to its employees will occur as the result of this abandonment, it understands that the Board will likely impose the conditions set forth in Oregon Short Line Railroad Company - Abandonment - Goshen - 360 I.C.C. 91 (1979), for the

See Exhibit No. 1.

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benefit of any carrier employee who may be adversely affected by the proposed abandonment.

6. PART 1105.7(c) CERTIFICATE OF SERVICE OF ENVIRONMENTAL REPORT AND HISTORIC REPORT.

An Environmental Report and Historic Report has been prepared in accordance with 49 C.F.R. Parts 1105.7 and 1105.8 and was served on the Board and all relevant parties on August 29, 2002 pursuant to 49 C.F.R. Part 1105.7(b). Applicant's certification pursuant to 49 C.F.R. Part 1105.7(c) is attached as Exhibit No. 4.

7. PART 1105.12 PUBLICATION OF NEWSPAPER NOTICE.

A Notice in accordance with Part 1105.12 has been published in a newspaper of general circulation in Niagara County, New York. A copy of said notice is attached hereto with the requisite Certification. See Exhibit No. 5.

8. VERIFICATION.

The required Verification is attached as Exhibit 6 and made a part of this Notice of Exemption.

Date of Filing: September 30, 2002



Diane P. Gerth, Esq. (Lic. #180786)
LEONARD, STREET AND DEINARD
PROFESSIONAL ASSOCIATION
150 South Fifth Street, Suite 2300
Minneapolis, Minnesota 55402
Tel: (612) 335-1463
Fax: (612) 335-1657

Counsel for the Canada Southern Railway Company

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PROFESSIONAL ASSOCIATION**

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Minneapolis, Minnesota 55402

Tel: (612) 335-1463

Fax: (612) 335-1657

Counsel for the Canada Southern Railway Company

EXHIBIT NO. 1

Detailed Exhibit Maps for Notice of Exemption

(49 C.F.R. Parts 1152.50(d)(2) and 1152.22 (a)(5))

EXHIBIT NO. 1

Detailed Exhibit Maps for Notice of Exemption

(49 C.F.R. Parts 1152.50(d)(2) and 1152.22 (a)(5))



EXHIBIT NO. 2

Certification of Proper Service of Written
Notice of Intent to Abandon under the Exemption Process

(49 C.F.R. Part 1152.50(d)(1))

CERTIFICATE OF COMPLIANCE WITH SERVICE REQUIREMENT FOR
NOTIFICATION OF INTENT TO FILE EXEMPTION ABANDONMENT

The undersigned hereby certifies that she served the Notice of Intent to File Notice of Exemption for the proposed abandonment in Docket No. AB-584 (Sub. No. 1X) via first class U.S. Mail, on September 20, 2002 as required by 49 C.F.R. Section 1152.50(d)(1), to the parties listed on the attached Service List. (See attached List).

Dated: September 30, 2002



Diane P. Gerth, Esq. (Lic. #180786)
LEONARD, STREET AND DEINARD
PROFESSIONAL ASSOCIATION
150 South Fifth Street, Suite 2300
Minneapolis, Minnesota 55402
Tel: (612) 335-1463
Fax: (612) 335-1657

NEW YORK PUBLIC SERVICE COMMISSION (OR EQUIVALENT AGENCY)

Maureen O'Donnell Helmer, Chair
New York State Public Service Commission
3 Empire State Plaza
Albany, NY 12223-1350

U.S. DEPARTMENT OF DEFENSE

(A) MILITARY TRAFFIC MANAGEMENT COMMAND

Military Traffic Management Command
Attn: Commander
M.T.O.P.
5611 Columbia Pike, Room 617
Falls Church, VA 22041

(B) TRANSPORTATION ENGINEERING AGENCY

Transportation Engineering Agency
Attn: M.T.T.E. - S.A.
720 Thimble Shoals Boulevard, Suite 130
Newport News, VA 23606-2574

NATIONAL PARK SERVICE, RECREATION RESOURCES ASSISTANCE DIVISION

National Center for Recreation and Conservation
U.S. Department of the Interior
National Park Service
1849 C Street NW, Room 3606
Washington, DC 20240
Attn: Mr. Tom Iurino
Tel. (202) 565-1181
Fax. (202) 565-1204

U.S. DEPARTMENT OF AGRICULTURE, CHIEF OF THE FOREST SERVICE

U.S.D.A. Forest Service
Attn: Mike Dombeck, Chief of the Forest Service
Auditors Building
201 14th Street, S.W.
Washington, D.C. 20250

EXHIBIT NO. 3

Carrier Certification of Out-of-Service Status/Local
Traffic/Overhead Traffic/No Complaints

(49 C.F.R. Part 1152.50(b))

CERTIFICATION THAT RAIL LINE MEETS
CRITERIA OF 49 C.F.R. SECTION 1152.50(b)

I, D.B. Campbell, V.P. Business Develop. for the Canadian Pacific Railway, hereby certify that with respect to the Niagara Falls Trackage which is the subject of this Notice of Exemption in Docket AB-57 (Sub-No. 49X), Canada Southern Railway has had no movements over the subject trackage in many years. The sole operator over the line since 1992 has been Delaware and Hudson Railway, a subsidiary of Canadian Pacific. With respect to Delaware and Hudson rail traffic, no local traffic has been handled to or from any customer for at least two (2) years prior to the date hereof and any overhead traffic routed over this line can be and has been rerouted over other lines. Further, I certify that no formal complaint has been filed by a user of rail service on the line (or a State or local government entity acting on behalf of such user) regarding cessation of service over the line segment and that no such complaint is either pending with the Commission or any U.S. District Court or has been decided in favor of a complainant within the two-year period immediately preceding the filing of this Notice.

The foregoing Certification is made on behalf of Canada Southern Railway Company and Canadian Pacific Railway by the undersigned after due and careful investigation of the matters herein certified. I verify under penalty of perjury under the laws of the United States of America, that I have been authorized by Canadian Pacific Railway to verify and file with the Surface Transportation Board the foregoing statement; that I know the contents thereof and the facts asserted therein; that I declare that the foregoing is true and correct.

Dated: 9/26, 2002

A handwritten signature in dark ink, appearing to read "D.B. Campbell", is written over a horizontal line.

EXHIBIT NO. 4

Certification of Proper Service of
Environmental and Historic Reports

(49C.F.R. Part 1105.7(c))

CERTIFICATE OF COMPLIANCE WITH SERVICE REQUIREMENT FOR
ENVIRONMENTAL AND HISTORIC REPORTS

The undersigned hereby certifies that she served the Environmental and Historic Reports for the proposed abandonment in Docket No. AB-584 (Sub. No. 1X) via first class U.S. Mail, on August 29, 2002 as required by C.F.R. Section 1105.7(c), to the parties listed on the attached List of Parties Consulted. (See attached List).

Dated: September 30, 2002



Diane P. Gerth, Esq. (MN Lic. # 180786)

LEONARD, STREET AND DEINARD
PROFESSIONAL ASSOCIATION

150 South Fifth Street, Suite 2300

Minneapolis, Minnesota 55402

Tel: (612) 335-1463

Fax: (612) 335-1657

SERVICE LIST FOR
ENVIRONMENTAL & HISTORICAL REPORT
STB DOCKET NO. AB-584 (SUB. NO. 1X)

FEDERAL AGENCIES

Appropriate Regional Office(s) of the
U.S. Environmental Protection Agency

Region 2 Office
U.S. Environmental Protection Agency
Jacob K. Javits Federal Building
290 Broadway
New York, NY 10007
Tel: (212) 637-3000

U.S. Fish and Wildlife Service

Northeast Region Office
Region 5
300 Westgate Center Drive
Hadley, MA 01035-9589
Tel: (413) 253-8200

U.S. Army Corps of Engineers – Buffalo District

U.S. Army Corps of Engineer
U. S. Army Engineer District, Buffalo
1776 Niagara Street
Buffalo, NY 14207-3199
Tel: (716) 879-4330

National Park Service

National Center for Recreation and Conservation
U.S. Department of the Interior
National Park Service
1849 C Street NW
Washington, DC 20240

U.S. Soil and Conservation Service

United States Department of Agriculture
Natural Resources Conservation Service
Office of the Chief
Post Office Box 2890
Washington, D.C. 20013
Tel: (202)720-4525

National Geodetic Survey and U.S. Geological Survey

National Geodetic Survey
NOAA
N/NGS2, Room 8813
Silver Spring, MD 20910
Attn.: Mr. Edward McKay
Tel: (301) 713-3191

Director
U.S. Geological Survey
Headquarters, John W. Powell Federal Building
12201 Sunrise Valley Drive, MS 100
Reston, VA 20192
Tel: (703) 648-7411

STATE AGENCIES CONSULTED

State Clearinghouse

New York State Clearinghouse
Division of the Budget
State Capitol
Albany, NY 12224
Tel: (518)474-1605

State Department of Transportation

Joseph H. Boardman, Commissioner
New York State Department of Transportation
5-504 Harriman State Office Campus
1220 Washington Avenue
Albany, New York 12232
Tel: (518) 457-4422

State Environmental Protection Agency

Department of Environmental Conservation
50 Wolf Road
Albany, NY 12233
Tel: (518)457-3446

State Water Quality Official

Department of Environmental Conservation
Office of Water Quality and Environmental Remediation
625 Broadway
Albany, NY 12233-1013
Tel: (518)402-8559
Fax: (518)402-9016

State Historic Preservation Office

New York State Parks, Recreation and Historic Preservation
Agency Building #1
Empire State Plaza
Albany, NY 12188-1089
Tel: (518)2378643 ext. 272

State Coastal Zone Management Agency

New York Department of State
Division of Coastal Resources
41 State Street
Albany, NY 12231
Tel: (518)474-6000

State Planning Agency

N/A

REGIONAL PLANNING AGENCIES

Niagara County

Niagara County Department of Planning, Development & Tourism
139 Niagara Street
Lockport, New York 14094-2740
Tel: (800)338-7890

OTHER POLITICAL ENTITIES AND/OR
INDIAN RESERVATIONS THROUGH WHICH THE LINE RUNS

Indian Reservations

N/A

Niagara County

Clyde L. Burmaster
Chairman – Niagara County
Niagara County Courthouse, First Floor
175 Hawley Street
Lockport, NY 14094

United States Coast Guard
Rear Admiral James D. Hull
1240 East 9th Street
Cleveland, OH 44199-2060

EXHIBIT NO. 5

Certificate of Publication of
Newspaper Notice

(49 C.F.R. Part 1105.12)

CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that Notice of the Proposed abandonment in Docket No. AB-584 (Sub No. 1X) (copy of Affidavit of Publication and Notice appended) was advertised in a newspaper of general circulation in all Counties through which the Line which is the subject of this Notice runs, as required by 49 C.F.R. Section 1105.12.

Dated: September 30, 2002



Diane P. Gerth, Esq.

**LEONARD, STREET AND DEINARD
PROFESSIONAL ASSOCIATION**

150 South Fifth Street, Suite 2300

Minneapolis, MN 55402

Tel.: (612) 335-1463

Fax: (612) 335-1657

STATE OF NEW YORK

NIAGARA COUNTY, } SS, _____

Laurie Fasciano, of said county, being duly sworn, deposes and says that
she is now and during the whole time hereinafter mentioned was the Legal
Clerk of

THE NIAGARA GAZETTE

A newspaper published in the County and State aforesaid, and that the annexed
printed legal # 421099 was printed and published in said paper at least
once a week for 1 successive weeks, commencing on the 28th
day of Aug, and ending on the 28th day of Aug, 20 02

Laurie Fasciano
Principal Clerk

Subscribed and sworn to me before this 28th day of Aug, 20 02

Amy M. Banks
Notary Public

12/15/05
Expiration Date

Amy M. Banks
Notary Public
State of New York
Qualified in Niagara County
No. 01BA600043
My Comm. Expires December 31, 2005

NOTICE

Canada Southern Railway Company gives notice that on or about September 15, 2002, it intends to file with the Surface Transportation Board, Washington, DC 20423, a Notice of Exemption under 49 U.S.C. 10505 from the prior approval requirements of 49 U.S.C. 10903, et seq., permitting the abandonment of a 0.15 mile line of railroad between milepost 0.0 and milepost 0.15, which traverses through United States Postal Service Zip Code 14305, in the City of Niagara Falls, Niagara County, New York. The proceeding will be docketed as No. AB-584 (Sub No. 1X).

The Board's Section of Environmental analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 60 days after the filing of the Notice of Exemption. Comments on environmental and energy matters should be

filed no later than 30 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the SEA, Surface Transportation Board, 1925 K Street NW, Washington, DC, 20423-0001, or by calling SEA at 202-565-1674.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 K Street NW, Washington, DC 20423-0001 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicants' representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Services at 202-927-7597. Copies of any comments or requests for conditions should be served on the applicant's representative, Diane P. Gerth at Leonard, Street and Deinard, 150 South Fifth Street, Suite 2300, Minneapolis, MN 55402, 612-335-1500.

Canada Southern Railroad Company

#421099P, August 28, 2002

EXHIBIT NO. 6

Verification Regarding
Facts of Notice of Exemption

VERIFICATION

I, D.B. Campbell V.P. Business Dev. for the Canadian Pacific Railway, hereby certify that with respect to the Niagara Falls Trackage which is the subject of this Notice of Exemption in Docket AB-57 (Sub-No. 49X), Canada Southern Railway has had no movements over the subject trackage in many years. The sole operator over the line since 1992 has been Delaware and Hudson Railway, a subsidiary of Canadian Pacific. I further certify that I am authorized to sign, verify, and file with the Surface Transportation Board the foregoing Notice of Exemption in Docket No. AB-584 (Sub-No. 1X) on behalf of Canada Southern Railway Company; that I have carefully examined all of the statements concerning the operations over the Canada Southern Bridge in said Notice of Exemption, including the map attached as Exhibit No. 1 to the Notice; that I have knowledge of the matters set forth therein; and that all such statements made and matters set forth are true and correct to the best of my knowledge, information, and belief.

The foregoing Certification is made on behalf of Canada Southern Railway Company and Canadian Pacific Railway by the undersigned after due and careful investigation of the matters herein certified. I verify under penalty of perjury under the laws of the United States of America, that I have been authorized by Canadian Pacific Railway to verify and file with the Surface Transportation Board the foregoing statement; that I know the contents thereof and the facts asserted therein; that I declare that the foregoing is true and correct.

