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November 18, 2002

BY FAX AND MAIL

Hon. Vernon A. Williams
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423

RE: Docket No. AB-596, New York City Economic Development Corporation - Adverse Abandonment - New York Cross Harbor Railroad, Inc.

Dear Secretary Williams:

I am writing on behalf of the New York Cross Harbor Railroad ("NYCH") in connection with the above-captioned proceeding to clarify a statement made in a letter filed with the Board yesterday. NYCH does not want a statement made on page three of its letter to be misconstrued.

There NYCH stated that it had reached what it termed an "interim agreement with NY&A and CP..." That agreement referred to an informal emergency understanding made between NYCH personnel and operating personnel of NY&A and CP Rail to permit NYCH to use on a temporary basis the 65th Street car float facilities to move traffic between Brooklyn and New Jersey. NYCH's own float bridge facility at 51st Street was flooded and inoperable. NYCH secured the consent of NY&A and CP Rail to make their facilities available for its needs on an emergency basis in order to be able to move traffic while it repaired its own facilities. However, NYCH was still unable to use that facility absent NYCEDC's consent.

Hon. Vernon A. Williams
November 13, 2002
Page two

The emergency has now past and NYCH does not mean to imply that the above tentative understanding constituted any agreement without NYCEDC's agreement and with the details of NYCH temporary use left unresolved.

NYCH appreciates the opportunity to clarify this statement.

I am submitting an original and 10 copies of this letter by first class mail as the official filing.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John D. Heffner", with a stylized flourish extending to the right.

John D. Heffner

cc: David Konschnik, Esq. (by fax)
Charles Spitulnik (by fax)
Thomas A. McFarland (by mail)
Barry McGrath, Esq. (by fax)
Mr. Ronald Bridges
Mr. Wayne Eastman