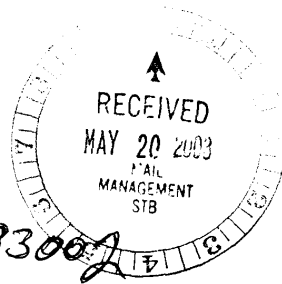


Michael J. Barron, Jr.
Counsel
Legal Department



Canadian National/Illinois Central
455 North Cityfront Plaza Drive
Chicago, Illinois 60611-5317
Telephone: (312) 755-7954
Fax: (312) 755-7669
Internet: Michael.Barron@cn.ca



May 19, 2003

Via Overnight Delivery

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001

Re: Docket No. AB-279 (Sub-No. 5X), Canadian National Railway
Company — Abandonment Exemption — in Erie County, New York

Dear Mr. Williams:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the Verified Notice of Exemption of Canadian National Railway Company pursuant to 49 C.F.R. § 1152.50, dated May 19, 2003. The appropriate fee for this filing, \$2,700.00, was included on the check, copy attached, we submitted with the filing for Finance Docket No. 34322.

One extra copy of this transmittal letter is enclosed as well. Please date stamp this copy to show receipt and return it to me in the enclosed envelope.

Feel free to contact me if you have any questions. Thank you for your assistance in this matter.

Very truly yours,


Michael J. Barron, Jr.
Counsel

Enclosures

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-279 (SUB-NO. 5X)

CANADIAN NATIONAL RAILWAY COMPANY
—DISCONTINUANCE OF TRackage RIGHTS—
ERIE COUNTY, NEW YORK

VERIFIED NOTICE OF EXEMPTION
PURSUANT TO 49 C.F.R. § 1152.50

Michael J. Barron, Jr.
Counsel
Canadian National
455 North Cityfront Plaza Drive
Chicago, IL 60611-5317
(312) 755-7954

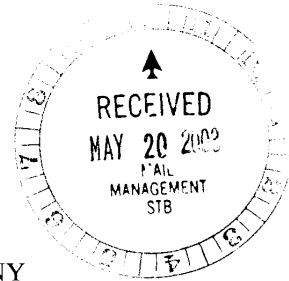
ATTORNEY FOR
CANADIAN NATIONAL RAILWAY COMPANY

Dated: May 19, 2003



SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-279 (SUB-NO. 5X)



CANADIAN NATIONAL RAILWAY COMPANY
—DISCONTINUANCE OF TRackage RIGHTS—
ERIE COUNTY, NEW YORK

VERIFIED NOTICE OF EXEMPTION
PURSUANT TO 49 C.F.R. § 1152.50

The Canadian National Railway Company ("CN") files this Notice of Exemption pursuant to 49 C.F.R. Part 1152, Subpart F. This Notice of Exemption is for CN's proposed discontinuance of trackage rights over a 5.3-mile portion of New York Central Lines, LLC's line in Buffalo, Erie County, New York. The line traverses through United States Postal Zip Codes 14206, 14207, 14210, 14211, 14212, 14214, 14216, 14218, and 14220.

The trackage rights sought to be discontinued are overhead rights over trackage owned by New York Central Lines, LLC ("NYC") and operated by CSX Transportation, Inc. ("CSXT"). No local shippers will be affected. CN uses these rights to interchange with Norfolk Southern Railway Company ("NSR"). As CN has changed the location of its interchange with NSR in Buffalo, the rights for which discontinuance is sought herein

are no longer necessary. A map showing the trackage rights to be discontinued is attached as Exhibit No. 1.

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

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

Said notification was served on the appropriate parties on April 25, 2003, 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. § 1152.50(d)(2).

CN intends to consummate the proposed discontinuance of its trackage rights on or after July 10, 2003.

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

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

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

(a) § 1152.22(a)(1) EXACT NAME OF APPLICANT.

Canadian National Railway Company.

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

CN 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) § 1152.22(a)(3) RELIEF SOUGHT (ABANDONMENT OF LINE OR DISCONTINUANCE OF SERVICE).

CN Line seeks authority to discontinue a portion of trackage rights granted in a 1999 Trackage Rights Agreement over a 5.3-mile portion of trackage owned by NYC and operated by CSXT and described as follows:

- i. NYC's Chicago Line between CP-2 and CP-5 (Milepost 5.4+/-), near the south end of NYC's Seneca Yard, Buffalo, New York; and
- ii. NYC's Compromise Branch between CP-437 and CP-2, Buffalo, New York; and
- iii. NYC's Bailey Avenue Branch between CP T and CP 437, Buffalo, New York.

The rights for which CN seeks discontinuance herein were trackage rights filed in Canadian National Railway Company – Trackage Rights Exemption – New York Central Lines, LLC, STB Finance Docket No. 33769, served June 29, 1999. The purpose of the rights sought in Finance Docket No. 33769 were for the purpose of interchanging traffic with NSR near CP-5 on NSR's Chicago Line (see Exhibit 1). As CN has changed its interchange location with NSR in Buffalo, the trackage rights for which discontinuance is sought herein are no longer necessary. This Notice of Exemption for discontinuance has no effect at all on the CN trackage rights on these same lines filed in Canadian National Railway Company — Trackage Rights Exemption — New York Central Lines, LLC, STB Finance Docket No. 33798, served September 17, 1999, (as amended in Canadian National Railway Company — Trackage Rights Exemption —

CSX Transportation, Inc. and New York Central Lines, LLC, STB

Finance Docket No. 34322, served April 16, 2003), which rights CN uses to interchange with the South Buffalo Railway Company or the Buffalo & Pittsburgh Railroad Inc. in Seneca Yard.

(d) § 1152.22(a)(4) DETAILED MAP

See Exhibit No. 1.

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

Michael J. Barron, Jr.
Counsel for Canadian National Railway Company
Canadian National
455 North Cityfront Plaza Drive
Chicago, IL 60611-5317
Tel: (312) 755-7954
Fax: (312) 755-7669

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

United States Postal Zip Codes 14206, 14207, 14210, 14211, 14212, 14214, 14216, 14218, and 14220.

(g) § 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.

This is not applicable as the line on which CN seeks a discontinuance of trackage rights will remain an active track.

5. LABOR PROTECTION – 49 C.F.R. § 1152.50(d)(2).

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

6. CERTIFICATE OF COMPLIANCE WITH THE NOTICE REQUIREMENTS OF 49 C.F.R. § 1105.11 - TRANSMITTAL LETTER FOR ENVIRONMENTAL AND HISTORICAL REPORTS – 49 C.F.R. § 1152.50(d)(2).

Because this Notice concerns the discontinuance of trackage rights, it is excepted from the requirements of 49 C.F.R. § 1105.11 by 49 C.F.R. § 1105.6(b)(3).

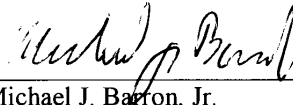
7. CERTIFICATE OF SERVICE OF ENVIRONMENTAL REPORT AND HISTORIC REPORT – 49 C.F.R. § 1105.7(c).

Because this Notice concerns the discontinuance of trackage rights, it is excepted from the requirements of 49 C.F.R. § 1105.11 by 49 C.F.R. §§ 1105.6(b)(3) and § 1105.8(b).

8. PUBLICATION OF NEWSPAPER NOTICE – 49 C.F.R. § 1105.12.

A Notice in accordance with § 1105.12 has been published in a newspaper of general circulation in Erie County, New York. A copy of said notice is attached hereto with the requisite Certification. See Exhibit No. 4.

Dated: May 19, 2003



Michael J. Barron, Jr.
Canadian National
455 North Cityfront Plaza Drive
Chicago, IL 60611-5317
(312) 755-7954

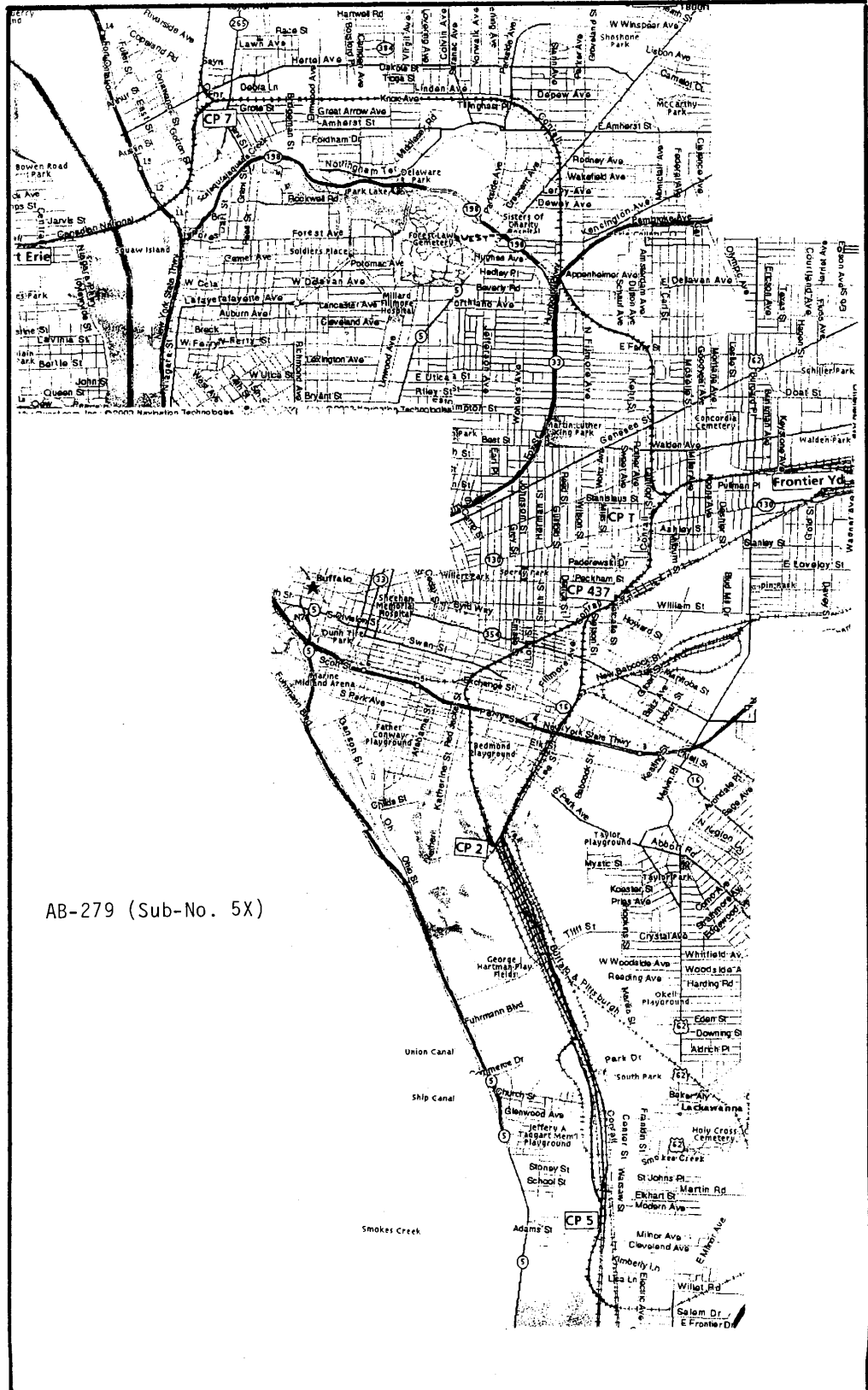
ATTORNEY FOR CANADIAN
NATIONAL RAILWAY COMPANY

EXHIBIT NO. 1

Detailed Map for Notice of Exemption

(49 C.F.R. §§ 1152.50(d)(2) and 1152.22 (a)(4))

EXHIBIT 1



AB-279 (Sub-No. 5X)

EXHIBIT NO. 2

Certification of Proper Service of Written

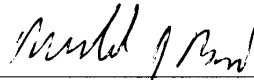
Notice of Intent to Abandon or Discontinue Service under the Exemption Process

(49 C.F.R. § 1152.50(d)(1))

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

The undersigned, an attorney, hereby certifies that he served the Notice of Intent to File Notice of Exemption for the proposed discontinuance of service in Docket No. AB-279 (Sub-No. 5X) via first class U.S. Mail, on April 25, 2003 as required by 49 C.F.R. Section 1152.50(d)(1), to the required parties. (See attached copies).

Dated: May 19, 2003



Michael J. Barron, Jr.

Michael J. Barron, Jr.
Counsel
Legal Department



Canadian National/Illinois Central
455 North Cityfront Plaza Drive
Chicago, Illinois 60611-5317
Telephone: (312) 755-7954
Fax: (312) 755-7669
Internet: Michael.Barron@cn.ca

April 25, 2003

Mr. Dale Bosworth
Chief, Forest Service
U.S. Department of Agriculture
201 14th Street, SW
Washington, DC 20520

Re: Docket No. AB-279 (Sub-No. 5X), Canadian National Railway
Company Notice of Exemption in Erie County, New York

Dear Mr. Bosworth:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Canadian National Railway Company ("CN") shall on or after May 9, 2003, file a Notice of Exemption with the Surface Transportation Board for approval to discontinue trackage rights over a 5.3 mile portion of New York Central Lines, LLC's line in Buffalo, Erie County, New York which line is controlled by CSX Transportation, Inc. The rights to be discontinued run from a point known as CP-5 (Milepost 5.4 ±) near the south end of Seneca Yard on the Chicago Line to a point known as CP-2, then along the Compromise Branch from CP-2 to a point known as CP-437, and then along the Bailey Avenue Branch from CP-437 to a point known as CP-T. CN had used these rights to access a location for interchange of traffic with Norfolk Southern Railway Company near CP-5. As the interchange location has changed, CN no longer needs these rights. The discontinuance of these rights to interchange with Norfolk Southern Railway Company will have no effect on CN's trackage rights that on occasion use the route described to interchange with the South Buffalo Railway Company and Buffalo & Pittsburgh Railroad, Inc. down by CP-5. These rights remain in effect. The line traverses through U.S. Zip Codes 14206, 14207, 14210, 14211, 14212, 14214, 14216, 14218, and 14220.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over these rights for at least two years and any potential overhead traffic on these rights can be rerouted over other lines. Based on information in our possession, we cannot determine whether the line contains any federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,


Michael J. Barron, Jr.
Counsel

Michael J. Barron, Jr.
Counsel
Legal Department



Canadian National/Illinois Central
455 North Cityfront Plaza Drive
Chicago, Illinois 60611-5317
Telephone: (312) 755-7954
Fax: (312) 755-7669
Internet: Michael.Barron@cn.ca

April 25, 2003

Mr. Brian O. Rowback
Regional Director
New York State Department of Transportation
125 Main Street
Buffalo, NY 14203

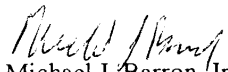
Re: Docket No. AB-279 (Sub-No. 5X), Canadian National Railway
Company Notice of Exemption in Erie County, New York

Dear Mr. Rowback:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Canadian National Railway Company ("CN") shall on or after May 9, 2003, file a Notice of Exemption with the Surface Transportation Board for approval to discontinue trackage rights over a 5.3 mile portion of New York Central Lines, LLC's line in Buffalo, Erie County, New York which line is controlled by CSX Transportation, Inc. The rights to be discontinued run from a point known as CP-5 (Milepost 5.4 ±) near the south end of Seneca Yard on the Chicago Line to a point known as CP-2, then along the Compromise Branch from CP-2 to a point known as CP-437, and then along the Bailey Avenue Branch from CP-437 to a point known as CP-T. CN had used these rights to access a location for interchange of traffic with Norfolk Southern Railway Company near CP-5. As the interchange location has changed, CN no longer needs these rights. The discontinuance of these rights to interchange with Norfolk Southern Railway Company will have no effect on CN's trackage rights that on occasion use the route described to interchange with the South Buffalo Railway Company and Buffalo & Pittsburgh Railroad, Inc. down by CP-5. These rights remain in effect. The line traverses through U.S. Zip Codes 14206, 14207, 14210, 14211, 14212, 14214, 14216, 14218, and 14220.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over these rights for at least two years and any potential overhead traffic on these rights can be rerouted over other lines. Based on information in our possession, we cannot determine whether the line contains any federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,


Michael J. Barron, Jr.
Counsel

Michael J. Barron, Jr.
Counsel
Legal Department



Canadian National/Illinois Central
455 North Cityfront Plaza Drive
Chicago, Illinois 60611-5317
Telephone: (312) 755-7954
Fax: (312) 755-7669
Internet: Michael.Barron@cn.ca

April 25, 2003

Thomas Ross, Superintendent
Center for Recreation and Conservation
National Park Service
1849 C Street
Org. Code 2240
Washington, DC 20240

Re: Docket No. AB-279 (Sub-No. 5X), Canadian National Railway
Company Notice of Exemption in Erie County, New York

Dear Mr. Ross:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Canadian National Railway Company ("CN") shall on or after May 9, 2003, file a Notice of Exemption with the Surface Transportation Board for approval to discontinue trackage rights over a 5.3 mile portion of New York Central Lines, LLC's line in Buffalo, Erie County, New York which line is controlled by CSX Transportation, Inc. The rights to be discontinued run from a point known as CP-5 (Milepost 5.4 ±) near the south end of Seneca Yard on the Chicago Line to a point known as CP-2, then along the Compromise Branch from CP-2 to a point known as CP-437, and then along the Bailey Avenue Branch from CP-437 to a point known as CP-T. CN had used these rights to access a location for interchange of traffic with Norfolk Southern Railway Company near CP-5. As the interchange location has changed, CN no longer needs these rights. The discontinuance of these rights to interchange with Norfolk Southern Railway Company will have no effect on CN's trackage rights that on occasion use the route described to interchange with the South Buffalo Railway Company and Buffalo & Pittsburgh Railroad, Inc. down by CP-5. These rights remain in effect. The line traverses through U.S. Zip Codes 14206, 14207, 14210, 14211, 14212, 14214, 14216, 14218, and 14220.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over these rights for at least two years and any potential overhead traffic on these rights can be rerouted over other lines. Based on information in our possession, we cannot determine whether the line contains any federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,


Michael J. Barron, Jr.
Counsel

Michael J. Barron, Jr.
Counsel
Legal Department



Canadian National/Illinois Central
455 North Cityfront Plaza Drive
Chicago, Illinois 60611-5317
Telephone: (312) 755-7954
Fax: (312) 755-7669
Internet: Michael.Barron@cn.ca

April 25, 2003

United States Department of Defense
MTMCTEA
Attn: Railroads for National Defense
720 Thimble Shoals Blvd. Suite 130
Newport News, VA 23606-2574

Re: Docket No. AB-279 (Sub-No. 5X), Canadian National Railway
Company Notice of Exemption in Erie County, New York

Dear Sir/Madam:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Canadian National Railway Company ("CN") shall on or after May 9, 2003, file a Notice of Exemption with the Surface Transportation Board for approval to discontinue trackage rights over a 5.3 mile portion of New York Central Lines, LLC's line in Buffalo, Erie County, New York which line is controlled by CSX Transportation, Inc. The rights to be discontinued run from a point known as CP-5 (Milepost 5.4 ±) near the south end of Seneca Yard on the Chicago Line to a point known as CP-2, then along the Compromise Branch from CP-2 to a point known as CP-437, and then along the Bailey Avenue Branch from CP-437 to a point known as CP-T. CN had used these rights to access a location for interchange of traffic with Norfolk Southern Railway Company near CP-5. As the interchange location has changed, CN no longer needs these rights. The discontinuance of these rights to interchange with Norfolk Southern Railway Company will have no effect on CN's trackage rights that on occasion use the route described to interchange with the South Buffalo Railway Company and Buffalo & Pittsburgh Railroad, Inc. down by CP-5. These rights remain in effect. The line traverses through U.S. Zip Codes 14206, 14207, 14210, 14211, 14212, 14214, 14216, 14218, and 14220.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over these rights for at least two years and any potential overhead traffic on these rights can be rerouted over other lines. Based on information in our possession, we cannot determine whether the line contains any federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael J. Barron, Jr.", written in dark ink.

Michael J. Barron, Jr.
Counsel

EXHIBIT NO. 3

Carrier Certification That Rail Line

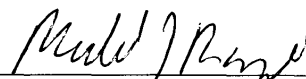
Meets Criteria of 49 C.F.R. § 1152.50(b)

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

I, Michael J. Barron, Jr., an attorney for Canadian National Railway Company, hereby certify that with respect to the trackage rights which is the subject of this Notice of Exemption in Docket AB-279 (Sub-No. 5X), no local traffic has been handled to or from any customer pursuant to the trackage rights for at least two (2) years prior to the date hereof and any overhead traffic routed over this line pursuant to the subject trackage rights can be rerouted over other lines. Further, I certify that no formal complaint has been filed against Canadian National Railway Company 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 Board 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.

I also certify under penalty of perjury under the laws of the United States of America that I have been authorized by Canadian National Railway Company to certify and file with the Surface Transportation Board the foregoing Notice of Exemption; that I know the contents thereof and the facts asserted therein; that I declare that that the foregoing is true and correct.

Dated: May 19, 2003



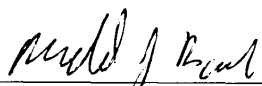
Michael J. Barron, Jr.

EXHIBIT NO. 4
Certificate of Publication of
Newspaper Notice

CERTIFICATE OF PUBLICATION

The undersigned, an attorney, hereby certifies that Notice of the Proposed Abandonment in Docket No. AB-279 (Sub-No. 5X) (copy of Notice appended) was advertised prior to the filing of this Notice on May 7, 2003, in the Buffalo News, a newspaper of general circulation in Erie County, New York through which the Line which is the subject of this Notice runs, as required by 49 C.F.R. § 1105.12.

Dated: May 19, 2003



Michael J. Barron, Jr.

CANADIAN NATIONAL RAILWAY COMPANY gives notice that on or after May 9, 2003, it intends to file with the Surface Transportation Board, Washington, DC 20423, a Notice of Exemption under 49 C.F.R. 1152 Subpart F - Exempt Abandonments, permitting the discontinuance of trackage rights over a 5.3 mile line of railroad between tracks owned by New York Central Lines, LLC and operated by CSX Transportation, Inc. which rights run from a point known as CP-5 (milepost 5.4 +/-) near the south end of of Seneca Yard on the Chicago Line to a point known as CP-2, then along the Compromise Branch from CP-2 to a point known as CP-437, and then along the Bailey Avenue Branch from CP-437 to a point known CP-T and which rights traverse through United States Postal Service Zip Codes 14206, 14207, 14210, 14211, 14212, 14214, 14216, 14218, and 14220, in the City of Buffalo, Erie County, New York. The proceeding will be docketed as No. AB-279 (Sub No. 5X). The trackage rights for which a discontinuance is proposed were filed in Canadian National Railway Company - Trackage Rights Exemption - New York Central Lines, LLC, STB Finance Docket No. 33769 served June 29, 1999. This discontinuance filing has no impact on trackage rights held by Canadian National Railway Company in Canadian National Railway Company - Trackage Rights

Exemption - New York Central Lines, LLC, STB Finance Docket No. 33798, served September 17, 1999, as amended. The Board's Office of Economics, Environmental Analysis and Administration, Section of Environmental Analysis (SEA) may prepare (although unlikely in a discontinuance of trackage rights proceeding such as this one) an Environmental Assessment (EA), which, if prepared, will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 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 or by calling that office at (202) 565-1545. 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)).

Lisa Stephan-Kozlowski

of the City of Buffalo, New York, being duly sworn, deposes and says that he/she is Principal Clerk of THE BUFFALO NEWS, DIV. OF BERKSHIRE HATHAWAY, INC., Publisher of the BUFFALO NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein 1 time, the insertion being on the 7th day of May, 2003.

Lisa Stephan-Kozlowski

Date Ad Ran: 5/7/03

Sworn to before me this ^{14th} day of May, 2003.

and one copy must be served on applicant's representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Commission's Office of Public Assistance at (202) 565-1592. Copies of any comments or requests for conditions should be served on the applicant's representative: Michael J. Barron, Jr., (312) 755-7954 at Canadian National, 455 North Cityfront Plaza Drive, 20th floor, Chicago, IL 60611-5317.

Renée Spates

Notary Public, Erie County, New York

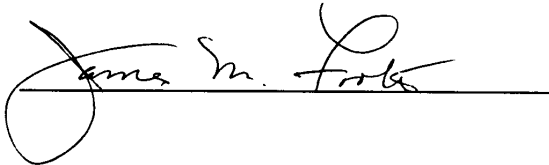
RENEE SPATES
NOTARY PUBLIC, STATE OF NEW YORK
NO. 6026194
CERTIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 06/07/20 03

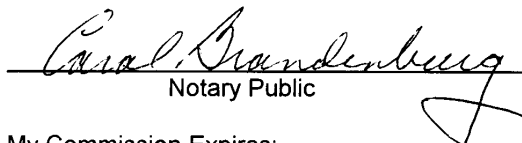
VERIFICATION

State of Illinois)
) SS:
County of Cook)

 James M. Foote , being duly sworn, deposes and says
that he is Executive Vice President of Canadian National Railway
Company, that he has read the foregoing Notice of Exemption and knows the facts
asserted therein, and that the same are true as stated.

Subscribed and sworn to
before me this 19TH day of
MAY, 2003.





Notary Public

My Commission Expires:

