



**BOSTON & MAINE CORPORATION
MAINE CENTRAL RAILROAD COMPANY
SPRINGFIELD TERMINAL RAILWAY COMPANY**

IRON HORSE PARK
NO. BILLERICA, MASS. 01862

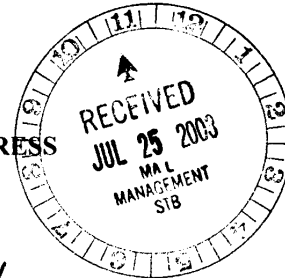
**LAW DEPARTMENT
(978) 663-1029**

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Public Record**

**BY FEDERAL EXPRESS
July 24, 2003**



208516

Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20006

**Re: Finance Docket No.: NOR 42083
Granite State Concrete Company, Inc and Milford Bennington Railroad Company,
Inc. vs. Boston and Maine Corporation and Springfield Terminal Railway Company**

Dear Secretary Williams:

Enclosed for filing are the original and ten (10) copies of the **Motion of the Boston and Maine Corporation and the Springfield Terminal Railway Company for Leave to File a Surreply to Rebuttal filed by Granite State Concrete Company, Inc. and Milford Bennington Railroad Company, Inc. and the Surreply**, in the above-captioned proceeding.

Thank you for your attention to this matter. Please feel free to contact me if you should have any questions or comments.

Sincerely,

Robert B. Culliford / *(RBC)*
Robert B. Culliford
Corporate Counsel

Enc.
cc: Service List

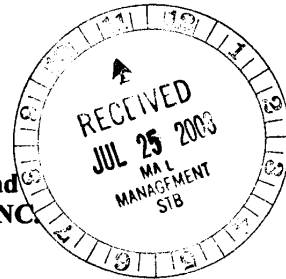
**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. NOR 42083

**GRANITE STATE CONCRETE COMPANY, INC. and
MILFORD BENNINGTON RAILROAD COMPANY, INC.**

vs.

**BOSTON AND MAINE CORPORATION and
SPRINGFIELD TERMINAL RAILWAY COMPANY**

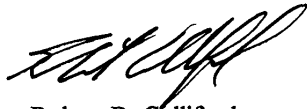


**MOTION OF THE BOSTON AND MAINE CORPORATION and THE
SPRINGFIELD TERMINAL RAILWAY COMPANY FOR LEAVE TO FILE A
SURREPLY TO REBUTTAL FILED BY GRANITE STATE CONCRETE
COMPANY, INC. and MILFORD BENNINGTON RAILROAD COMPANY, INC.
PURSUANT TO 49 U.S.C. § 11123 and 49 C.F.R. § 1146.1**

The Boston and Maine Corporation and the Springfield Terminal Railway Company (collectively "Guilford") hereby move for leave to file a surreply to the Rebuttal filed by Granite State Concrete Company, Inc. ("Granite State") and Milford Bennington Railroad Company, Inc. ("MBR"). In support of this motion, Guilford submits that it received the formal complaint filed by Granite State and MBR on July 14, 2003, but was not able to determine whether a reply was necessary to Count I until July 17, 2003 because counsel for Granite State and MBR was unavailable. In the short period available to Guilford for preparing its reply, Guilford was unable to review the substantial number of documents necessary to portray the true nature of the operations of Granite State and MBR. Moreover, the Rebuttal filed by Granite State and MBR contained inconsistent and inaccurate factual statements, which can easily disproved by the additional documentation being submitted herewith. Finally, the formal complaint

did not set out the basis for the relief sought by Granite State and MBR in any detail, and the Rebuttal on July 23, 2003 is the first substantive pleading by Granite State and MBR in this matter, and Guilford should accordingly be afforded the opportunity to respond more fully as well.

Respectfully submitted,



Robert B. Culliford
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Counsel for:

The Boston and Maine Corporation
The Springfield Terminal Railway Company

July 24, 2003