



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

IRON HORSE PARK
NO. BILLERICA, MASS. 01862

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LAW DEPARTMENT

September 23, 2003

208987



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

By Federal Express

Re: Docket No. NOR 42083
Granite State Concrete Co., et. al. v. Boston and Maine Corp., et. al.

Dear Secretary Williams:

Pursuant to the Board's September 12, 2003 Decision in the above-referenced matter, the purpose of this letter is to provide notice that the parties to this action have agreed to enter into non-binding mediation in an effort to reach a private resolution. In order to effectuate this agreement, the parties respectfully request that Melvin F. Clemens, the Board's Director of Compliance and Enforcement, be appointed as mediator to assist in achieving this goal. Mr. Clemens has been involved with this matter since it first arose in June of 2003 and his knowledge of the particular circumstances underlying the claims of the parties—as well as his extensive knowledge of railroad operations as a whole—would be an invaluable asset to this process. As a final note, the parties desire to continue to adhere to the schedule established by the Board in its September 12th Decision, without the temporary stay in the proceedings allowed by 49 C.F.R. §1109.1.

Thank you for your attention to this matter. Please feel free to contact either of the undersigned to initiate this process.

Respectfully submitted,

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