

209216

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& EWING
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Honorable Vernon A. Williams
Secretary
Surface Transportation Board
Mercury Building # 711
1925 K Street, N.W.
Washington, D.C. 20423-0001

RE: STB Finance Docket No. 34427
Buffalo & Pittsburgh Railroad, Inc. --
Lease and Operation Exemption --
CSX Transportation, Inc.
Labor Notice Certification



October 23, 2003
VIA: UPS Overnight

ENTERED
Office of Proceedings

OCT 27 2003

Part of
Public Record

Dear Secretary Williams:

Buffalo & Pittsburgh Railroad, Inc. ("BPRR") hereby certifies that on October 22, 2003, a copy of the enclosed Notice was posted at the Customer Service Center of CSX Transportation, Inc. ("CSXT"), in Jacksonville, Florida, and at CSXT's New Castle Yard and Glenwood Yard in Pennsylvania. BPRR further certifies that it is serving by overnight delivery, a copy of this letter and the enclosed Notice on the national offices of the labor unions shown below.

GOLLATZ, GRIFFIN & EWING, P.C.

WEST CHESTER

PHILADELPHIA

WILMINGTON

Honorable Vernon A. Williams, Secretary
October 22, 2003
Page 2 of 3

Ten copies of this letter and Notice are enclosed for filing with the Board. Please time-stamp the enclosed extra copy of the letter and Notice and return them to me in the stamped self-addressed envelope provided for your convenience.

Respectfully submitted,



Eric M. Hocky
Attorney for Buffalo & Pittsburgh Railroad,
Inc.

Enclosures

cc: via UPS Overnight

Mr. D. M. Hahs
International President
**Brotherhood of Locomotive
Engineers**
Standard Building
1370 Ontario Street
Cleveland, OH 44113

Mr. M. A. Fleming
President
**Brotherhood of Maintenance
of Way Employees**
Suite 320
20300 Civic Center Drive
Southfield, MI 48076-4169

Mr. Byron A. Boyd, Jr.
International President
United Transportation Union
14600 Detroit Avenue
Cleveland, OH 44107

Mr. W.D. Pickett
President
**Brotherhood of Railroad
Signalmen**
601 West Golf Road, Box U
Mt. Prospect, IL 60056

GOLLATZ, GRIFFIN & EWING, P.C.

WEST CHESTER

PHILADELPHIA

WILMINGTON

OCT. -23' 03 (THU) 06:23

OCT. -22' 03 (WED) 14:18 CSXT CSC:EXEC DEP

OCT. -22' 03 (WED) 14:29

TEL: 904 279 6723

209216 P. 003

P. 001

P. 001

Before the
SURFACE TRANSPORTATION BOARD
STB Finance Docket No. 34427



BUFFALO & PITTSBURGH RAILROAD, INC.
- ACQUISITION AND OPERATION EXEMPTION -
CSX TRANSPORTATION, INC.

**CERTIFICATE OF
THE CSX TRANSPORTATION, INC.**

The attached Notice of Intent was posted at CSXT Customer Service Center, Jacksonville, Florida.

I, Teresa Edwards, Administrative Assistant of CSX Transportation, Inc. certify under penalty of perjury that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file the foregoing document.

Executed on October 22, 2003.

Teresa Edwards
Signature

OCT. -23' 03 (THU) 06:23

P. 002

OCT-22-2003 15:18 FROM:CSX NEW CASTLE

724 656 9636

TO:817003221111

P.1/1

OCT. -12' 03 (WED) 14:24

P. 001

Before the
SURFACE TRANSPORTATION BOARD
STB Finance Docket No. 34427

BUFFALO & PITTSBURGH RAILROAD, INC.
- ACQUISITION AND OPERATION EXEMPTION -
CSX TRANSPORTATION, INC.

CERTIFICATE OF
THE CSX TRANSPORTATION, INC.

The attached Notice of Intent was posted at CSXT New Castle Yard, New Castle, Pennsylvania.

I, Dave Heron, Trainmaster of CSX Transportation, Inc. certify under penalty of perjury that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file the foregoing document.

Executed on October 22, 2003.


Signature

OCT. -23' 03 (THU) 06:23

P. 004

OCT 22 '03 20:43 FROM CSX GLENWOOD
OCT. -22' 03 (WED) 15:26

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P. 003

Before the
SURFACE TRANSPORTATION BOARD
STB Finance Docket No. 34427

**BUFFALO & PITTSBURGH RAILROAD, INC.
- ACQUISITION AND OPERATION EXEMPTION -
CSX TRANSPORTATION, INC.**

**CERTIFICATE OF
THE CSX TRANSPORTATION, INC.**

The attached Notice of Intent was posted at CSXT Glenwood Yard, Glenwood, Pennsylvania.
I, John Harr, Trainmaster of CSX Transportation, Inc. certify under penalty of perjury that the
foregoing is true and correct. Further, I certify that I am qualified and authorized to file the foregoing
document.

Executed on October 22, 2003.


Signature

OCT 22 '03 15:15

PAGE .003

** TOTAL PAGE 001 **

Before the
SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 34427

**BUFFALO & PITTSBURGH RAILROAD, INC.
- LEASE AND OPERATION EXEMPTION -
CSX TRANSPORTATION, INC.**

**NOTICE OF INTENT DIRECTED TO EMPLOYEES OF
CSX TRANSPORTATION, INC.**

Pursuant to the regulations of the Surface Transportation Board (the "Board") at 49 CFR §1121.4(h), Buffalo & Pittsburgh Railroad, Inc. ("BPRR") hereby gives notice of its intent to lease from CSX Transportation, Inc. ("CSX"), the 43.8 mile line of railroad between approximately milepost BG-7.2 ± at Glenshaw, PA and approximately milepost BG-51.0 ± at New Castle, PA. The lease is intended to be effective as of the later of December 23, 2003, or 60 days after BPRR certifies to the Board that this notice has been posted.

As a result of the transaction, BPRR preliminarily estimates that following jobs

will be available when it begins freight service, at the starting hourly rates of pay indicated:

<u>Jobs¹</u>	<u>Starting Rates of Pay</u>
1 Locomotive Engineer	\$ 14.40
1 Conductor	\$ 13.77
1 Maintenance of Way Foreman	\$ 18.27
1 Maintenance of Way Laborer	\$ 15.03
1 Signal Maintainer	\$ 18.27

Employees will be provided with railroad retirement, medical insurance, holidays, vacation and other benefits consistent with the benefits currently provided employees of BPRR with similar jobs.

BPRR is an equal opportunity employer. Employees will be selected based upon their experience and suitability for the jobs that may be offered. Successful applicants will be required to pass a pre-employment drug and alcohol screen, complete a medical questionnaire, and take a physical exam.

Applicants selected for positions as engineers and conductors will be required to be members of the union representing BPRR employees holding those jobs.

¹ Engineers and conductors on BPRR are represented by United Transportation Union.

Applications for employment should be made by sending a letter and resume stating the applicant's experience, providing references for any employment held during the last five years and any rail industry employment held at any time. The applicant must be available to start work by the seventh day before the commencement of operations. The letter should be sent by regular mail to Buffalo & Pittsburgh Railroad, Inc. c/o Shayne L. Magdoff, Senior Vice President Administration and Human Resources, Genesee & Wyoming, Inc, 1200-C Scottsville Road, Suite 200, Rochester, NY 14624.

BUFFALO & PITTSBURGH RAILROAD, INC.

Dated: October 22, 2003

By:


David J. Collins, President