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December 16, 2003

Hon. Vernon A. Williams
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

ENTERED
Office of Proceedings

DEC 16 2003

Part of
Public Record

Re: Finance Docket No. 34450, *PAV Railroad, Inc. -- Acquisition and Operation
Exemption -- Assets of N&T Railway LLC*

Dear Sir:

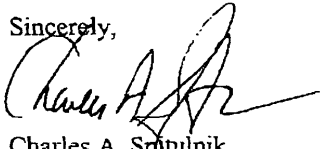
This is to supplement the Petition for Waivers and the Notice of Exemption filed in this proceeding yesterday.

First, in our Petition for Waivers, out of an abundance of caution, we sought waiver of the requirements of 49 C.F.R. §1150.35 (a) and (e) that require a pre-filing notice 14 days in advance of the filing of a Notice of Exemption, and then wait 21 days for the Notice of Exemption to become effective. We have now determined and this is to certify that the revenues of the new railroad will be sufficient only to create a Class III rail carrier. As a result, we are withdrawing our request for waiver of the requirements of 49 C.F.R. §1150.35 (a) and (e).

Second, I am attaching the original and 10 copies of a map to replace the map that was attached to the Notice of Exemption as Exhibit A.

If you have any questions concerning this matter, please do not hesitate to call on me.

Sincerely,

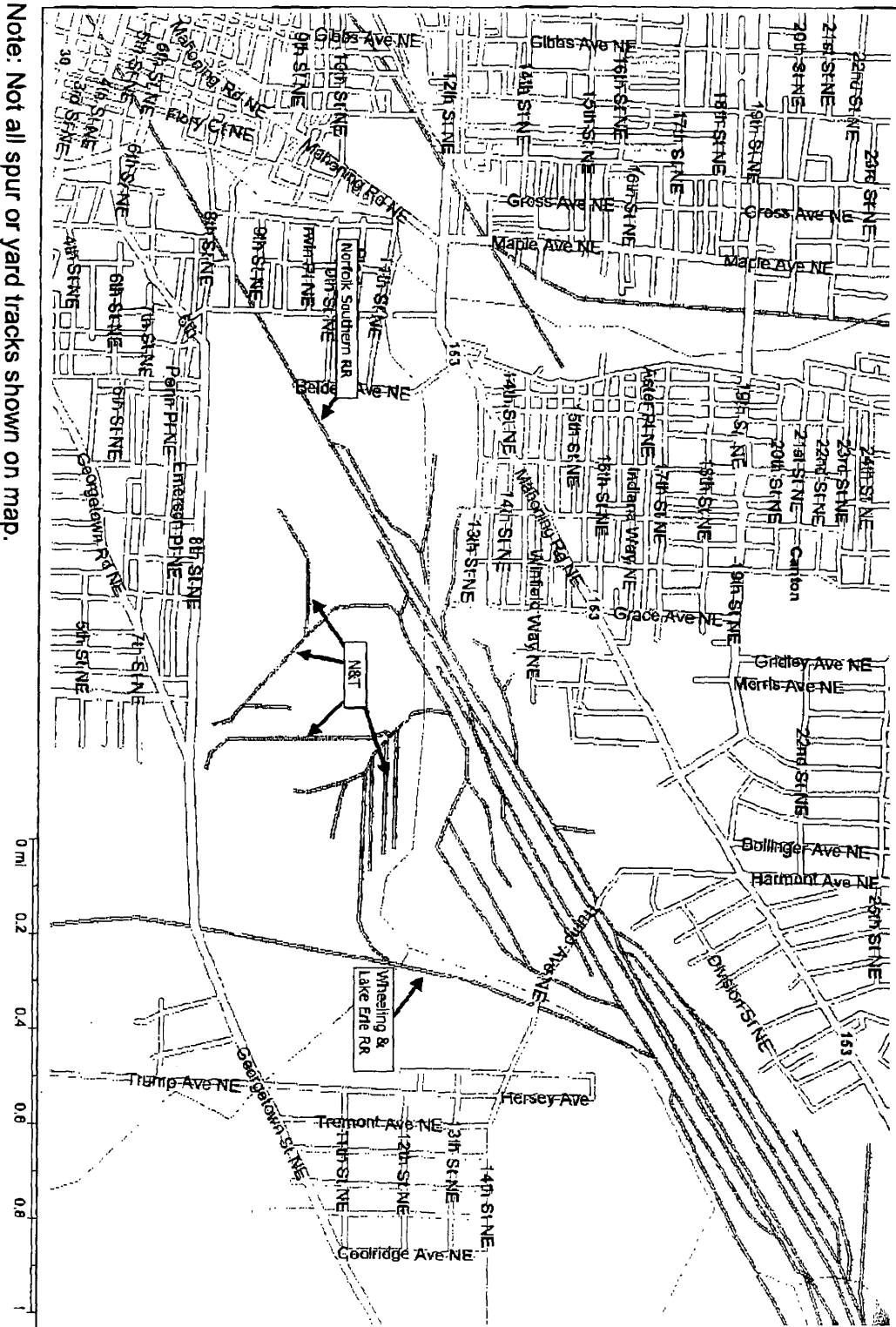

Charles A. Spitulnik

Enclosures

cc: Mr. David Konschnik

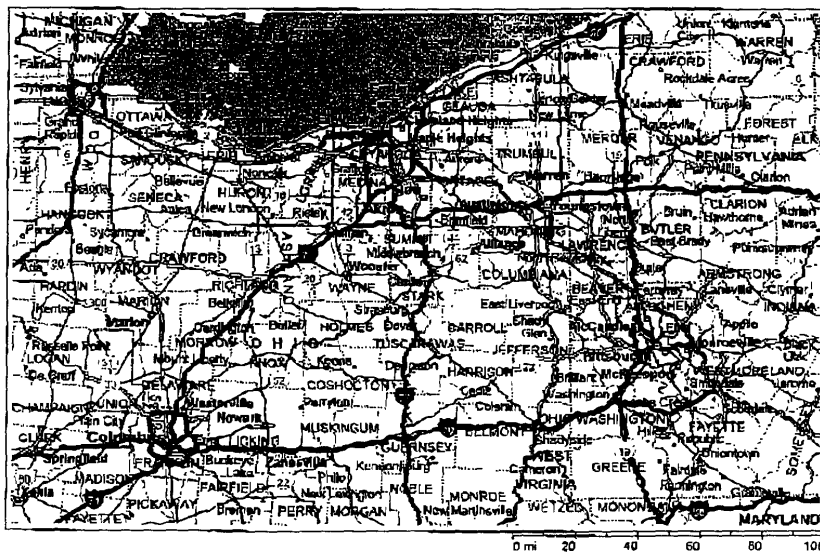
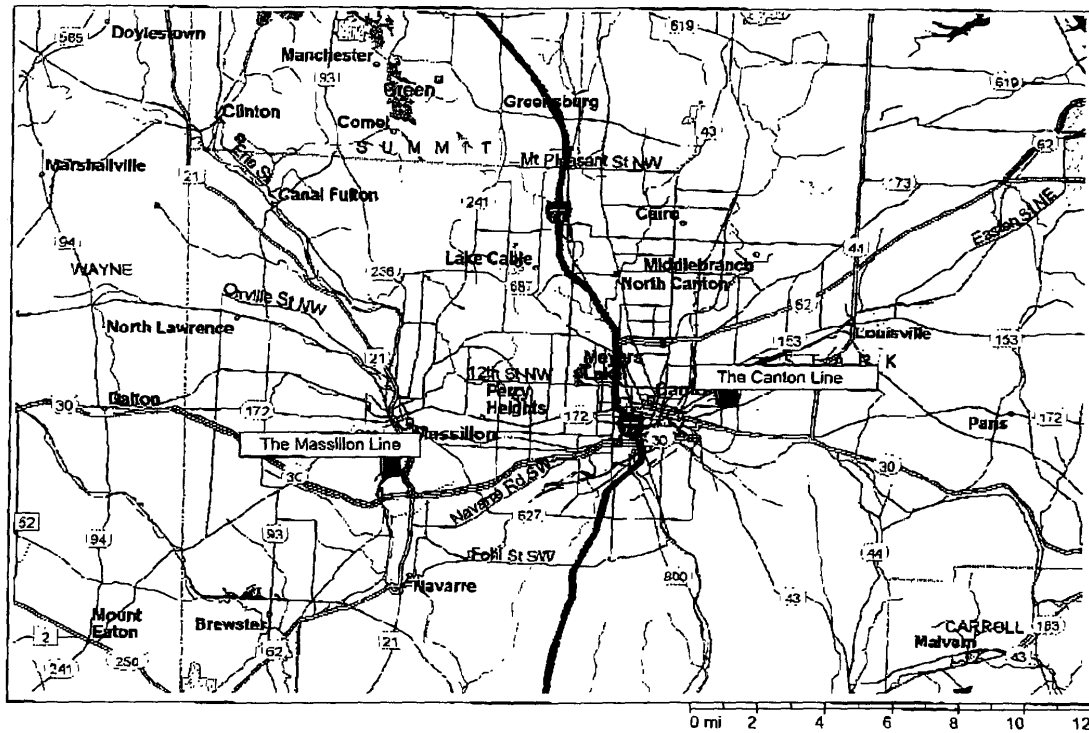
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Exhibit B: The Canton Line



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Exhibit C: Regional Overview



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Fax No.:	(202) 565-9002	Original document will be mailed:	yes
Phone:	(202) 565-1600		

Message: Per our discussion we are filing this today.

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