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JAN 13 2004

**Part of
Public Record**

January 13, 2004



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

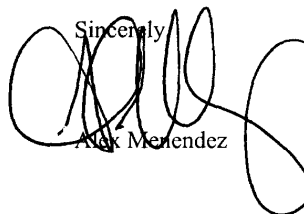
**Re: Finance Docket No. 34450, PAV Railroad, Inc. - - Acquisition and Operation
Exemption - - Assets of N&T Railway LLC**

Dear Sir:

I am enclosing the original and ten copies of the Verified Statement of John Willoughby in the above-referenced proceeding. On December 19, 2003 the Surface Transportation Board ("Board") directed the Petitioner PAV Railroad, Inc. ("PAV") to post a copy of the decision ("Decision") it rendered in this proceeding at the workplace of the employees on the rail line and serve a copy of the decision on the offices of the labor union representing the employees on the line within five (5) days of the decision.

Attached for filing is the Verified Statement of John Willoughby, Vice President of PAV, attesting to the fact that on December 30, 2003 the Decision was posted at the workplace of the employees on the rail line and served on the international offices of the labor union representing the employees on the line. PAV was unable to post the decision within the five (5) days directed by the Board due to the fact that the Decision was released late on Friday December 19, 2003, the following week was cut short by the Christmas holiday and a number of individuals involved in this matter were away for the holidays. Therefore, the earliest date PAV could accomplish the posting and service requirements was December 30, 2003.

I am attaching an additional copy of this document that I ask you to date stamp and return to our messenger. If you have any questions concerning this matter, please do not hesitate to call on me.

Sincerely,

Alex Menendez

Enclosures

cc: Mr. David Konschnik

209846

Before the
Surface Transportation Board

Finance Docket 34450



PAV RAILROAD, INC. --
ACQUISITION AND OPERATION EXEMPTION --
ASSETS OF N&T RAILWAY LLC

VERIFIED STATEMENT OF
JOHN WILLOUGHBY

ENTERED
Office of Proceedings

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John Willoughby under penalty of perjury, says:

1. I am the Vice President of human resources of PAV Railroad, Inc. ("PAV Railroad"), a Delaware corporation.
2. Pursuant to the Board's decision in this matter served on December 19, 2003 ("Board Decision"), PAV Railroad posted a copy of the Board Decision at the workplace of the employees on the rail line on 12/30/03.
3. On 12/30/03 PAV Railroad also served a copy of the Board Decision on the local and international offices of the United Steel Workers of America, AFL-CIO, the labor union that represents the employees on the line.

VERIFICATION

I, John Willoughby, verify under penalty of perjury under the laws of the United States that the foregoing statement is true and correct. Further, I certify that I am qualified and authorized to file this Verified Statement.

Executed on January 1, 2004.

A handwritten signature in cursive script, appearing to read "John Willoughby", is written over a horizontal line.