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February 4, 2004

VIA AIRBORNE EXPRESS

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

210019

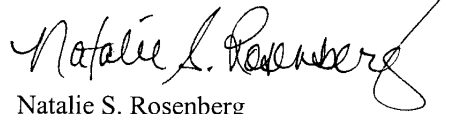


Re: Docket No. AB-55 (Sub-No. 645X)
CSX Transportation, Inc. – Abandonment
Exemption in Floyd County, Kentucky

Dear Mr. Williams:

Enclosed are the original and ten (10) copies of the Publisher's Affidavit referred to in Paragraph 7 of CSX Transportation, Inc.'s Notice of Exemption filed on January 16, 2004 in the above-captioned matter. As you can see from the Affidavit, the Notice of Exemption was published on January 16, 2004 in *The Floyd County Times*, Prestonburg, Kentucky.

Very truly yours,



Natalie S. Rosenberg

ENTERED
Office of Proceedings

FEB - 5 2004

Part of
Public Record

NSR/pkw

Enclosures

Application No. _____

NEWSPAPER AFFIDAVIT

I, **Cynthia Ramey**, of **The Floyd County Times**, published at **Prestonsburg** and having the largest general circulation of any newspaper in **Floyd County, Kentucky**, do hereby certify that from my own knowledge and a check of the files of this newspaper that the advertisement of Notice of Exemption to Abandon for CSX Transportation, Inc.

was inserted in **The Floyd County Times** on the following dates:

Date: 1-16 Page No. 66 Column No. 5-6

Date: _____ Page No. _____ Column No. _____

Date: _____ Page No. _____ Column No. _____

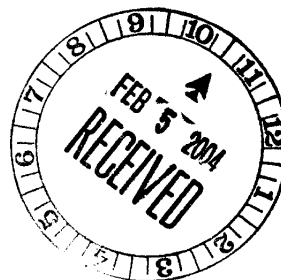
Date: _____ Page No. _____ Column No. _____

Signature: Cynthia Ramey

Subscribed and sworn to before me by **Cynthia Ramey** this the 19th day of January, 2004

Notary Public: Danette Smith

My Commission Expires: May 20, 2004



NOTICE OF EXEMPTION TO ABANDON A LINE OF RAILROAD

CSX Transportation, Inc. gives notice that on or about January 16, 2004, it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments permitting the abandonment of a 9.1 mile line of railroad in the Central Region, known as its Appalachian Division, Middle Creek Subdivision, between railroad Milepost COQ 1.0 at McNally and Milepost COQ 10.1 near East David, Kentucky. The line traverses through United States Postal Service ZIP Codes 41653 and 41616 in Floyd County, Kentucky. The proceeding will be docketed as No. AB-55 (Sub-No. 645X).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice for abandonment exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to SEA, Surface

Transportation Board, Washington, DC 20423, or by calling SEA at (202) 565-1526.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters such as trails use, public use and offers of financial assistance must be filed directly with the Board's Office of the Secretary, 1925 K Street, N.W., Washington, DC 20423 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicant's representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at (202) 565-1594. Copies of any comments or requests for conditions should be served on the applicant's representative (Natalie S. Rosenberg, Counsel, CSX Transportation, Inc., 500 Water Street, J-150, Jacksonville, FL 32202).