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Associate General Counsel

UPS Next Day Air

October 6, 2004

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

ENTERED
Office of Proceedings

OCT 07 2004

Part of
Public Record

Finance Docket Nos. 34561, 34562 and
Docket No. AB-156 (Sub-No. 25X)



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21287

Dear Mr. Williams:

Please find enclosed the original, ten copies and a disk in WordPerfect format of United Transportation Union's Petition to Stay to be filed in the above-captioned matter. Also enclosed is United Transportation Union's check in the amount of \$200.00 for the filing fee.

Thank you for your cooperation.

Sincerely,

Daniel R. Elliott, III
Associate General Counsel

Enclosures

cc: C. J. Miller, III, General Counsel

Before the
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 34561 —

CANADIAN PACIFIC RAILWAY COMPANY
— TRACKAGE RIGHTS EXEMPTION —
NORFOLK SOUTHERN RAILWAY COMPANY
BUFFALO, NY

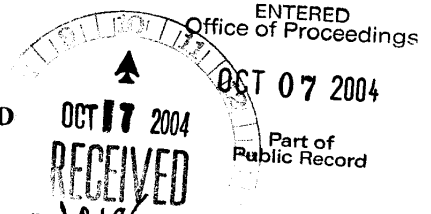
FINANCE DOCKET NO. 34562 —

NORFOLK SOUTHERN RAILWAY COMPANY
— TRACKAGE RIGHTS EXEMPTION —
HUDSON RAILWAY COMPANY, INC. — BETWEEN
SARATOGA SPRINGS, NY, AND BINGHAMTON, NY

DOCKET NO. AB-156 (Sub-No. 25X) —

DELAWARE AND HUDSON RAILWAY COMPANY
— DISCONTINUANCE OF TRACKAGE RIGHTS —
BETWEEN LANESBORO, PA AND BUFFALO, NY

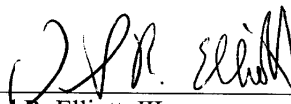
PETITION TO STAY



Daniel R. Elliott, III
Associate General Counsel
United Transportation Union
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Cleveland, Ohio 44107
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United Transportation Union ("UTU") respectfully submits this petition for a stay in the above-captioned proceeding. UTU adopts and incorporates by reference the Petition to Stay Operation of Exemptions filed on October 5, 2004 by the United Transportation Union New York State Legislative Board. Based on the clear reasoning therein, STB should stay the effective date for the exemptions in Finance Docket Nos. 34561 and 34562 pending disposition of the petitions to revoke or the disposition of the petition in AB-156 (Sub-No. 25X).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D.R. Elliott", is written over a horizontal line.

Daniel R. Elliott, III
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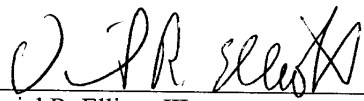
CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing United Transportation Union's Petition to Stay has been served this 6th day of October, 2004 via first-class, postage pre-paid mail upon the following:

Richard A. Allen
888 - 17th Street, N.W., #600
Washington, DC 20006

Terrence M. Hynes
1501 K Street, N.W.
Washington, DC 20005

Gordon P. MacDougall
1025 Connecticut Ave., N.W.
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Daniel R. Elliott, III