

COVINGTON & BURLING

1201 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 20004-2401
TEL 202.662.6000
FAX 202.662.6291
WWW.COV.COM

WASHINGTON
NEW YORK
SAN FRANCISCO
LONDON
BRUSSELS

LINDA J. MORGAN
TEL 202.662.5214
FAX 202.778.5214
LMORGAN@COV.COM

January 7, 2005

BY FIRST CLASS MAIL

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

Re: Finance Docket No. 34647, Hainesport Industrial Railroad, LLC --
Acquisition and Operation Exemption

Dear Mr. Secretary:

I am writing in connection with Finance Docket No. 34647, the Hainesport Industrial Railroad, LLC. By this letter, I am asking that the notice of exemption filing in this matter be withdrawn without prejudice in connection with possible future such filings. Since the original filing was made, Conrail and the Petitioner have entered into discussions regarding this matter. A withdrawal of the filing will allow these discussions to continue to resolution. In this regard, I ask that the filing fee of \$1,500 be returned.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda J. Morgan/vsf".

Linda J. Morgan
Counsel for Petitioner

LJM/vsf

cc:

Mr. Darryl Caplan
Mr. Jonathan Broder