

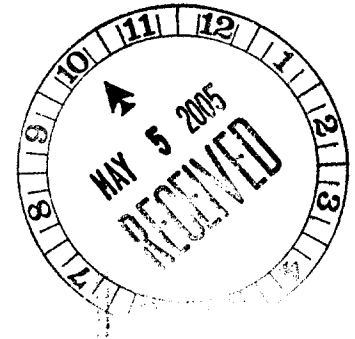
WEINER BRODSKY SIDMAN KIDER PC

1300 NINETEENTH STREET NW
FIFTH FLOOR
WASHINGTON DC 20036 1609
TEL 202 628 2000
FAX 202 628 2011

BRUCE E. ALEXANDER*
RICHARD J. ANDREANO, JR.
JAMES A. BRODSKY
DONALD C. BROWN, JR.
JO A. DeROCHE
TROY W. GARRIS
CYNTHIA L. GILMAN
DON J. HALPERN
NANCY W. HUNT*
HEATHER CAIN HUTCHINGS*
MITCHEL H. KIDER
THOMAS LAWRENCE III
ALDYS A. LONDON
JAMES M. MILANO
TOBIAS P. MOON*

SUZANNE DE ARMOND MUCCHETTI
BRIAN P. PERRYMAN
HAYDN J. RICHARDS, JR.
LEAH SCHMULEWITZ GETLAN
MARK H. SIDMAN
JOHN D. SOCKNAT
DAVID M. SOUDERS
CYNTHIA G. SWANN
SANDRA B. VIPOND
HARVEY E. WEINER
ROSE-MICHELE WEINRYB
MAUREEN C. YAP
JUSTIN P. ZIMMER*
* NOT ADMITTED IN D.C.

213 929



May 5, 2005

BY HAND DELIVERY

Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, NW
Washington DC 20423

ENTERED
Office of Proceedings

MAY - 2005

Part of
Public Record

Re: STB Ex Parte No. 647, Class Exemption for Expedited Abandonment Procedure for Class II and Class III Railroads

Dear Secretary Williams:

By order served August 13, 2003, the Surface Transportation Board instituted a proceeding in STB Ex Parte No. 647 to consider a proposal by 65 small railroads (the "Petitioners") that the Board amend its regulations at 49 C.F.R. 1152.50 (exempt abandonments) and 1152.27 (offers of financial assistance). This proposal, which is supported by the National Industrial Traffic League, would facilitate the abandonment of rail lines by class II and class III carriers before the traffic on the subject line has disappeared and before the infrastructure of the line becomes hopelessly deteriorated.

On August 31, 2004, the Board held a public hearing at which the Petitioners and other interested parties expressed their views concerning the Petitioners' proposal. To date, however, the Board has not indicated whether it will institute a rulemaking proceeding to address the issues raised by Petitioners.

As rail traffic threatens to overwhelm system capacity, and as the need intensifies for small carriers to invest in rail infrastructure to support the use of 286,000-lb. rail cars, it is more important than ever that small railroads be able to deploy scarce capital resources in a rational, economic manner. The proposal, if adopted, would facilitate this important goal while at the same time increasing the likelihood that abandoned rail lines will be acquired for continued rail use. For these reasons, and the reasons set forth in the petition for rulemaking filed in this

WEINER BRODSKY SIDMAN KIDER PC

Honorable Vernon A. Williams

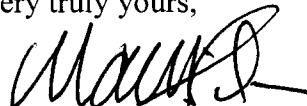
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May 5, 2005

proceeding, the Petitioners urge that the Board go forward with a rulemaking proceeding to adopt the Petitioners' proposal.

Please acknowledge receipt of this letter by date-stamping the enclosed acknowledgment copy and returning it to our messenger.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Mark H. Sidman', with a stylized flourish at the end.

Mark H. Sidman

Enclosures

cc: David M. Konschnik

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