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Leonard M. Singer

May 27, 2005

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BY FEDERAL EXPRESS

Hon. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20006

ENTERED
Office of Proceedings

MAY 31 2005

Part of
Public Record



Re: *Surface Transportation Board Docket Nos. 29963*

Dear Secretary Williams:

Enclosed for filing with your office are an original and ten (10) copies of Motion for Stay in *Petition of Bay Colony Railroad Corporation To Dismiss Notice of Termination of Operating Authority Filed by Massachusetts Bay Transportation Authority*, Finance Docket #29963.

On May 23 you should have received a motion to extend the time for the MBTA's response from May 23 to May 30. The enclosed motion now seeks to stay these proceedings. In addition, I call your attention to the fact that this proceeding is related to a proceeding in Finance Docket 34698.

Thank you for your cooperation in this matter.

Very truly yours,

Leonard M. Singer
Leonard M. Singer

cc: James E. Howard - by facsimile

214092



BEFORE THE
SURFACE TRANSPORTATION BOARD

Finance Docket #29963

PETITION OF BAY COLONY RAILROAD
CORPORATION TO DISMISS NOTICE OF TERMINATION OF
OPERATING AUTHORITY FILED BY MASSACHUSETTS BAY
TRANSPORTATION AUTHORITY

ENTERED
Office of Proceedings

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Public Record

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Attorney for Massachusetts
Bay Transportation Authority

Dated: May 27, 2005

BEFORE THE
SURFACE TRANSPORTATION BOARD

Finance Docket #29963

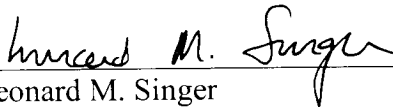
MOTION FOR STAY

The Massachusetts Bay Transportation Authority ("MBTA") moves that this proceeding be held in abeyance until either Bay Colony Railroad Corporation ("Bay Colony") or the MBTA gives notice that it wishes the proceeding to go forward. The grounds for this motion are that the MBTA and Bay Colony wish to explore settlement of the issues raised by the Notice of Termination. The MBTA and Bay Colony have recently exchanged information relating to the status of record title to the easement reserved by Penn Central in its 1973 deed. This information may enable them to reach a settlement of many, if not all, of the issues raised by the Notice of Termination. The MBTA wishes to avoid the expense of filing a reply to the Motion to Dismiss while settlement is being explored.

Bay Colony assents to this motion.

MASSACHUSETTS BAY
TRANSPORTATION AUTHORITY

By its attorney,



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Assented to:

BAY COLONY RAILROAD CORP.

By its attorney,

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