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September 29, 2005

ENTERED
Office of Proceedings

SEP 2 2005

Part of
Public Record



Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Room 700
Washington, D. C. 20423

RE: Docket No. AB-55 (Sub-No. 656X), *CSX Transportation, Inc.* –
Abandonment Exemption-in Marion County, WV

Dear Secretary Williams:

Enclosed are the original and 10 copies of an Affidavit of Publication.

Please time and date stamp the additional copy of this letter and return it with our messenger. Thank you for your assistance.

If you have any questions please call or email me.

Sincerely yours

Louis E. Gitomer
Attorney for: CSX Transportation, Inc.

Enclosures

NOTICE

CSX Transportation, Inc. ("CSXT") gives notice that on or about August 16, 2005, it intends to file with the Surface Transportation Board a Notice of Proposed Construction (NOC) for the proposed abandonment of a rail line on the Southern Region, Huntington Division, in Marion County, West Virginia. The proposed abandonment is located between Milepost 839.000 and Milepost 859.435 in Marion County, West Virginia, through United States Postal Service ZIP Codes 26029, 26037, 26071, 26054, and 26059. This proceeding will be docketed as No. AB-55 (SUO-16). The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after filing of the NOC. 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 decided by the Board. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to SEA, Surface Transportation Board, Washington, DC 20002, by calling SEA at 202-927-6211. Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, or rail banking/lease use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues must be filed with the public law and offers of financial assistance must be filed directly with the Board's Office of the Secretary, 1925 K Street, NW, Washington, DC 20006 (202-693-1043) and one copy must be served on applicants' representative. [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public law, or to the Board's Office of Congressional and Public Services at 202-693-1592. Copies of any comments or requests for conditions should be served on the applicant by first class mail to: Louis E. Glimmer, Bail Janik LLP, 1455 F St., N.W., Suite 225, Washington, DC 20005, (202) 693-3307. Times: August 16, 2005

AFFIDAVIT OF PUBLICATION

005453

State of West Virginia

County of Marion, to wit:

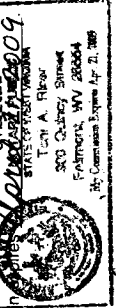
I, Beverly A. Miller, being first duly sworn upon my oath,

do dispose and say that I am Legal Clerk of the **TIMES WEST VIRGINIAN** a corporation, publisher of the newspaper entitled the **TIMES WEST VIRGINIAN** an Independent newspaper:

that I have been duly authorized by the board of directors of such corporation to execute this affidavit of publication; that such newspaper has been published for more than one year prior to publication of the annexed notice described below, that such newspaper is regularly published daily except Saturday and Sunday for at least fifty weeks during the calendar year, in the Municipality of Fairmont, Marion County, West Virginia; that such newspaper is a newspaper of "general circulation," as that term is defined in article three, chapter fifty-nine of the Code of West Virginia, 1931, as amended, within the publication area or areas of the aforementioned municipality and Marion County; that such newspaper averages in length four or more pages, exclusive of any cover, per issue; that such newspaper is circulated to the general public at a definite price or consideration; that such newspaper is a newspaper to which the general public resorts for passing events of a political, religious, commercial or social nature, and for current happenings, announcements, miscellaneous reading matter, advertisements and other notices.

that the annexed notice of Abandonment was duly published in said newspaper once day for 1 successive day (Class I), commencing with the issue of the 16 day of August, 2005, and ending with the issue of the 16 day of August, 2005, and was posted at the front door of the Marion County Courthouse on the 16 day of August, 2005; that said annexed notice was published on the following dates: August 16, 2005 and the cost of publishing said annexed notice as aforesaid was \$ 19.87

Taken, subscribed and sworn to before me in said county this 21 day of September, 2005.



My commission Toni A. Pacer
Notary Public of Marion County, West Virginia