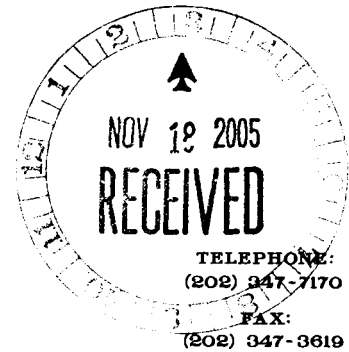


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November 17, 2005

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

Re: Docket No. AB-290 (Sub-No. 236X), The Cincinnati, New Orleans and Texas Pacific Railway Company—Abandonment Exemption—in Roane County, TN

Dear Secretary Williams:

Horsehead Corp., which petitioned for leave to intervene in this proceeding on October 28, 2005 and conditionally protested the abandonment, hereby concurs in the recommendations made by counsel for the Cincinnati, New Orleans and Texas Pacific Railway Company in his reply to Horsehead's petition filed November 17. Specifically, Horsehead agrees that if the parties have not completed their drafting and execution of the necessary agreements to protect Horsehead's interest in continued rail service by December 2, it would be appropriate for the Board nevertheless to approve the requested abandonment, subject to a condition that the abandonment not be consummated until those agreements have been completed (at which point Horsehead will withdraw its conditional protest of the abandonment).

Thank you for your cooperation in this matter.

ENTERED
Office of Proceedings

Part of
Public Record

Sincerely,

Donald G. Avery
An attorney for Horsehead Corp.

cc: Parties of record
Franklin Industries, Inc.