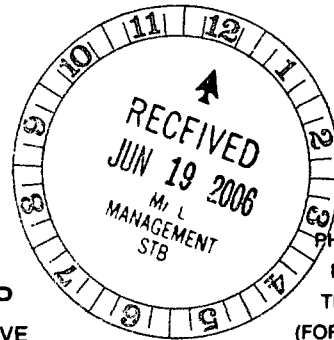


P.O. BOX 956
HARLAN, KENTUCKY 40831



JOSEPH A. GRIESHOP
HARLAN COUNTY JUDGE EXECUTIVE



246797

PHONE (606) 573-2600
FAX (606) 573-3522
TDD: 1-800-247-2510
(FOR HEARING IMPAIRED)

June 12, 2006

Mr. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K St., NW, Room 711
Washington, DC 20423

ENTERED
Office of Proceedings

JUN 19 2006

Part of
Public Record

Re: CSX Railway Company-Abandonment Harlan and Letcher County, KY

STB Docket Number AB55-Sub665X

Dear Mr. Williams:

Pursuant to 49 C.F.R. § 1152.29(f) CSX Inc., request that the Surface Transportation Board (STB) extend the time period for negotiation of a mutually acceptable interim trail use/railbanking agreement in this proceeding for an additional 180 days. This comment is filed on behalf of Harlan County Fiscal Court, which is hereinafter referred to as Commenter. A copy of Harlan County Fiscal Court's statement of willingness to assume full responsibility for management of, and liability and payment of taxes for, the right-of-way, is attached as Exhibit A.

FILING FEE WAIVED

By decision served May 25, 2006, the Cumberland Valley Area Development District was recognized as the negotiating party, under the National Trails System Act, 16 U.S.C. § 1247(d), to negotiate with CSX for the use of the subject right-of-way.

RTC continues to support this rail bank request (under separate cover). In addition to this support, Kentucky Rails to Trails Council (KRTC) has agreed to be a partner in this endeavor and fully supports Harlan County Fiscal Court's efforts as trail manager.

While not taking a position on the merits of this abandonment, Commenter requests issuance of a Public Use Condition as well as a Certificate or Notice of Interim Trail Use rather than an outright abandonment authorization between Harlan and Letcher Counties, KY.

A. Public Use Condition

Commenter requests the STB to find that this property is suitable for other public use, specifically trail use and to place the following conditions on the abandonment:

1. An order prohibiting the carrier from disposing of the corridor, other than the tracks, ties and signal equipment, except of public use on reasonable terms. The justification for this condition is that the rail corridor in question would make an excellent recreational trail and conversion of the property to trail use is in accordance with local plans.

The time period sought is 180 days from the effective date of the abandonment authorization. Commenter needs this much time in order to assume negotiations with CSX and to work with State and Federal officials who have made commitments to support the project. Harlan County Fiscal Court has been meeting on a regular basis and is building support for the project.

2. An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts and tunnels. The justification for this condition is that these structures have considerable value for recreational trail purposes. The time period requested is 180 days from the effective date of the abandonment authorization for the same reason as indicated above.

B. Interim Trail Use

The railroad right-of-way in this proceeding is suitable for railbanking. In addition to the public use conditions sought above, Commenter also makes the following request:

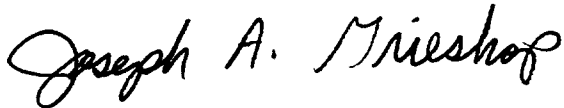
Harlan County Fiscal Court acknowledges that use of the right-of-way is subject to the users continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

By my signature below, I certify service upon CSX, 500 Water Street, 15th Floor
Jacksonville, FL 32202, by U.S. Mail, postage prepaid, first class, this 12th day of June 2006.

I, Joseph A. Grieshop, declare under penalty of perjury that the foregoing is true and correct.

Further, I certify that I am qualified and authorized to file this pleading. Executed on
June 12, 2006.

Respectfully submitted,

A handwritten signature in black ink that reads "Joseph A. Grieshop". The signature is written in a cursive style with a large, stylized "J" and "G".

Joseph A. Grieshop
Harlan County Judge Executive
P.O. Box 956
Harlan, KY 40831



P.O. BOX 956
HARLAN, KENTUCKY 40831

JOSEPH A. GRIESHOP
HARLAN COUNTY JUDGE EXECUTIVE

PHONE (606) 573-2600

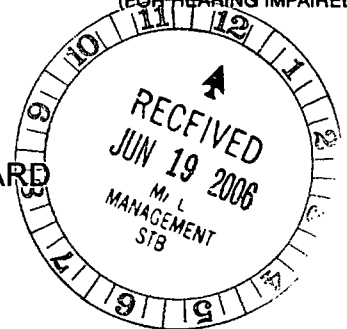
FAX (606) 573-3522

TDD: 1-800-247-2510

(FOR HEARING IMPAIRED)

BEFORE THE SURFACE TRANSPORTATION BOARD

CSX rail abandonment in Harlan and Letcher Counties, KY.
STB Docket No. AB55-Sub665X
--Abandonment Exemption--



Statement of Willingness to Assume
Financial Responsibility

In order to establish interim trail use and rail banking under Section 8(d) of the National Trail System Act, 16 U.S.C. § 1247 (d), and 49 C.F.R. § 1152.29, The Harlan County Fiscal Court is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the right of way in the above captioned proceeding, owned by CSX

The line to be abandoned consists of: (1) a portion of the Poor Fork branch between milepost OWC 261.1, near Cumberland, and milepost OWC 262.3, at Cumberland Junction; and (2) the entire Scotia Branch between milepost OWD 262.21, at Cumberland Junction, and milepost OWD 274.0, near Scotia at the end of the line. The line traverses United States Postal Service Zip Codes 40823, 40862, and 40826.

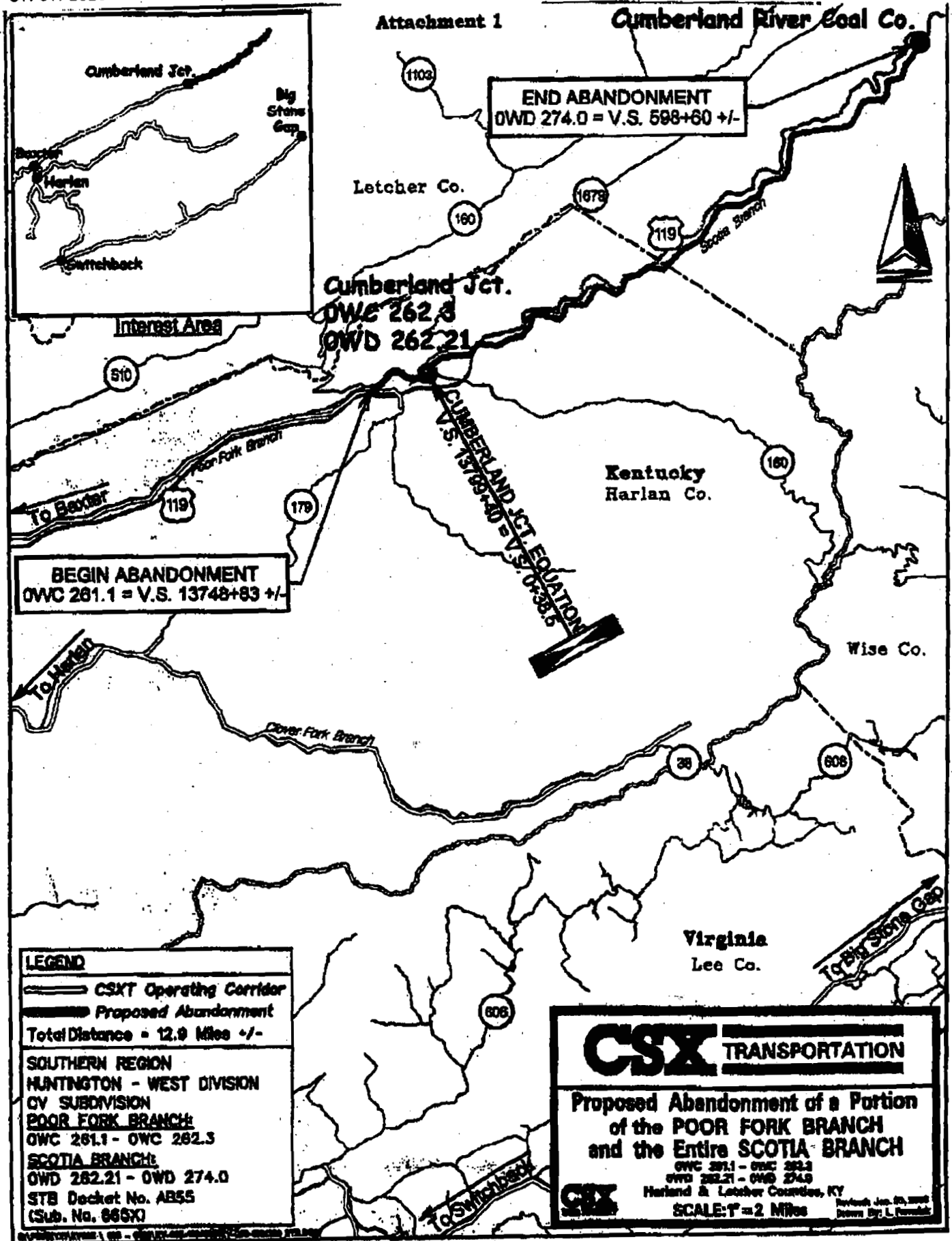
The Harlan County Fiscal Court acknowledges that use of the right-of-way is subject to the user continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

Respectfully submitted,

Joseph A. Grieshop
Harlan County Judge Executive
P.O. Box 956
Harlan, KY 40831

June 12, 2006

Exhibit A



STB Docket No. AB-55
(Sub-No. 665X)