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May 31, 2007

Mr. Vernon Williams
Office of the Secretary
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

Re: STB Finance Docket No. 35020
Northern and Bergen Railroad, L.L.C. –
Acquisition Exemption – a Line of
Railroad Owned by New York &
Greenwood Lake Railway

Dear Mr. Williams:

Please accept these additional comments of New Jersey Transit Corporation ("NJ TRANSIT") concerning Northern and Bergen Railroad, LLC ("NBR")'s Notice of Exemption whereby NBR seeks to become a rail carrier as defined by 49 U.S.C. § 10102(5). NJ TRANSIT is submitting these comments as an interested party and owner of the siding that connects the Bergen County rail line with the "Dundee Spur," which is the subject of NBR's Notice of Exemption. NJ TRANSIT is submitting these comments because they are important for the Board's evaluation of NBR's filing.

NBR seeks to acquire approximately 1.2 miles of track from the New York and Greenwood Lake Railway ("NY&GL") in Passaic and Garfield, New Jersey (called the "Dundee Spur"). The Dundee Spur connects to the general railroad system (the Bergen County rail line) through a siding that is owned by NJ TRANSIT. There is no other means by which the Dundee Spur connects or intersects with any other rail line. At this siding, freight traffic is interchanged with Norfolk Southern Railroad.

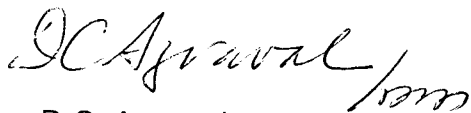
NJ TRANSIT had leased this siding to NY&GL. The Lease Agreement with NY&GL is now expired and by its terms cannot be transferred or assigned to any other party. Accordingly, in order for NBR to provide rail transportation as a new owner of the Dundee Spur, NBR would need to enter in a new lease with NJ TRANSIT.

However, at this time, it is uncertain whether NJ TRANSIT will be able to enter into a lease agreement for the siding with NBR. There have been substantive changes in the operations of NJ TRANSIT and the NY&GL since NJ TRANSIT entered into the original lease with NY&GL in 1996. In view of these changes NJ TRANSIT requires additional information about the intended NBR operations. There are considerable questions concerning the impact of NBR's potential operations on NJ TRANSIT's operations and NBR's ability to comply with NJT's contractual requirements, including environmental, insurance and indemnification requirements. NBR has not made any written request for a lease from NJ TRANSIT with respect to its proposed operation nor has it provided any operating information to NJ TRANSIT. Until NJ TRANSIT determines whether it will lease the siding to NBR, enabling the NBR to access to the Bergen County rail line, NBR will not be able to provide rail transportation service.

For these reasons, therefore, NJ TRANSIT submits that the Board should continue the stay of the exemption proceedings pending the execution of a lease with NBR or, at least, the submission and evaluation of the information as requested by NJ TRANSIT from NBR.

Should you have any questions, please contact me. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "D.C. Agrawal", followed by a horizontal line.

D.C. Agrawal
Assistant Executive Director
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