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June 8, 2007

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VIA ELECTRONIC FILING

Mr Vernon A Williams
Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Re **Finance Docket No. 35036**
Suffolk & Southern Rail Road LLC – Lease and
Operation Exemption – Sills Road Realty, LLC

Notice of Intent to Participate

Dear Secretary Williams

This letter is notice that New York and Atlantic Railway Company, Inc intends to participate in the above-referenced proceeding. Consistent with STB regulations, we intend, if necessary, to file a reply within twenty days after Suffolk & Southern Rail Road LLC files its supplemental material as required by the STB's June 1st order. Please add the undersigned to your Service List as counsel for New York and Atlantic Railway Company

NYA operates immediately adjacent to the Sills Road Realty site, and it is willing to negotiate a reasonable agreement with Suffolk & Southern Rail Road LLC or the owner to provide freight services at the site at issue

Thank you for your assistance on this matter.

Respectfully submitted,



Ronald A. Lane
Attorney for New York and Atlantic Railway
Company, Inc

RAL.dg

cc: John D Heffner

FLETCHER & SIPPEL LLC

Finance Docket No. 35036
Suffolk & Southern Rail Road LLC ~ Lease and
Operation Exemption – Sills Road Realty, LLC

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of June, 2007, I have caused to be electronically filed with the Surface Transportation Board, Washington, D.C the foregoing **Notice of Intent to Participate** and I further certify that I have caused a true and correct copy thereof to be served upon.

John D. Heffner, Esq.
John D. Heffner, PLLC
1920 N Street, N W
Suite 800
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Attorneys for Suffolk & Southern Rail Road LLC

via deposit in the United States Mail chute located at 29 North Wacker Drive, Chicago, Illinois,
with proper postage prepaid

By.



Ronald A Lane