

219650

FOUR PENN CENTER
SUITE 200
1600 JOHN F. KENNEDY BLVD.
PHILADELPHIA, PA 19103-2808
TELEPHONE 215 563 9400
FACSIMILE 215 565 9288
WWW.GGELAW.COM

GG&E GOLLATZ
GRIFFIN
& EWING
ATTORNEYS - AT - LAW

ERIC M. HOCKY
DIRECT DIAL 215.320 3720
emhocky@ggelaw.com

June 28, 2007
Via electronic filing

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

RE: STB Finance Docket No. 35044
Buffalo & Pittsburgh Railroad, Inc. -
Lease and Operation Exemption -
Norfolk Southern Railway Company
Labor Notice Certification

Dear Secretary Williams:

Buffalo & Pittsburgh Railroad, Inc. ("BPRR") hereby certifies that on between June 23, 2007, and June 27, 2007, copies of the enclosed Notice was posted at the following locations of Norfolk Southern Railway Company, as shown on the certifications also enclosed: Buffalo Terminal, NY - Bison Yard Yard Office, Buffalo Junction Yard Office; Olean, NY; Northumberland, PA; Buffalo, NY Track Department; and Olean, NY track Department.

BPRR further certifies that it is serving by overnight delivery, a copy of this letter and the enclosed Notice on the national offices of the labor unions shown below.

Respectfully submitted,



Eric M. Hocky
Attorney for
Buffalo & Pittsburgh Railroad, Inc.

Enclosures

cc (w/ encls.; via UPS Overnight):
All parties on the attached list

Hon. Vernon A. Williams
June 28, 2007
Page 2

Mr. F. Leo McCann, President
American Train Dispatchers Association
1370 Ontario Street, Suite 1040
Cleveland, OH 44113-1736

Mr. Don M. Hahs, International President
Brotherhood of Locomotive Engineers & Trainmen
Standard Building
1370 Ontario Street
Cleveland, OH 44113-1702

Mr. Freddie N. Simpson, President
Brotherhood of Maintenance of Way Employees Division
20300 Civic Center Drive, Suite 320
Southfield, MI 48076-4169

Mr. W. Dan Pickett, President
Brotherhood of Railroad Signalmen
917 Shenandoah Shores Road
Front Royal, VA 22630-6418

Mr. Edwin D. Hill, International President
International Brotherhood of Electrical Workers
1125 15th Street, NW
Washington, DC 20005

Mr. Paul C. Thompson, International President
United Transportation Union
14600 Detroit Avenue
Cleveland, OH 44107

Before the
SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 35044

**BUFFALO & PITTSBURGH RAILROAD, INC.
- LEASE AND OPERATION EXEMPTION -
NORFOLK SOUTHERN RAILWAY COMPANY**

**NOTICE OF INTENT DIRECTED TO EMPLOYEES OF
NORFOLK SOUTHERN RAILWAY COMPANY**

Pursuant to the regulations of the Surface Transportation Board (the "Board") at 49 CFR §1121.4(h), Buffalo & Pittsburgh Railroad, Inc. ("BPRR") hereby gives notice of its intent to lease from Norfolk Southern Railway Company ("NSR") the 35.9 mile rail line between Gravity, New York, milepost BR 8.8, and Machias, New York, milepost 44.7±. BPRR currently operates over the line via overhead trackage rights. The lease is intended to be effective as of the later of August 24, 2007, or 60 days after BPRR certifies to the Board that this notice has been posted.

As a result of the transaction, BPRR preliminarily estimates that the following jobs will be available at the starting hourly rates of pay indicated:

<u>Jobs</u>	<u>Starting Rates of Pay¹</u>
2 Maintenance of Way Laborers	\$ 17.09
Signal maintainer	\$ 19.52

Employees will be provided with railroad retirement, medical insurance, holidays, vacation and other benefits consistent with the benefits currently provided employees of BPRR with similar jobs.

¹ Rates are current rates, and could be subject to change prior to the anticipated commencement date of employment in August, 2007.

BPRR is an equal opportunity employer. Employees will be selected based upon their experience and suitability for the jobs that may be offered. Successful applicants will be required to pass a pre-employment drug and alcohol screen, complete a medical questionnaire, and take a physical exam.

Applications for employment should be made by sending a letter and resume stating the applicant's experience, providing references for any employment held during the last five years and any rail industry employment held at any time. The applicant must be available to start work by the seventh day prior to the proposed effective date of the lease set forth in the first paragraph of this notice. The letter should be sent by regular mail to Buffalo & Pittsburgh Railroad, Inc c/o Shayne L. Magdoff, Senior Vice President Administration and Human Resources, Genesee & Wyoming Inc , 1200-C Scottsville Road, Suite 200, Rochester, NY 14624.

BUFFALO & PITTSBURGH RAILROAD, INC

Dated: June 22, 2007

By:


Shayne L. Magdoff, Senior Vice President
Administration and Human Resources

Before the
SURFACE TRANSPORTATION BOARD
STB Finance Docket No. 35044

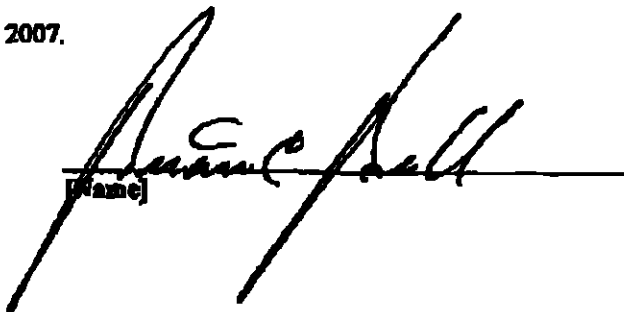
BUFFALO & PITTSBURGH RAILROAD, INC.
- LEASE AND OPERATION EXEMPTION -
NORFOLK SOUTHERN RAILWAY COMPANY

CERTIFICATE OF
NORFOLK SOUTHERN RAILWAY COMPANY

The attached Notice of Intent was posted at Buffalo Terminal - Bison Yard
Yard Office, Buffalo Junction Yard Office.

I, Brian C. Bell, Terminal Superintendent, Buffalo, NY
of Norfolk Southern Railway Company certify under penalty of perjury that the foregoing is true
and correct. Further, I certify that I am qualified and authorized to file the foregoing document.

Executed on June 23, 2007.


[Name]

Before the
SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 35044

**BUFFALO & PITTSBURGH RAILROAD, INC.
- LEASE AND OPERATION EXEMPTION -
NORFOLK SOUTHERN RAILWAY COMPANY**

**CERTIFICATE OF
NORFOLK SOUTHERN RAILWAY COMPANY**

The attached Notice of Intent was posted at Olean, NY.

I, T.J. McConnell, Trainmaster of Norfolk

Southern Railway Company certify under penalty of perjury that the foregoing is true and correct.

Further, I certify that I am qualified and authorized to file the foregoing document.

Executed on June 24, 2007.

[Name] 

Before the
SURFACE TRANSPORTATION BOARD
STB Finance Docket No. 35044

**BUFFALO & PITTSBURGH RAILROAD, INC.
- LEASE AND OPERATION EXEMPTION -
NORFOLK SOUTHERN RAILWAY COMPANY**

**CERTIFICATE OF
NORFOLK SOUTHERN RAILWAY COMPANY**

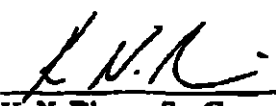
The attached Notice of Intent was posted at Northumberland, PA.

I, K. N. Rivers, Sr. General Foreman of Norfolk

Southern Railway Company certify under penalty of perjury that the foregoing is true and correct.

Further, I certify that I am qualified and authorized to file the foregoing document.

Executed on June 25, 2007.



K. N. Rivers, Sr. General Foreman

Before the
SURFACE TRANSPORTATION BOARD
STB Finance Docket No. 35044

**BUFFALO & PITTSBURGH RAILROAD, INC.
- LEASE AND OPERATION EXEMPTION -
NORFOLK SOUTHERN RAILWAY COMPANY**

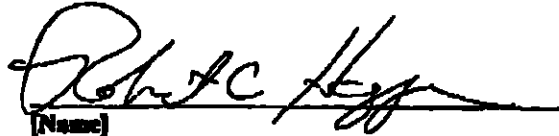
**CERTIFICATE OF
NORFOLK SOUTHERN RAILWAY COMPANY**

The attached Notice of Intent was posted at Buffalo Track Dept
(locations of posting)
I, Robert Heege Track Supervisor
(name) (title) of Norfolk Southern

Railway Company certify under penalty of perjury that the foregoing is true and correct. Further,

I certify that I am qualified and authorized to file the foregoing document.

Executed on June 27, 2007. 7:48 AM


[Name]

Before the
SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 35044

**BUFFALO & PITTSBURGH RAILROAD, INC.
- LEASE AND OPERATION EXEMPTION -
NORFOLK SOUTHERN RAILWAY COMPANY**

**CERTIFICATE OF
NORFOLK SOUTHERN RAILWAY COMPANY**

The attached Notice of Intent was posted at Oliver NY Track Dept
(location of posting)
I, Robert Hodge Track Supervisor
(name) (title) of Norfolk Southern

Railway Company certify under penalty of perjury that the foregoing is true and correct. Further,

I certify that I am qualified and authorized to file the foregoing document.

Executed on June 27 2007. 3:18 PM

Robert C. Hodge
(Name)