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July 13, 2007

Via Electronic Filing
Hon. Vernon A. Williams, Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20024

Re: STB Ex Parte No. 673 - BNSF Railway Company, et al. - Petition to
Institute a Rulemaking

Dear Secretary Williams:

Please accept for filing this letter of Bergen Passaic Rail Corporation D/B/A/ BP Rail ("BPR") in partial support of the above captioned matter. Also please accept this letter as an entry of appearance and include BPR as a party of record in these proceedings.

BPR is a start-up and relatively new player in the field therefore the requested rulemaking is of particular interest to us and we wish to support any measures that would eliminate abuses in the exemption process.

The suggestions made by the Association of American or Railroads ("AAR") of which BNSF Railway Company, Canadian National Railway Company, Canadian Pacific Railway Company, CSX Transportation, Inc., Norfolk Southern Railway Company, and Union Pacific Railroad Company (collectively, the "Coalition") bases their petition upon contains some very interesting suggestions, however the majority of the proposed required information seems specifically geared toward facilitating exemption for a Class I spin-offs rather than an altogether new Railroad and would effectively weed out the charlatans and the legitimate start-ups alike.

BPR strongly supports the reply of the American Short Line and Regional Railroad Association ("ASLRRRA") dated June 28, 2007 (STB Filing 219620) and BPR asks that the Board weigh closely the ramifications of how basing its rulemaking decision solely on the Coalitions suggestion would adversely affect Class III or would be Class III railroads from the benefit of the exemption process.

We feel strongly that any rulemaking that emerges from the proceedings should not only be favorable to the Class I spin-offs, but equally accessible to the newcomers seeking exemption as well.

In closing BPR supports and would be amiable to participating in an open discussion with all interested parties we further feel that frank dialogue would be the best approach in establishing a framework for future rule making on this issue.

Bergen Passaic Rail Corp.
Interim Corporate Offices
22 Somerset Place
Clifton, NJ 07012
(973) 471-RAIL
<http://www.bprail.com>

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BPR looks forward towards playing a constructive role in this and any future matters which would help in furthering a healthy rail system for the greater good.

Respectfully,

A handwritten signature in black ink, appearing to read "Vincent Caruso, Jr.", with a stylized flourish at the end.

Vincent Caruso, Jr.
Authorized Representative
Bergen Passaic Rail Corp.
(973) 798-6233

VC/ab



I. Vincent Caruso, Jr., certify that copies of BPR's Letter to the Board of July 13, 2007

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Were served July 13, 2007, on the following Parties of record By First Class United States mail:

Scheib, John M.
Norfolk Southern Corporation
Three Commercial Place
Norfolk, VA 23510-9241

Broder, Jonathan M
Consolidated Rail Corporation
2001 Market Street
Philadelphia, PA 19103-7044

Borman, Keith T
American Short Line And Regional Railroad Association
50 F Street, Nw, Suite 7020
Washington, DC 20001-1564

Macdougall, Gordon P
1025 Connecticut Avenue, Nw, Suite 919
Washington, DC 20036

Elliott III, Daniel R
United Transportation Union
14600 Detroit Avenue
Cleveland, OH 44107-4250

Warchot, Louis P
Association Of American Railroad
50 F Street, Nw, Suite 12041
Washington, DC 20001

Auerbacher, Kevin P.
New Jersey Department Of Environmental Protection
25 Market Street Po 093
Trenton, NJ 08625

Vincent Caruso, Jr.
Authorized Representative
BP Rail Corporation

Dated: July 16, 2007

219767



Steven C. Armbrust
Counsel
Florida Authorized House Counsel
Admitted in NY; Not Admitted in FL

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July 16, 2007

Honorable Vernon A. Williams
Secretary
Surface Transportation Board
395 East St. SW
Washington, D. C. 20423

RE: Docket No. AB-55 (Sub-No. 679X), *CSX Transportation, Inc.—
Abandonment Exemption—in Delaware County, Indiana*

Dear Secretary Williams:

Reference is hereby made to the letter, dated July 2, 2007, from Mayor Canan on behalf of City of Muncie, Indiana (the "City") to the Board requesting an issuance of a Public Use Condition as well as a Certificate or Notice of Interim Trail Use with respect to the line in the above-captioned proceeding.

CSXT hereby acknowledges and concurs with this request.

CSXT is e-filing this letter. Thank you for your assistance and please feel free to contact me via phone or email if you have any questions.

Very truly yours,

Steven C. Armbrust

cc: Parties of Record