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SEC

SERVICE DATE - JUNE 25, 2004

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 34415

OHIO DEPARTMENT OF TRANSPORTATION — PETITION FOR DECLARATORY
ORDER — STATUS OF TRACK AT FINDLAY, HANCOCK COUNTY, OH

Decided: June 23, 2004

In a petition filed on November 7, 2003, the Ohio Department of Transportation (ODOT) requests a declaratory order to terminate a controversy between it and Norfolk Southern Railway Company concerning the status of approximately 807 feet of track in Findlay, Hancock County, OH.

By decisions served on February 17, 2004, and April 7, 2004, this proceeding, at the request of the parties, was held in abeyance until June 30, 2004. In a letter filed on June 21, 2004, ODOT, on behalf of both parties, asks that the proceeding continue to be held in abeyance until September 30, 2004, because the parties are making progress toward resolving their dispute.

The request to hold the proceeding in abeyance is reasonable and will be granted.

It is ordered:

1. This proceeding is held in abeyance until September 30, 2004.
2. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary