

EI-1739  
CD

LAW OFFICES

JOHN H. BROADLEY & ASSOCIATES, P.C.

CANAL SQUARE  
1054 THIRTY-FIRST STREET, N.W.  
WASHINGTON, D.C.  
20007

(202) 333-6025  
(202) 333-5685 FAX

INTERNET  
JBROADLEY@ALUM.MIT.EDU

March 1, 2006

JOHN H. BROADLEY

Christa L. Dean, Esq.  
Surface Transportation Board  
Section of Environmental Analysis  
1925 K Street, NW  
Suite 700  
Washington, D.C. 20423

Re: STB Finance Docket No. 34829, The Indiana Rail Road Company--Connecting  
Track Construction Exemption--Sullivan County, IN

Dear Ms. Dean:

In December 2005, The Indiana Rail Road Company ("INRD") brought to the attention of the Section of Environmental Analysis ("SEA") its proposed project to construct a connecting track in the southeast quadrant of the intersection between its east-west line of railroad at Sullivan, IN and the north-south line of CSXT. The purpose of the new connecting track was to provide an improved connection between INRD's line and CSXT's line that would permit INRD to serve a newly established coal mine at Carlisle, IN. Pursuant to INRD's request, the SEA selected Skelly & Loy as a third party contractor for the environmental analysis of the project and waived the six month notice of intent requirement. INRD, Skelly & Loy, and the Board entered into a Memorandum of Understanding regarding Skelly & Loy's work on the project, all pursuant to the Board's regulations.

Recently there have been developments which appear to have compromised the underlying commercial rationale for the connecting track project. These developments--if unchanged--would make it difficult or impossible for INRD to access the Carlisle mine over the proposed routing on an efficient basis, and thus would remove the financial justification for the connecting track project. Accordingly, INRD would like to request that no further work proceed on this project until it has had an opportunity to explore whether the recently arising commercial impediments can be removed.

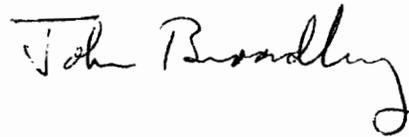
INRD will immediately inform SEA if the present status of the project changes, and either the commercial impediments are removed or the prospect for removing them is

Christa L. Dean, Esq.  
March 1, 2006  
Page No. 2

permanently foreclosed. INRD believes it will have an answer within the next 90 to 120 days. We very much regret the necessity of asking for work to be delayed in this manner.

Should you have any questions concerning this matter, please do not hesitate to call me at the above number.

Yours very truly,

A handwritten signature in cursive script that reads "John Broadley". The signature is written in black ink and is positioned above the printed name.

John Broadley

cc: John Haselden  
The Indiana Rail Road Company

Mindy Bower  
Skelly & Loy