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SEC

SERVICE DATE - LATE RELEASE OCTOBER 8, 2004

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 34548

RHODE ISLAND & WESTERN RAILROAD LLC  
-LEASE AND OPERATION EXEMPTION-  
PAWTUCKET TRANSFER OPERATIONS LLC

Decided: October 8, 2004

On September 15, 2004, the Rhode Island & Western Railroad LLC (RI&W), a noncarrier, filed a verified notice of exemption under 49 CFR 1150.31 to lease and operate approximately 1.43 miles of track, including all yard, lead and switching tracks related thereto without assigned mileposts in the former Pawtucket Yard owned by the Providence and Worcester Railroad Company and leased by Pawtucket Transfer Operations LLC.

By letter filed on September 22, 2004, RI&W has requested that its notice of exemption be withdrawn. RI&W states that certain lease and operating issues are currently in the process of being resolved and it desires to resolve those issues prior to the notice becoming effective. RI&W also states that it anticipates re-filing of the notice of exemption shortly, if the issues are resolved. RI&W's request for withdrawal will be granted and the proceeding will be dismissed.

It is ordered:

1. RI&W's request for withdrawal of its notice of exemption in this proceeding is granted and the proceeding is dismissed.
2. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary