



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

D.P.U. 10-101/102/103/104/105/110/127/128/129/130

December 8, 2010

Petitions of CSX Transportation, Inc. for authority to acquire by eminent domain certain land in Worcester MA pursuant to G.L. c. 160, § 83 and Petition of Leroy & Co., Inc. to change location of proposed taking pursuant to G.L. c. 160, § 81.

NOTICE OF DISMISSAL OF PETITIONS

CSX Transportation, Inc. ("CSX") is a railroad corporation proposing to expand its existing rail yard facilities in the City of Worcester ("project"). In connection with the project, CSX originally filed with the Department a total of nine petitions for authority to acquire by eminent domain certain land in the vicinity of the rail yard ("eminent domain petitions"). The nine CSX eminent domain petitions were consolidated for hearing and decision with a petition to change the location of the proposed taking filed by Leroy & Co., Inc. ("Leroy"), one of the affected property owners.

On November 30, 2010, CSX filed a Notice of Withdrawal with respect to the eminent domain petition docketed as D.P.U. 10-129. CSX stated in the Notice of Withdrawal that it has been able to acquire the property at issue in that docket by agreement with the owner.

On December 6, 2010, CSX filed a Notice of Withdrawal of the eminent domain petitions docketed as D.P.U. 10-105, 10-127, 10-128, and 10-130. CSX stated in each Notice of Withdrawal that it has been able to acquire the property at issue in each docket by agreement with the owner.

Accordingly, the CSX eminent domain petitions docketed as D.P.U. 10-105, 10-127, 10-128, and 10-130 are dismissed. 220 C.M.R. 1.04 (4) (a).

M. Kathryn Sedor
Presiding Officer