



# The Commonwealth of Massachusetts

## DEPARTMENT OF PUBLIC UTILITIES

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

March 1, 2011

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.

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### NOTICE OF DISMISSAL OF PETITION

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 February 28, 2011, CSX filed a Notice of Withdrawal with respect to the eminent domain petition docketed as D.P.U. 10-101. 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.

Accordingly, the CSX eminent domain petition docketed as D.P.U. 10-101 is dismissed. 220 C.M.R. 1.04 (4) (a).<sup>1</sup>

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M. Kathryn Sedor  
Presiding Officer

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<sup>1</sup> All of the other eminent domain petitions have been previously withdrawn and dismissed.