February 18, 2011

Via E-mail (dpu.efiling@state.ma.us) and
By Hand

Mark D. Marini, Secretary
Department of Public Utilities
One South Station
Boston, MA 02110


Dear Mr. Marini:

Enclosed for filing in connection with the referenced matter, please find an original and three (3) paper copies of a Notice of Withdrawal of Petition of CSX Transportation, Inc. for Authority to Acquire Property by Eminent Domain.

Please let me know if you have any questions.

Respectfully,

Michael T. Maroney

MTM/mal
Enclosures

cc: Service List
    w/Enclosure
NOTICE OF WITHDRAWAL OF PETITION OF CSX TRANSPORTATION, INC. FOR AUTHORITY TO ACQUIRE PROPERTY BY EMINENT DOMAIN

Pursuant to 220 C.M.R. 1.04(4)(a) of this Department's Rules of Practice and Procedure, petitioner CSX Transportation, Inc. ("CSXT"), hereby provides notice of withdrawal of its Petition for Authority to Acquire Property by Eminent Domain Pursuant to Mass. Gen. Laws Ch. 160, § 83 with respect to certain property located at 310 Franklin Street, Worcester, Massachusetts owned by Chas-Fran Corporation pursuant to a deed dated September 17, 1991 recorded in Book 13647, Page 92 in the Worcester District Registry of Deeds (the "Property"). As grounds therefor, CSXT states as follows:

1. On August 12, 2010, CSXT filed its Petition with the Department, which was docketed as D.P.U. 10-102.

2. On February 17, 2011, CSXT was able to acquire the Property by agreement with the owner.

3. Accordingly, CSXT no longer requires authority to exercise eminent domain over the Property.
Respectfully submitted,

CSX TRANSPORTATION, INC.,

By its attorneys,

[Signature]

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Boston, MA 02116
P: (617) 523-2700
F: (617) 523-6850

Dated: February 18, 2011
CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of February, 2011, in accordance with the requirements of 220 CMR 1.05(1) (Department's Rules of Practice and Procedure), a true and correct copy of the foregoing document has been sent by hand delivery to the Department and first-class mail to the persons listed on the attached Service List.

[Signature]
Michael T. Maroney
Petitions of CSX Transportation, Inc. for authority to take by eminent domain certain land in Worcester, MA pursuant to G.L. c. 160. §83 and Petition by Leroy & Co. Inc. to change location of taking relative to land at 567 Franklin Street pursuant to G.L. c. 160, § 81.

SERVICE LIST
December 10, 2010

DEPARTMENT [file: original; 3 paper copies; and 1 electronic copy]
Mark Marini, Secretary
Department of Public Utilities
One South Station
Boston, MA 02110
Phone: (617)305-3500
Fax: (617)345-9101
dpu.efiling@state.ma.us

PETITIONER [original and 3 paper copies]
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PETITIONER/INTERVENOR [1 paper copy]
Edward C. Bassett, Jr., Esq.
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ebassett@mirickoconnell.com

FOR: CSX Transportation, Inc.
FOR: Leroy & Co., Inc., Owner
567 Franklin Street
[D.P.U. 10-104 and D.P.U. 10-110]
INTERVENORS

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FOR: Ding On Kwan, Trustee
CD Realty Trust
255 and 320 Franklin Street
[D.P.U. 10-101]

FOR: Chas-Fran Corporation
310 Franklin St.
[D.P.U. 10-102]

FOR: Anthony Mattero
351 Franklin Street
[D.P.U. 10-103]

LIMITED PARTICIPANTS

Jo Hart
P.O. Box 16001
Worcester, MA 01601
Phone: 617-721-1937

FOR: Jo Hart

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