

Holland & Knight

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Michael T. Maroney
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February 17, 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

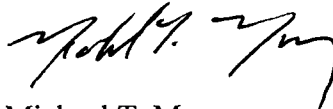
Re: Petition of CSX Transportation, Inc. for Authority to Acquire
Property by Eminent Domain Pursuant to Mass. Gen. Laws Ch. 160, § 83
D.P.U. 10-103

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

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES**

D.P.U. 10-103

Petition of CSX Transportation, Inc. for Authority to Acquire Property by Eminent Domain Pursuant to Mass. Gen. Laws Ch. 160, § 83

**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 351 Franklin Street, Worcester, Massachusetts owned by Anthony P. Mattero pursuant to a deed dated December 2, 1994 recorded in Book 16808, Page 72 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. 10-103.
2. On February 16, 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,



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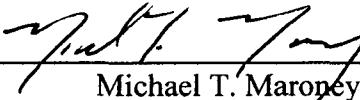
P: (617) 523-2700

F: (617) 523-6850

Dated: February 17, 2011

CERTIFICATE OF SERVICE

I hereby certify that on this 17th 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.



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

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

[original and 3 paper copies]

dpu.efiling@state.ma.us

[electronic copy]

PETITIONER

[1 paper copy]

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FOR: CSX Transportation, Inc.

PETITIONER/INTERVENOR

[1 paper copy]

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

INTERVENORS

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LIMITED PARTICIPANTS

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Phone: 617-721-1937

[1 paper copy to each]

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]

[1 paper copy to each]

FOR: Jo Hart