

AB 32

SUB NO. 4-F

J

BOSTON AND MAINE CORPORATION - DEBTOR
150 CAUSEWAY STREET
BOSTON, MASSACHUSETTS 02114
Telephone: 227-6000



LAW DEPARTMENT

ROBERT W. MESERVE
BENJAMIN H. LACY
TRUSTEES

JOHN J. NEE
Vice President and General Counsel

JOHN I. O'KEEFE
SIDNEY WEINBERG
Attorneys

April 2, 1979

H. G. Homme, Secretary
Interstate Commerce Commission
Washington, D. C. 20423

Re: AB-32 (Sub No. 4F)
Abandonment, Townsend, Mass. &
to Greenville, N. H.



RECEIVED
INTERSTATE COMMERCE
COMMISSION
APR 5 7 42 AM '79
FINANCE SECTION
OFFICE OF
UNIT PROCEEDINGS

Dear Mr. Homme:

This letter is B&M's reply to the comments of Marshall A. Buttrick contained in his letter to the Commission, dated March 6, 1979.

He states that B&M "was required under order of the court to provide service for customers here in Greenville." The records of B&M from 1970 to the present do not show any order of any court requiring B&M to provide service to Greenville, N. H. The records of B&M also show that only one customer at Greenville, Pilgrim Foods, Inc., or its predecessor, Rowse Vinegar Company, has required rail freight service since 1972. That customer has accepted public delivery at West Townsend, Ma. for several years in recognition of the burdensome expense to rehabilitate the line for the limited traffic which operation of the line could generate. In 1978, the 22 carloads which the customer received at West Townsend generated only \$6,240 in B&M revenue.

Mr. Buttrick argues that the railroad abandoned service to customers at Greenville and is now asking the Commission to ratify its action. The opposite is true. Any other customers at Greenville abandoned rail freight use since 1972. The community cannot expect the Trustees of B&M, a railroad in reorganization, to expend any part of its limited funds to rehabilitate a line which, because shippers thereon have either

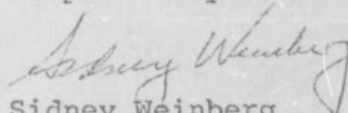
H. G. Homrae, Secretary
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Page 2

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"Where a community has several means of transport, it must realize those it has eliminated from patronage may not be able to continue to exist and abandonment must follow."

Sumpter Valley Ry. Abandonment 175 ICC 13, 23-24
AT&SF Ry. Abandonment 202 ICC 652, 656

Respectfully submitted,

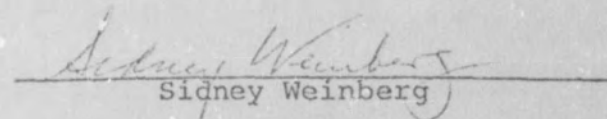


Sidney Weinberg
Attorney for Robert W. Meserve
and Benjamin H. Lacy, Trustees
of the Property of Boston and
Maine Corporation, Debtor
150 Causeway Street
Boston, Massachusetts 02114

CERTIFICATE OF SERVICE

I certify that I have this day served the foregoing reply to written comment upon Marshall A. Buttrick by mailing a copy thereof, first class mail, postage prepaid, addressed to him at Adams Hill Road, Greenville, N. H. 03048.

Dated at Boston, Massachusetts this 2nd day of April, 1979.



Sidney Weinberg

SW/m

BOSTON AND MAINE CORPORATION - DEBTOR
150 CAUSEWAY STREET
BOSTON, MASSACHUSETTS 02114
Telephone: 227-6900



ROBERT W. MESERVE
BENJAMIN H. LACY
TRUSTEES

LAW DEPARTMENT

JOHN J. NEE
Vice President and General Counsel

INTERSTATE
COMMERCE COMMISSION
RECEIVED

JOHN E. O'KEEFE
SIDNEY WEINBERG
Attorneys



APR 4 1979

April 2, 1979

ADMINISTRATIVE SERVICES
MAIL UNIT

H. G. Homme, Secretary
Interstate Commerce Commission
Washington, D. C. 20423

Re: AB-32 (Sub No. 4r)
Abandonment, Townsend, Mass.
to Greenville, N. H.

RECEIVED
INTERSTATE COMMERCE
COMMISSION
APR 5 7 42 AM '79
FINANCE SUPPORT
UNIT
OFFICE OF
PROCEEDINGS

Dear Mr. Homme:

This letter is B&M's reply to the comments of Marshall A. Buttrick contained in his letter to the Commission, dated March 6, 1979.

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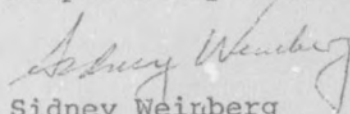
H. G. Homme, Secretary
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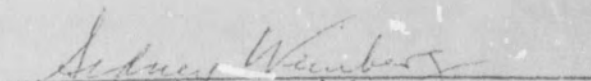


Sidney Weinberg
Attorney for Robert W. Meserve
and Benjamin H. Lacy, Trustees
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Maine Corporation, Debtor
150 Causeway Street
Boston, Massachusetts 02114

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Dated at Boston, Massachusetts this 2nd day of April, 1979.



Sidney Weinberg

BOSTON AND MAINE CORPORATION - DEBTOR
50 CAUSEWAY STREET
BOSTON, MASSACHUSETTS 02114
Telephone: 227-6000



ROBERT W. MESERVE
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April 2, 1979

ADMINISTRATIVE SERVICES
MAIL UNIT

H. G. Homme, Secretary
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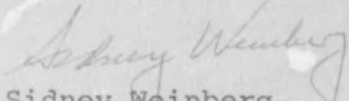
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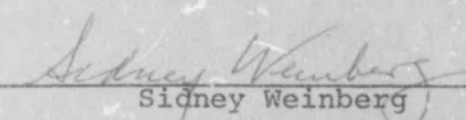
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Dated at Boston, Massachusetts this 2nd day of April, 1979.



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SW/m