

February 22, 2006

Mr. John W. Carroll
Pepper Hamilton, LLP
200 One Keystone Plaza
North Front and Market Streets
P. O. Box 1181
Harrisburg, PA 17108

Dear Mr. Carroll:

We are in receipt of your letter dated January 23, 2006, requesting a waiver of annual fees assessed for fiscal years 1991, 1992, and 1994 through 2005 for New Enterprise Stone & Lime Co., Inc.

We are reviewing your case. Additionally, as requested in your letter, we grant New Enterprise Stone & Lime Co., Inc., a waiver of interest and penalties in accordance with 10 CFR Section 15.37(j) upon the completion of our review. If you have any questions, please contact Shirley Crutchfield at (301) 415-6097.

Sincerely,

/RA/

Gordon S. Peterson, Chief
License Fee Team
Division of Financial Management
Office of the Chief Financial Officer

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OC ACT-2006-054

DFM- 6-029 (Does not close)

Underbillings File

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