

New York State Department of Environmental Conservation
Deputy Commissioner & General Counsel
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Alexander B. Grannis
Commissioner

The Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E. Street, S.W.
Washington, DC 20423-0001

Re: Notice of Intent to Participate Finance Docket No. 35147
Norfolk Southern Railway, Pan Am Railways, Inc., et. Al. - Joint Control and
Operating/Pooling Agreement - Pan Am Southern LLC

Dear Secretary Quinlan:

Pursuant to the Board's Decision served on June 26, 2008 in the above proceeding, the New York State Department of Environmental Conservation hereby notifies the Surface Transportation Board of its intent to participate as its interests may appear. Please be advised that I represent the Party of Record, New York State Department of Environmental Conservation in this matter and request that I be added to the service list.

Sincerely,

Alison H. Crocker
Deputy Commissioner
and General Counsel

Enclosure

cc: Commissioner Grannis
Stu Gruskin
Jared Snyder
Michael Lenane
Val Washington
James Tierney
Christopher Amato

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notice of Intent to Participate has been served this 15th day of July, 2008, by first class mail, postage pre-paid on 7/15/08.

Secretary of Transportation
US Department of Transportation
1200 New Jersey Avenue, SE
Washington, DE 20590

Attorney General of the United States
Assistant Attorney General, Antitrust Division
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