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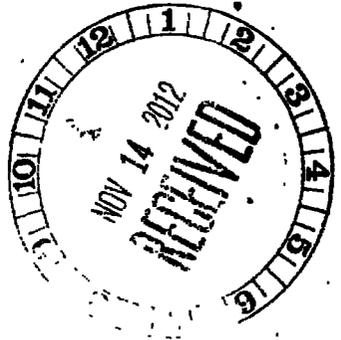
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November 13, 2012

Ms. Cynthia Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423



Re: Docket NOR 42137 North America Freight Car Association v. BNSF Railway Company, et al.

Dear Ms. Brown:

Reference is made to my letter to you of November 12, 2012, regarding Mr. Andrew Goldstein's letter of November 6, 2012.

After mailing of my letter, James A. Hixon, Executive Vice President Law for Norfolk Southern Corporation and Vice President Law of our subsidiary Norfolk Southern Railway Company received a copy of the complaint in this matter.

Accordingly, unless otherwise directed by the STB, it is our position that service of the complaint as required by STB rules occurred on Norfolk Southern on November 12, 2012.

We will proceed accordingly from that service date.

Notwithstanding the foregoing, please be advised that Norfolk Southern continues to request the relief set out in the Petition to Hold Proceeding in Abeyance filed by the Association of American Railroads and the several defendant railroads, including Norfolk Southern Railway Company.

Sincerely,

R. Bruce Rider

Cc: Andrew P. Goldstein, Esq.
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