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VIA E-FILING

Cynthia T. Brown, Chief
Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington DC 20423-0001

Re: *Norfolk Southern Railway Company – Abandonment Exemption – In
Henry County, Indiana, STB Docket No. AB-290 (Sub-No. 326X)*

Dear Ms. Brown:

On July 1, 2013, Indiana Trails Fund's ("ITF") filed in the above-referenced proceeding a request for the imposition of a 180-day public use condition ("PUC") applicable to a roughly 0.76-mile segment of rail line in New Castle, Indiana, extending from milepost R 1.1629 to milepost R 1.92 (which ITF filing erroneously refers to as "milepost 'R-192'"). In the same filing, ITF also requests STB issuance of a notice of interim trails use ("NITU") to permit ITF to negotiate an interim trails use arrangement with Norfolk Southern Railway Company ("NSR") covering the aforementioned line segment. In advance of its PUC/NITU filing, ITF had contacted the undersigned counsel for NSR to alert him to ITF's plans to pursue interim trails use, and ITF was advised at the time that the subject abandonment proceeding was being held in abeyance pursuant to a Director's Order issued on June 14, 2013. ITF was informed that, in NSR's view, it would be advisable to await reactivation of the proceeding before ITF submitted its intended filing. ITF nevertheless filed its PUC and NITU request prematurely.

Now that NSR has elected to proceed with its efforts to obtain authority to abandon the subject line segment via an amended joint notice of exemption with short line partner C&NC Railroad Corporation ("CNUR"), ITF's written requests for issuance of a PUC and an NITU are or will soon be ripe for Board consideration, and so NSR hereby responds formally to ITF's July 1, filing.

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NSR does not object to ITF's request for the imposition of a 180-day PUC in keeping with ITF's July 1 filing. Also, NSR has consulted with CNUR, which continues to operate a line immediately adjacent to the line segment in which ITF has expressed an interest, and, with CNUR's conditional consent, NSR hereby states its willingness to negotiate an interim trails use arrangement with ITF, again in accordance with the terms of the ITF's aforementioned July 1 filing.

Please let me know if you have any questions concerning this filing.

Sincerely,



Robert A. Wimbish
Attorney for Norfolk Southern
Railway Company

cc: All parties of record
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Marc Kirchner
Lawada Poarch
Richard R. Wilson
Spence Wendelin