

EXPEDITED CONSIDERATION REQUESTED

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

SUNBELT CHLOR ALKALI PARTNERSHIP)	
)	
Complainant,)	
)	
v.)	Docket No. NOR 42130
)	<i>Expedited consideration requested</i>
NORFOLK SOUTHERN RAILWAY COMPANY)	
)	
Defendant.)	

**NORFOLK SOUTHERN RAILWAY COMPANY'S
MOTION FOR MODIFICATION OF PROCEDURAL SCHEDULE**

James A. Hixon
John M. Scheib
David L. Coleman
Christine I. Friedman
Norfolk Southern Corporation
Three Commercial Place
Norfolk, VA 23510

G. Paul Moates
Paul A. Hemmersbaugh
Matthew J. Warren
Hanna M. Chouest
Marc A. Korman
Sidley Austin LLP
1501 K Street, N.W.
Washington, D.C. 20005
(202) 736-8000
(202) 736-8711 (fax)

Counsel to Norfolk Southern Railway Company

Dated: October 23, 2012

 GRANTED Office of Proceedings	DECISION ID NO.: <u>42751</u>
	DECIDED DATE: <u>10/31/12</u>
	SERVICE DATE: <u>11/1/12</u>
	APPROVED: <u>Rachel Campbell</u> Director
<input type="checkbox"/>	_____

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Reply Evidence is currently due on December 4, 2012. *See* Decision, *SunBelt v. Norfolk Southern*, STB Docket No. 42130 (served April 25, 2012).

NS seeks a modest extension of only 14 days, predicated upon the extremely close proximity in which its replies in this case and in Docket No. 42125, *E.I. du Pont de Nemours & Co. v. Norfolk Southern Ry. Co.*, are due. Based upon the current procedural schedules in these two cases, NS's Reply in this matter is due on December 4, 2012—just two (2) business days after its Reply Evidence is due in *DuPont* (on November 30, 2012). This is not the first time that the procedural schedules in these two matters have overlapped, and the Board has seen fit previously to grant extensions based upon their proximity. *See* Decision, *SunBelt v. Norfolk Southern*, STB Docket No. 42130 (served April 25, 2012) (approving SunBelt's 60-day extension in part on the grounds that it "will reduce the overlap in the submission of evidence in both this case and [DuPont]."). In addition, extending the time for the filing of final briefs will also address the current close proximity of the due dates in the *DuPont* (May 8) and *SunBelt* (May 10) cases. Accordingly, NS requests that the Board modestly modify the procedural schedule as follows:

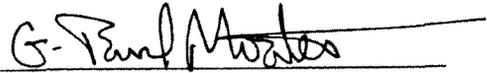
	Due Date Under the Current Procedural Schedule	Due Date Under Proposed Amended Procedural Schedule
NS's Reply Evidence	December 4, 2012	December 18, 2012
SunBelt's Rebuttal Evidence	April 8, 2013	April 22, 2013
Final Briefs	May 10, 2013	May 24, 2013

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CONCLUSION

For the foregoing reasons, NS requests that the Board modify the governing procedural schedule as requested in this Motion.

Respectfully submitted,



G. Paul Moates
Paul A. Hemmersbaugh
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Marc A. Korman
Sidley Austin LLP
1501 K Street, N.W.
Washington, D.C. 20005
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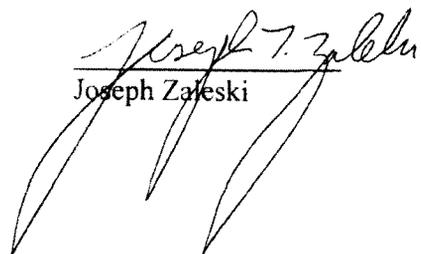
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CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of October 2012, I caused a copy of the foregoing Norfolk Southern Railway Company's Motion to Modify the Procedural Schedule to be served by email and U.S. Mail upon:

Jeffrey O. Moreno
Thompson Hine LLP
1919 M Street, N.W., Suite 700
Washington, D.C. 20036


Joseph Zaleski