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SERVICE DATE – NOVEMBER 3, 2009

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-290 (Sub-No. 293X)

NORFOLK SOUTHERN RAILWAY COMPANY—
ABANDONMENT EXEMPTION—IN NORFOLK AND VIRGINIA BEACH, VA

Decided: November 2, 2009

By decision served on November 6, 2007, the Board, acting pursuant to 49 U.S.C. 10502, exempted from the prior approval requirements of 49 U.S.C. 10903, the abandonment by Norfolk Southern Railway Company (NSR) of an approximately 15.34-mile line of railroad, extending between milepost VB-0.12 in Norfolk, VA, and milepost VB-15.46 in Virginia Beach, VA. The exemption was subject to environmental and standard employee protective conditions. By decision served on November 6, 2008, the original November 6, 2008 date for NSR to consummate the abandonment was extended until November 6, 2009. In this decision, the Board is again extending the deadline for consummating the authorized abandonment.

On October 13, 2009, NSR requested a 1-year extension, until November 6, 2010, of the time to consummate the abandonment. In support, NSR states that regulatory barriers to consummation still exist, and therefore, seeks this extension.

Under 49 CFR 1152.29(e)(2), a railroad may, for good cause shown, file a request for an extension of time to file a notice of consummation in abandonment proceedings. NSR has shown good cause to extend the time to consummate the abandonment and for filing a notice of consummation in this proceeding. Accordingly, the request will be granted.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. NSR's request for an extension of time to consummate the abandonment is granted.
2. The authority to abandon must be exercised, and the notice of consummation must be filed, on or before November 6, 2010.

3. This decision is effective on its date of service.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

Anne K. Quinlan
Acting Secretary