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SEC

SERVICE DATE – MARCH 14, 2006

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 34839

NORFOLK SOUTHERN RAILWAY COMPANY–CONTROL AND CONSOLIDATION
EXEMPTION–ALGERS, WINSLOW AND WESTERN RAILWAY COMPANY

Decided: March 13, 2006

On February 14, 2006, Norfolk Southern Railway Company (NSR) filed a petition for exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 11323, et seq., to acquire control of Algers, Winslow and Western Railway Company (AWW) and to consolidate AWW into NSR following the acquisition. On March 3, 2006, the Board issued a decision granting a 10-day extension of the time for filing replies, from March 6, 2006, to March 16, 2006. On the same day, counsel for Solar Underground LLP (Solar) filed a letter requesting an extension of time for filing its reply to March 22, 2006.

Solar indicates that it has a letter of intent regarding the purchase of one of the coal mine facilities located on the AWW line. Solar states that it has concerns about the proposed acquisition transaction from the standpoint of future rail service to the mine facilities and needs more time to file comments or a reply.

Solar's extension request is reasonable and will be granted.

It is ordered:

1. Solar's extension request is granted, and its reply is due on March 22, 2006.
2. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary