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SEC

SERVICE DATE – NOVEMBER 22, 2006

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 33388 (Sub-No. 100)

CSX CORPORATION AND CSX TRANSPORTATION, INC., NORFOLK SOUTHERN  
CORPORATION AND NORFOLK SOUTHERN RAILWAY COMPANY  
—CONTROL AND OPERATING LEASES/AGREEMENTS—  
CONRAIL INC. AND CONSOLIDATED RAIL CORPORATION

Decided: November 21, 2006

By a request filed on November 17, 2006, Norfolk Southern Corporation, Norfolk Southern Railway Company, CSX Corporation, CSX Transportation, Inc., Conrail Inc., and Consolidated Rail Corporation (collectively, respondents) seek to modify the procedural schedule set by the Board in a decision served on August 29, 2006 (August 29 decision).<sup>1</sup> Specifically, respondents request a 1-week extension of the date for filing comments on the supplemented petition that Bridgewater Resources, Inc. and ECDC Environmental, L.L.C. (collectively, petitioners) submitted on November 3, 2006. Under the proposed extension, the date for filing comments would be extended to December 1, 2006, and the date for petitioners' reply to comments would be extended to December 13, 2006.

Respondents note that, according to the Board's August 29 decision, comments to the supplemented petition are due November 23, 2006, but inasmuch as November 23, 2006, is a federal holiday, comments are due the following day, November 24, 2006. Respondents state that the extension is requested because respondents' comments on the supplemented petition will include a discussion of detailed facts that must be reviewed by a number of individuals at the three railroads, and that many of the individuals will be unavailable during the days prior to Thanksgiving and over the following weekend.

By facsimile received November 17, 2006, petitioners state that they have no objection to the requested extension.

Respondents' request for a 1-week extension of the due dates set forth in the Board's August 29 decision is reasonable and will be granted as set forth below.

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<sup>1</sup> The August 29 decision granted a 3-week extension to portions of the procedural schedule set forth by the Board in a decision served on August 16, 2006.

It is ordered:

1. The request for modification of the procedural schedule is granted.
2. Any person who wishes to file comments respecting the supplemented petition must do so by December 1, 2006.
3. Petitioners will have until December 13, 2006, to reply to those comments.
4. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary