

30155  
SEC

SERVICE DATE - APRIL 5, 1999

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 33388

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

Decision No. 120

Decided: April 2, 1999

By letter filed April 1, 1999, CSX Corporation (CSXC) and CSX Transportation, Inc. (CSXT) have requested an extension until June 1, 1999, of the deadline provided for in Environmental Condition 8(B), which requires applicants<sup>1</sup> to complete any negotiations with the State of Ohio (by and through the Ohio Attorney General, the Ohio Rail Development Commission, and the Public Utilities Commission of Ohio) regarding highway/rail at-grade crossing improvements by April 5, 1999. See Decision No. 89, slip op. at 399 (directing applicants to complete such negotiations within 120 days of the effective date of Decision No. 89); Decision No. 108, slip op. at 2 (directing applicants to complete such negotiations by February 18, 1999); Decision No. 116, slip op. at 2 (directing applicants to complete such negotiations by April 5, 1999). CSXC and CSXT advise: that they have worked diligently with the State of Ohio parties to draft the Railroad Corridor Agreement that will document their agreement in principle; that interim deadlines have facilitated the progress the parties have been able to make toward this Agreement; that they will be unable to resolve the few remaining, outstanding issues by April 5, 1999; but that they expect to be able to resolve those issues in the near future and believe that the final agreement can be executed by June 1, 1999. They add that they have been authorized to represent that the State of Ohio concurs in the request for an extension.

The request for an extension until June 1, 1999, is reasonable. The revised deadline will therefore be adopted.

---

<sup>1</sup> CSXC, CSXT, and their wholly owned subsidiaries, and also the wholly owned Consolidated Rail Corporation (CRC) subsidiary to be known as New York Central Lines LLC (NYC), are referred to collectively as CSX. Norfolk Southern Corporation (NSC), Norfolk Southern Railway Company (NSR), and their wholly owned subsidiaries, and also the wholly owned CRC subsidiary to be known as Pennsylvania Lines LLC (PRR), are referred to collectively as NS. Conrail Inc. (CRR) and CRC, and also their wholly owned subsidiaries other than NYC and PRR, are referred to collectively as Conrail or CR. CSX, NS, and Conrail are referred to collectively as applicants.

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

It is ordered:

1. Environmental Condition 8(B) is revised to read as follows: “Applicants shall complete any negotiations with the State of Ohio regarding highway/rail at-grade crossing improvements by June 1, 1999.”

2. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary