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ENTERED
Office of Proceedings
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Part of
Public Record

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May 14, 2015

VIA E-FILING

Cynthia T. Brown, Chief
Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423-0001

 GRANTED Office of Proceedings	DECISION ID NO.: <u>44502</u>
	DECIDED DATE: <u>5/21/15</u>
	SERVICE DATE: <u>5/22/15</u>
	APPROVED: <u>Rachel D Campbell</u> Director
	<input checked="" type="checkbox"/> <u>extended until 5/29/16</u>

RE: Norfolk Southern Railway Company – Abandonment Exemption – In Henry and Spalding Counties, GA, STB Docket No. AB-290 (Sub-No. 331X)

Dear Ms. Brown:

I am writing on behalf of Norfolk Southern Railway Company (“NS”) in connection with the above-referenced railroad abandonment proceeding in order to request relief from the consummation notice requirements set forth at 49 C.F.R. § 1152.29(e)(2). Specifically, for the reasons set forth below, NS hereby requests a one-year extension of the applicable consummation notice deadline.

On December 19, 2011, NS filed a notice of exemption for NS to abandon approximately 4.92 miles of rail line between milepost 4.80 M (south of Meredith Park Drive near the line's crossing of Indian Creek in McDonough, GA) and milepost 9.72 M (just to the east of Trestle Road in Locust Grove, GA) in Henry and Spalding Counties, Georgia (the “Line”). Notice of the exemption was served and published in the Federal Register on January 6, 2012 (77 Fed. Reg. 836).

The exemption was originally scheduled to become effective on February 7, 2012. However, in a decision served on February 1, 2012, the Board imposed a historic preservation condition requiring NS to retain its interest in and take no steps to alter the historic integrity of the trestle bridge located at milepost 4.90M until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. § 470(f). The Section 106 condition also required NS to report on its consultation with the Georgia Department of Natural Resources, Historic Preservation Division (“GA SHPO”) or any other Section 106 consulting parties, and it prohibited NS from filing its consummation notice or initiating any salvage activities related to

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the bridge (including removal of tracks and ties from the bridge) until the Section 106 process was completed and the Board removed the condition.

Over the past several years, NS worked with the GA SHPO to complete the section 106 process. Recently, the GA SHPO notified the Board's Office of Environmental Analysis ("OEA") that the requirements of the Section 106 condition have been satisfied. As a result, OEA recommended to the Board that the Section 106 condition be removed, and in a decision served on March 30, 2015, the Board issued a Director's Order removing the Section 106 Condition.

Under the Board's rules at 49 C.F.R. § 1152.29(e)(2), NS now has until May 29, 2015 to consummate the subject abandonment. NS has checked with its engineering department and discovered that NS will be unable to fully consummate its abandonment before the May 29, 2015 deadline. NS simply needs more time to complete salvage of the line. Therefore, for good cause shown, NS respectfully requests a one-year extension of the current deadline for filing a notice of consummation in this proceeding.

Sincerely,



William A. Mullins
Counsel for Norfolk Southern Railway Company

cc: All parties of record
Marc Hoecker (NS)
Lawada Poarch (NS)
Maquiling Parkerson (NS)