



COMMONWEALTH of VIRGINIA

Office of the Attorney General
Richmond 23219

Mark R. Herring
Attorney General

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804 - 786 - 2071
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June 2, 2013

VIA E-FILE

Ms. Cynthia T. Brown
Chief of the Section of Administration
Office of Proceedings Surface Transportation Board
395 E. Street S.W.
Washington, D.C. 20423

Re: **CSX Transportation, Inc**, Abandonment and Discontinuance of Service Exemption in the City of Richmond and Henrico County, VA - STB Docket No. - AB-55 (Sub-No. 726X); **Norfolk Southern Railway Company**, Abandonment and Discontinuance of Service Exemption in the City of Richmond and Henrico County, VA - STB Docket No. AB-290 (Sub-No 303X)

Dear Ms. Brown:

I am writing on behalf of the Virginia Department of Transportation to request a second 180-day extension for the deadline for negotiations with CSX Transportation, Inc. (CSXT) and Norfolk Southern Railroad, (NSR) regarding the Notice of Interim Trail Use in the above-captioned proceeding. I also request a second 180-day extension of the public use condition requested by Mr. Richard R. Bennett on behalf of the Virginia Department of Transportation by application for NITU originally filed on May 1, 2013.

The Virginia Department of Transportation has been negotiating with CSXT and NSR. All parties continue to be in agreement, but are having difficulty describing the track right of way to be acquired. In addition, the Virginia Department of Transportation respectfully requests a waiver of the Board's filing fee in accordance with 49 C.F.R. 1002.2(e)(1).

Respectfully Submitted,

Joseph V. Jagdmann
Senior Assistant Attorney General
VDOT Regional Staff Counsel
2430 Pine Forest Drive
Colonial Heights, VA 23834-5317
Tel. (804) 524-6066
e-mail: joseph.jagdmann@vdot.virginia.gov

 GRANTED Office of Proceedings	DECISION ID NO.: <u>43836</u>
	DECIDED DATE: <u>4/4/14</u>
	SERVICE DATE: <u>6/5/14</u>
	APPROVED: <u>Cathel Campbell</u> Director
	<input checked="" type="checkbox"/> <u>NITU only - extended to 11/28/14</u>

Cc: Mr. William A. Mullins, Esq.
Cc: Mr. Steven Arbust, Esq.
CC: Mr. Louis E. Gitomer, Esq.
Cc: Mr. Richard R. Bennett

