

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 3, 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. Under 49 CFR 1104.13(a), replies to the petition are due on March 6, 2006. On March 1, 2006, Indiana Southern Railroad, Inc. (ISRR) filed a letter requesting a 10-day extension of the time for filing replies, from March 6, 2006, to March 16, 2006.<sup>1</sup>

ISRR indicates that it and NSR are the only two railroads that interchange traffic with AWW. ISRR asserts that the extension is needed because of the potential competitive issues involved, the concerns expressed by a number of electric utility companies, and ISRR's need to discuss these issues with NSR. Finally, ISRR states that NSR does not object to this extension.

The extension request is reasonable and will be granted.

It is ordered:

1. The extension request is granted, and replies are now due on March 16, 2006.
2. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary

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<sup>1</sup> By letter filed February 23, 2006, Cinergy Corp. advised that it would file comments by March 13, 2006.