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SERVICE DATE –LATE RELEASE DECEMBER 2, 2011

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. FD 35564

NORTH CAROLINA & VIRGINIA RAILROAD COMPANY, LLC, CHESAPEAKE &
ALBEMARLE RAILROAD DIVISION—LEASE AMENDMENT—NORFOLK
SOUTHERN RAILWAY COMPANY

Decided: December 1, 2011

On November 8, 2011, North Carolina & Virginia Railroad Company, LLC, Chesapeake & Albemarle Railroad Division (NCVR), filed a verified notice of exemption under 49 C.F.R. § 1180.2(d)(4) to amend a lease and option to purchase agreement with Norfolk Southern Railway Company. By letter filed on November 22, 2011, NCVR seeks to withdraw the verified notice of exemption. The withdrawal will be permitted and the proceeding will be discontinued.

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

It is ordered:

1. The withdrawal of the notice of exemption is permitted and the proceeding in Docket No. FD 35564 is discontinued.
2. This decision is effective on its date of service.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.