

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**ENTERED
Office of Proceedings
August 6, 2015
Part of
Public Record**

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E.I. DUPONT DE NEMOURS & COMPANY)	
	Complainant)	
v.)	Docket No. NOR 42125
NORFOLK SOUTHERN RAILWAY COMPANY)	
	Defendant)	
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**REPLY TO NORFOLK SOUTHERN RAILWAY COMPANY’S REPLY TO E.I. DU
PONT DE NEMOURS AND COMPANY’S MOTION TO SUBSTITUTE PARTIES**

Complainant, E.I. du Pont de Nemours and Company (“DuPont”), hereby submits this brief reply to the reply of Norfolk Southern Railway Company (“NS”) to DuPont’s Motion to Substitute Parties. Although the Board’s rules do not permit replies to replies, DuPont submits this Reply solely for the uncontroversial objective of simplifying the Board’s resolution of the issues raised by NS.

NS does not object to DuPont’s request to substitute The Chemours Company FC, LLC and The Chemours Company TT, LLC (collectively “Chemours”) as the Complainants in this proceeding, except as to 14 lanes that involve traffic that will continue to be the responsibility of DuPont going forward.¹ NS asserts that the proper resolution for those 14 lanes either is to dismiss them from the case with prejudice or for DuPont to remain as a Complainant. In order to resolve this question without further pleadings, DuPont will not object to dismissal of those 14 lanes with prejudice regarding matters in this proceeding. In consenting to this partial dismissal, neither DuPont nor Chemours are expressing agreement with, or acquiescence in, the NS

¹ Those 14 lanes are identified in Exhibit 1 to the NS Reply.

characterizations of the preclusive effects of the Board's final decision in this proceeding. Those are hypothetical questions that are more appropriately addressed if and when such facts may arise.

Respectfully submitted,



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and The Chemours Company TT, LLC*

August 6, 2015

CERTIFICATE OF SERVICE

I hereby certify that this 6th day of August 2015, I served a copy of the foregoing via e-mail and first class mail upon:

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Jeffrey O. Moreno