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Via E-Filing

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

Re: EP 704 (Sub-No. 1), *Review of Commodity, Boxcar, and TOFC/COFC Exemptions*

Dear Ms. Brown:

SA Recycling submitted a letter purportedly dated August 31, 2016, in response to this docket, which was made a part of the public record on September 12, 2016. By either date, the letter comes well after the close of the commenting period in this proceeding, for which opening comments were due by July 26, 2016, and reply comments were due by August 26, 2016.

Although SA Recycling historically has not been a customer of Norfolk Southern Railway Company ("NSR"), SA Recycling recently acquired Newell Recycling Southeast LLC, a longtime customer of NSR. SA Recycling's letter does not clarify if its vague claims about its experience "with rail transportation of ferrous scrap over the past several years" are meant to include Newell Recycling. Indeed, SA Recycling's letter contains no details or evidence whatsoever to indicate the scope or basis for its generalized statements.

The Board should strike SA Recycling's letter because, by filing late, it has denied other parties of any opportunity to respond to its unsupported claims. However, if the Board intends to consider SA Recycling's filing, NSR asks that it be given an opportunity to respond in detail to those comments, including providing evidence that refutes the statement that "[t]here is no ability to negotiate rates" with respect to NSR.

Sincerely,

Garrett D. Urban
*Attorney for Norfolk Southern Railway
Company*