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BY E-FILING

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

RE: FD 35873, Norfolk Southern Railway Company-Acquisition and Operation-Certain Rail Lines of the Delaware And Hudson Railway Company, Inc.

Late-filed Notice of Intent to Participate by the Port Authority of New York and New Jersey and the New York New Jersey Rail, LLC

Dear Ms. Brown:

I am writing on behalf of the Port Authority of New York and New Jersey and its wholly owned rail carrier subsidiary, the New York and New Jersey Rail, LLC (collectively "PANYNJ"), in connection with the above-captioned proceeding. By decision served on December 16, 2014, the Board directed that parties desiring to participate in this proceeding file their Notice of Intent to Participate on or before December 29, 2014, and to file their comments, if any, on or before January 15, 2015.

PANYNJ petitions for leave to late file its Notice of Intent to Participate. Certain key PANYNJ personnel who would be in a position to decide whether to participate in this proceeding were unavailable between mid-December and early January due to the Christmas-New Years Holidays. In addition, because PANYNJ is relocating its offices, certain personnel who would be consulted on that decision were unavailable or were focusing on other matters. PANYNJ is now deciding

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Strasburger
ATTORNEYS AT LAW

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whether or not it wishes to submit comments. Accordingly, it now seeks the Board's permission to waive the December 29, 2014, deadline and to file its comments, if any, on or before January 15, 2015., Granting this request will not delay the proceedings or prejudice any party.

Please direct any questions to me.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John D. Heffner", with a long horizontal flourish extending to the right.

John D. Heffner

Enclosures

cc: Service list parties
Mark Hoffer, Esq.
Mr. Donald Hutton

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FD 35873

**NORFOLK SOUTHERN RAILWAY COMPANY—ACQUISITION AND
OPERATION—CERTAIN RAIL LINES OF THE DELAWARE AND HUDSON
RAILWAY COMPANY, INC.**

**LATE-FILED NOTICE OF INTENT TO PARTICIPATE BY THE PORT AUTHORITY
OF NEW YORK AND NEW JERSEY AND THE NEW YORK NEW JERSEY RAIL,
LLC**

CERTIFICATE OF SERVICE

I, John D. Heffner, hereby certifies that I transmitted a copy of the foregoing
Notice of Intent to Participate to the following parties by first class United States
Mail and electronic mail this 9th day of January, 2015:

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David Bernhardt
Main Department of Transportation
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Railroad, LLC
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Olean, NY 14760

Richard S. Edelman
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1300 L Street, N.W., Suite 1200
Washington, DC 20005

Honorable Robert P. Casey, Jr.
United States Senate
Washington, DC 20510

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241
Fair Lawn, NJ 07410

/s/ John D. Heffner
John D. Heffner

Dated: January 9, 2015