

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB DOCKET NO. FD 35873

NORFOLK SOUTHERN RAILWAY COMPANY
– ACQUISITION AND OPERATION –

237578
ENTERED
Office of Proceedings
January 21, 2015
Part of
Public Record

CERTAIN LINES OF THE DELAWARE AND HUDSON RAILWAY COMPANY, INC.

**COMMENT OF DISTRICT LODGE 19 OF THE INTERNATIONAL
ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS, AFL-CIO**

District Lodge 19 of the International Association of Machinists and Aerospace Workers, AFL-CIO (“IAM”) hereby files its comments on the application here under consideration. District Lodge 19 neither supports nor opposes the transaction. It submits, however, that if the Board approves the transaction, then, at minimum, the Board must require the carriers to provide employees with the level of protection mandated by *New York Dock Railway-Control-Brooklyn Eastern District Terminal*, 360 I.C.C. 60 (1979) (“*New York Dock*”), as modified by *Wilmington Terminal Railroad-Purchase & Lease-CSX Transportation, Inc.*, 6 I.C.C.2d 799 (1990) (“*Wilmington Terminal*”), *aff’d sub nom. Railway Labor Executives’ Ass’n v. ICC*, 930 F.2d 511 (6th Cir. 1991). District Lodge 19 further submits that, if the transaction is approved, the Board should specifically hold the applicant to the representations it has made in its application and monitor the applicant’s compliance with its obligations.

Respectfully submitted,

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Dated: January 21, 2015

CERTIFICATE OF SERVICE

I certify that a copy of the attached Notice of Intent to Participate was served by first-class mail, postage prepaid, this 21st day of January 2015, upon the following:

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