

**EXPEDITED CONSIDERATION REQUESTED**

233244

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

ENTERED  
Office of Proceedings  
October 23, 2012  
Public Record

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SUNBELT CHLOR ALKALI PARTNERSHIP )  
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 )  
 Complainant, )  
 )  
 v. )  
 )  
 NORFOLK SOUTHERN RAILWAY COMPANY )  
 )  
 )  
 Defendant. )  
 )

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**Docket No. NOR 42130**  
*Expedited consideration requested*

**NORFOLK SOUTHERN RAILWAY COMPANY'S  
MOTION FOR MODIFICATION OF PROCEDURAL SCHEDULE**

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**Counsel to Norfolk Southern Railway Company**

**Dated: October 23, 2012**



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Reply Evidence is currently due on December 4, 2012. *See* Decision, *SunBelt v. Norfolk Southern*, STB Docket No. 42130 (served April 25, 2012).

NS seeks a modest extension of only 14 days, predicated upon the extremely close proximity in which its replies in this case and in Docket No. 42125, *E.I. du Pont de Nemours & Co. v. Norfolk Southern Ry. Co.*, are due. Based upon the current procedural schedules in these two cases, NS’s Reply in this matter is due on December 4, 2012—just two (2) business days after its Reply Evidence is due in *DuPont* (on November 30, 2012). This is not the first time that the procedural schedules in these two matters have overlapped, and the Board has seen fit previously to grant extensions based upon their proximity. *See* Decision, *SunBelt v. Norfolk Southern*, STB Docket No. 42130 (served April 25, 2012) (approving SunBelt’s 60-day extension in part on the grounds that it “will reduce the overlap in the submission of evidence in both this case and [DuPont].”). In addition, extending the time for the filing of final briefs will also address the current close proximity of the due dates in the DuPont (May 8) and SunBelt (May 10) cases. Accordingly, NS requests that the Board modestly modify the procedural schedule as follows:

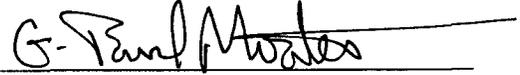
	<b>Due Date Under the Current Procedural Schedule</b>	<b>Due Date Under Proposed Amended Procedural Schedule</b>
<b>NS’s Reply Evidence</b>	December 4, 2012	December 18, 2012
<b>SunBelt’s Rebuttal Evidence</b>	April 8, 2013	April 22, 2013
<b>Final Briefs</b>	May 10, 2013	May 24, 2013

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**CONCLUSION**

For the foregoing reasons, NS requests that the Board modify the governing procedural schedule as requested in this Motion.

Respectfully submitted,



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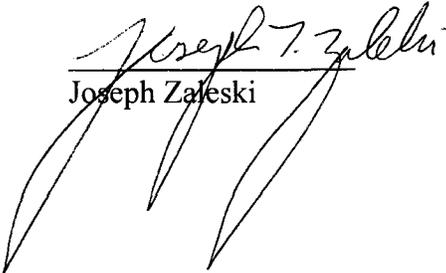
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 23rd day of October 2012, I caused a copy of the foregoing Norfolk Southern Railway Company's Motion to Modify the Procedural Schedule to be served by email and U.S. Mail upon:

Jeffrey O. Moreno  
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Joseph Zaleski