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January 7, 2015

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

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

Dear Ms. Brown:

I am writing in follow up to my letter filed December 24, 2014. The purpose of that letter was to place others on notice of Delaware and Hudson Railway Company, Inc.'s (D&H) rights to respond to comments filed in the above referenced proceeding and to assure receipt of service copies. It appears, however, that some have misconstrued the letter. For the sake of clarification, NS is the "applicant" in this proceeding, not D&H. To the extent that D&H might be considered an "applicant" under the Board's rules, D&H, as the seller, is not an applicant from which information is normally required.

Sincerely,

STINSON LEONARD STREET LLP

A handwritten signature in dark ink, appearing to read "David F. Rifkind", written over a light blue circular stamp or watermark.

David F. Rifkind

Cc: Service List

**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.**

CERTIFICATE OF SERVICE

I, David F. Rifkind, hereby certifies that I transmitted a copy of the foregoing request to the following parties by first class United States mail this 7th day of January 2015:

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