



# COMMONWEALTH of VIRGINIA

Office of the Attorney General  
Richmond 23219

Mark R. Herring  
Attorney General

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Office of Proceedings  
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Public Record

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Richmond, Virginia 23219  
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June 2, 2013

## VIA E-FILE

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

Re: **CSX Transportation, Inc**, Abandonment and Discontinuance of Service Exemption in the City of Richmond and Henrico County, VA - STB Docket No. - AB-55 (Sub-No. 726X); **Norfolk Southern Railway Company**, Abandonment and Discontinuance of Service Exemption in the City of Richmond and Henrico County, VA - STB Docket No. AB-290 (Sub-No 303X)

Dear Ms. Brown:

I am writing on behalf of the Virginia Department of Transportation to request a second 180-day extension for the deadline for negotiations with CSX Transportation, Inc. (CSXT) and Norfolk Southern Railroad, (NSR) regarding the Notice of Interim Trail Use in the above-captioned proceeding. I also request a second 180-day extension of the public use condition requested by Mr. Richard R. Bennett on behalf of the Virginia Department of Transportation by application for NITU originally filed on May 1, 2013.

The Virginia Department of Transportation has been negotiating with CSXT and NSR. All parties continue to be in agreement, but are having difficulty describing the track right of way to be acquired. In addition, the Virginia Department of Transportation respectfully requests a waiver of the Board's filing fee in accordance with 49 C.F.R. 1002.2(e)(1).

Respectfully Submitted,

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# FILING FEE WAIVED

Cc: Mr. William A. Mullins, Esq.

Cc: Mr. Steven Arbust, Esq.

CC: Mr. Louis E. Gitomer, Esq.

Cc: Mr. Richard R. Bennett