



235139
235140

ENTERED
Office of Proceedings
December 2, 2013
Part of the Public Record

COMMONWEALTH of VIRGINIA

Office of the Attorney General

December 2, 2013

Kenneth T. Cuccinelli, II
Attorney General

900 East Main Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120
7-1-1

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 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 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 filed on May 1, 2013.

The Virginia Department of Transportation has been negotiating with CSXT and NSR. To VDOT's knowledge, all parties are in agreement but need additional time to continue and complete negotiations.

In addition , the Virginia Department of Transportation respectfully requests a waiver of the Board's filling fee in accordance with 49 C.F.R. 1002.2(e)(1).

Respectfully Submitted,

Joseph V. Jagdmann
Senior Assistant Attorney General
VDOT Regional Staff Counsel
2430 Pine Forest Drive
Colonial Heights, VA 23834-5317
(804) 524-6066
e-mail: joseph.jagdmann@vdot.virginia.gov

Cc: Mr. Robert Wimbush, Esq.
Cc: Mr. Steven Armbrust, Esq.
CC: Mr. Louis E. Gitomer, Esq.
Cc: Mr. Richard R. Bennett

FILING FEE WAIVED