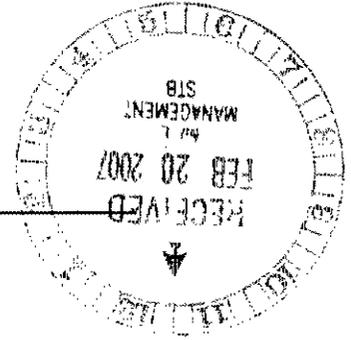


BEFORE THE
SURFACE TRANSPORTATION BOARD



2/8/07

STB DOCKET NO. AB-290 (Sub- No. 283X)

ENTERED
Office of Proceedings

FEB 20 2007

Part of
Public Record

NORFOLK SOUTHERN RAILWAY COMPANY
ABANDONMENT EXEMPTION
IN HARRIMAN, ORANGE COUNTY, NEW YORK

PETITION TO TOLL DATE
AN OFFER OF FINANCIAL ASSISTANCE MUST BE FILED BY

James Riffin, ("Riffin" or "Petitioner") herewith files this Petition to Toll Date an Offer of Financial Assistance Must Be Filed By, and for reasons states:

1. On February 1, 2007, the Surface Transportation Board ("Board") served notice that the NS Railway Company ("NS") had filed an Abandonment Exemption ("AE") to abandon 1.64 miles of line situated in Orange County, NY, which AE and line is the subject matter of the above entitled proceeding ("Line").

2. In the Board's February 1, 2007 decision, the Board stated the due date for filing an Offer of Financial Assistance in the above entitled case would be 10 days after service of a decision granting the petition for exemption, unless the Board grants the requested exemption from the OFA process.

3. On February 20, 2007, Riffin, pursuant to the applicable regulations of the Surface Transportation Board ("STB" or "Board"), filed his formal Notice of Intent to File an Offer of Financial Assistance ("OFA Notice"), to purchase from NS the Line which is the subject of the above entitled proceeding.

4. On February 20, 2007, a copy of Riffin's OFA Notice was mailed, via first class mail, to James Pascall, counsel for NS. In that OFA Notice, Riffin requested NS provide Riffin with 49 CFR §1152.27(a) information regarding the Line. Riffin cannot prepare an informed Offer of Financial Assistance without first reviewing the information Riffin requested.

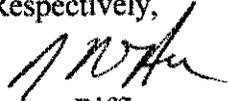
5. Under 49 CFR 1152.27 (c), the offeror may ask that the Board toll the time period within which an OFA must be submitted, in order to provide sufficient time for the abandoning railroad to provide the offeror with the information specified in 49 CFR 1152.27(a).

6. Once Riffin receives the information he has requested from NS, he anticipates it will take 30 days to have experts evaluate the data, then provide him with guidance regarding the economic viability of the line.

7. Granting this Petition is in conformity with 49 USC §10101 (7) [reducing regulatory barriers to entry into the industry]; (13) [to ensure the availability of accurate cost information in regulatory proceedings; (15) [to provide for the expeditious handling and resolution of all proceedings]. Granting this Petition would not significantly adversely affect NS's ability to exit the industry along this line, for NS has already indicated it does not intend to immediately salvage the rails then sell the real estate.

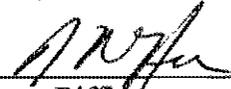
8. WHEREFOR, your Petitioner would request the time period within which to file an OFA be 30 days from the date of the Board's decision granting the decision, or until 30 days after receipt by Riffin of the 49 CFR 1152.27(a) information Riffin has requested, whichever is later.

Respectively,


James Riffin

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of February, 2007, a copy of the foregoing Petition to Toll Date an Offer of Financial Assistance Must be Filed By, was served by first class mail, postage prepaid, upon James R. Paschall, Senior General Attorney, Norfolk Southern Corporation, Law Department, Three Commercial Place, Norfolk, VA 23510-9241.


James Riffin