



# KAPLAN KIRSCH ROCKWELL

January 7, 2009

**E-Filing**

Hon. Anne Quinlan  
Acting Secretary  
Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20423-0001

Re: *Norfolk Southern Railway Company – Abandonment – in Atlanta, Fulton County, Georgia – Notice of Exemption*; Docket No. AB-290 (Sub-No. 210X)

Dear Ms. Quinlan:

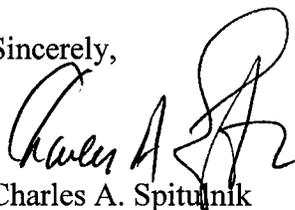
I am enclosing copies of each of

- 1) Motion of The Atlanta Development Authority and Atlanta BeltLine, Inc. for Leave to Intervene; and
- 2) Reply of The Atlanta Development Authority and Atlanta BeltLine, Inc. to Georgia Department of Transportation's Petition for Stay

in the above-referenced proceeding.

Thank you for your attention to this matter.

Sincerely,



Charles A. Spitulnik

Enclosures

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Attorneys at Law  
Denver • New York • Washington, DC

Kaplan Kirsch & Rockwell LLP  
1001 Connecticut Ave., N.W.  
Washington, DC 20036

tel: (202) 955-5600  
fax: (202) 955-5616  
www.kaplankirsch.com

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
Washington, DC**

**Docket No. AB-290 (Sub-No. 210X)**

**NORFOLK SOUTHERN RAILWAY COMPANY  
– ABANDONMENT –  
IN ATLANTA, FULTON COUNTY, GEORGIA  
– NOTICE OF EXEMPTION –**

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**MOTION OF THE ATLANTA DEVELOPMENT AUTHORITY AND  
ATLANTA BELTLINE, INC.  
FOR LEAVE TO INTERVENE**

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The Atlanta Development Authority (the “**Authority**”) and Atlanta BeltLine, Inc. (“**ABI**”) hereby request leave to intervene in the above-captioned proceeding. The Authority is a public body corporate and politic of the State of Georgia and instrumentality of the City of Atlanta, and is the current record owner of the property that is the subject of the abandonment in this proceeding (the “**Subject Line**” or the “**Property**”). The Authority is the redevelopment agent and ABI is the implementation agent for the BeltLine Tax Allocation District of the City of Atlanta (the “**City**”), which is the primary local funding source for the BeltLine project. ABI is also the sole member of NE Corridor Partners, LLC, the entity that acquired the Subject Line on behalf of the Authority. The Authority created ABI to be the implementation agent for the BeltLine project, a proposed comprehensive economic development project that combines transit, green space, trails and new commercial, residential and public facility development along a 22-mile ring of current or former rail segments encircling the City’s core. It is the largest such comprehensive redevelopment effort currently underway in the U.S.

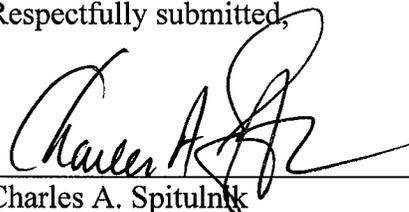
Accordingly, the Authority and ABI seek to intervene in this proceeding to respond to the Petition for Stay filed by the Georgia Department of Transportation on January 2, 2009, and to protect their respective interests to the extent that they may be affected by this proceeding.

The BeltLine Redevelopment Plan anticipates that the Subject Line's right-of-way will be used in part to develop a transit corridor to accommodate light rail or modern streetcars in a fixed guideway along with a trail and adjacent uses designed to support and be supported by the variety of available transportation modes. The BeltLine's transit corridor will serve as the spine of a comprehensive, coordinated redevelopment effort and will provide a network of linked uses and opportunities for living, employment, entertainment and recreation through public and private investment and development projects. The City has put in place a detailed land use strategy centered on the BeltLine, and has established the necessary planning and rezoning framework to permit the development of public parks and privately-financed residential and commercial development along the corridor. The City has acquired numerous parcels of parkland as part of its development of the BeltLine. As a result, the City is already realizing the significant public benefits the BeltLine project was intended to produce. The Authority and ABI, because of their respective roles regarding the ownership of the underlying real estate and management of the realization of the BeltLine project, each have an interest in the outcome of this proceeding.

As a result, and for the above-stated reasons, the Authority and ABI respectfully request leave to intervene in this proceeding.

Date: January 7, 2009

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Charles A. Spitulnik", written over a horizontal line.

Charles A. Spitulnik  
Allison I. Fultz  
Kaplan, Kirsch & Rockwell, LLP  
1001 Connecticut Ave., NW  
Suite 800  
Washington, DC 20036  
Phone: (202) 955-5600

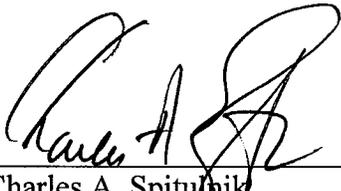
Counsel for The Atlanta Development  
Authority and Atlanta BeltLine, Inc.

**Certificate of Service**

I hereby certify that on this 7th day of January, 2009, I caused to be served a copy of the foregoing MOTION OF THE ATLANTA DEVELOPMENT AUTHORITY AND ATLANTA BELTLINE, INC. FOR LEAVE TO INTERVENE to be served by first class mail, postage prepaid, upon:

James R. Paschall  
Senior General Attorney  
Norfolk Southern Corporation  
Three Commercial Place  
Norfolk, VA 23510

Kevin M. Sheys  
Janie Sheng  
K&L Gates LLP  
1601 K Street, NW  
Washington, DC 20006

  
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Charles A. Spitulnik