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Part of
Public Record

May 12, 2002



cc: via fax 202 565-9004 and U.S. Mail
Honorable Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

205383

Re: STB Docket No. No. AB-290 (Sub-No. 212X), *Norfolk Southern
Railway Company - Discontinuance Exemption - In Hudson County, NJ*

Dear Mr. Williams:

The referenced proceeding is related to STB No. AB-55 (Sub-No. 584X), *CSX Transportation, Inc. - Discontinuance Exemption - In Hudson County, NJ*; STB No. AB-167 (Sub-No. 766N), *Consolidated Rail Corporation - Abandonment of the Weehawken Branch - In Hudson County, NJ*; and STB No. AB-167 (Sub-No. 1067N), *Consolidated Rail Corporation - Abandonment of the River Line - In Hudson County, NJ*.

The entire "River Line" between Jersey City, NY and North Bergen, NJ. via Weehawken, NJ, including the Weehawken Branch, which was operated in recent years as one continuous line known as the River Line, was the subject of the referenced NSR petition. In this case, NSR never served the line, except through Conrail delivery, but merely had rights to do so under the North Jersey Shared Asset Area Agreement with Conrail and CSXT. Despite some doubt as to whether CSXT and NSR were even required to file for discontinuance of operating rights that were never exercised directly, they did so in order to be sure that all regulatory requirements for the abandonment of the combined River Line by Conrail were met. The Board authorized the NSR and CSXT discontinuances in a decision served January 28, 2002.

Under current Board regulations, Norfolk Southern Railway Company is not required to notify the Board of the exercise of its right to discontinue service over the River Line. Due to the controversy concerning abandonment of this line, however, NSR and CSXT stated in their petitions that they would exercise their discontinuances at the same time and to the same extent Conrail exercised its authority. Therefore, NSR believes that it is appropriate to go on record in this case as stating that it has exercised its authority to discontinue service over the subject line that was authorized January 28, 2002 in this proceeding, as of May 1, 2002. Conrail has notified the Board of its exercise of the abandonment authority in the related cases as of that date.

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Therefore, NSR asks that the Board accept this notice and place it in the docket in the referenced case.

Very truly yours,



James R. Paschall

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