

**NORFOLK SOUTHERN RAILWAY COMPANY
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May 17, 2004

**ENTERED
Office of Proceedings**

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Public Record**

via fax 202-565-9002 and U. S. mail

**Mr. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001**

**Re: STB Docket No. AB-290 (Sub-No. 168X), Norfolk and Western Railway
Company - Abandonment Exemption - Between Kokomo and Rochester In
Howard, Miami and Fulton Counties, IN - Errata Sheet to May 10, 2004 Reply**

Dear Mr. Williams:

In addition to the fax copy, please find enclosed via U.S. mail the original and ten copies of this letter and an errata and correction sheet for the Reply of Norfolk Southern Railway Company to the Petitions for Reconsideration of William C. Friend, Steven Furnivall, Linda Schanlaub and Sam Hoover filed May 10, 2004 in the above matter. Also enclosed is an extra copy of the letter to be date stamped as received by the Board and returned to us in the enclosed stamped, self-addressed enveloped.

In the interest of an accurate record, Norfolk Southern Railway Company (NSR) requests that the Board and the parties accept and make several corrections or clarifications to typographical and other non-substantive, non-material errors in NSR's Reply.

In addition to correction of several purely typographical errors, NSR asks that references to Milepost I-51.5 as near Marion, IN be deleted. That will leave the references to locations to the line segment as between MP I-51.5 and MP I-58.5 at Kokomo, IN, which is more accurate. This is further explained on the two-page correction sheet. We also ask that in one line of the Reply "abandon" be changed to "file for abandonment authority for" to more accurately reflect the purpose of the agreement and avoid any implication that the railroads agreed well in advance of the filing of the petition to consummate abandonment of the subject Line irrespective of later developments. This implication from the use of the word in this context would not be usual, necessary or

Mr. Vernon A. Williams
AB-290, Sub-No. 168X
May 17, 2004
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reasonable, but we believe the clarification would be helpful in this case.

The correction or clarification of these errors or ambiguities will provide a more accurate record, will not add to or change the substance of NSR's Reply in any way, will not prejudice any party, will not delay the handling and processing of the petitions or the issuance of a decision by the Board. We trust that making these corrections will not unduly inconvenience the Board or the parties.

Very truly yours,


James R. Paschall

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cc: Mr. J. T. Moon

BEFORE THE
SURFACE TRANSPORTATION BOARD

STB Docket No. AB-290 (Sub-No. 168X)

Norfolk and Western Railway Company - Abandonment Exemption -
Between Kokomo and Rochester in Howard, Miami and Fulton Counties, IN

Errata and Corrections to
Norfolk Southern Railway Company's
Reply to Petitions for Reconsideration of
William C. Friend, Steven Furnivall, Linda Schanlaub and of Sam Hoover
Filed by NSR on May 10, 2004

In the interest of accuracy, Norfolk Southern Railway Company (NSR) requests that the Board and the parties accept and make the following corrections or clarifications to typographical and other non-substantive, non-material errors in NSR's Reply to Petitions for Reconsideration, filed May 10, 2004. Acceptance of these corrections will not change the substance of the Reply in any way, will not prejudice any party, will provide a more accurate record and are not expected to delay the processing of the petitions or the Board's issuance of a decision in this matter. Explanations of the corrections are provided where we believe they may be helpful or appropriate.

Page 15, first full paragraph, line 6: delete "near Marion, IN and." While NSR's conveyance of the line of railroad between Milepost I-51.5 and Milepost I-58.5 was intended, among other things, to give CERA a junction for its line to Marion from Kokomo, the line between these mileposts is mostly in the Kokomo area and is more accurately described without a reference to Marion or a junction point. The easiest way to make this clarification is simply to delete descriptions of MP I-51.5 as being near Marion, leaving references only to Kokomo as the location of the line segment between MP I-51.5 and MP I-58.5. MP I-51.5 is mentioned in this Reply only because it was the limit of NSR's sale to CERA of a longer line of railroad that included the segment between MP I-57.2 and MP I-58.5 (Kokomo Segment) that was part of the Line that is the subject of this proceeding.

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NSR Reply Statement Corrections -
Page 2 of 3

Page 26, first full paragraph, line 1: delete "near Marion, IN and."

Page 48, first full paragraph, line 7: change "wished" to "which."

Page 51, first full paragraph, line 1: capitalize "Line."

Page 51, second full paragraph, line 3: delete parenthetical expression "(near Marion, IN on the Tipton-Argos line)."

Page 52, second full paragraph, line 3, change "abandon" to "file for abandonment authority for" to more accurately reflect the purpose of the agreement and avoid any implication that the railroads agreed well in advance of the filing of the petition to consummate abandonment of the subject Line irrespective of later developments. While this implication would be neither usual, necessary or reasonable, we believe that the clarification is appropriate in the context of this case.

Page 55, first line: change "near Marion to" to "through."

Page 55, second full paragraph, lines 6-7: delete "Northern Peru Segment and" because that segment is included in the complete "Northern Segment" identified by the remaining phrase and the distinction is neither made in nor necessary to explain the cited reference.

Page 60, last line of text: change "1" to "9." When the verified statement was merged with the introduction and argument into one document for the purpose of creating consecutive page numbering, the footnotes were renumbered consecutively, creating an incorrect footnote number reference in the text at this point.

Page 67, first full paragraph, line 5: capitalize "Line."

Page 69, lines 4-5, move the phrase "on January 15, 1999," to follow the word "close" for clarity. That was the scheduled closing date referred to in the sentence. As shown on the next page and in Exhibit 11, January 22, 1999 was the date of the salvage contract.

Page 72, line 6: change "approve" to "approved."

Page 72, first full paragraph, line 3: delete "(near Marion)."

Page 73, line 14: capitalize "Line."

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NSR Reply Statement Corrections
Page 3 of 3

Page 73, line 18: change "purpose" to "purposes."

Respectfully submitted



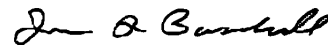
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May 17, 2004

Certification of Service

I hereby certify that I have served the foregoing correction request upon Nels J. Ackerson and Donald J. Tribbett, attorneys for petitioners, via facsimile on this 17th day of May, 2004.



James R. Paschall