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via fax 202-565-9004 (2 pages)
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ENTREPRENEUR
Office of General Counsel

Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423

RECEIVED
MAY 10 2006

Re: STB Docket No. AB-290 (Sub-No. 240X), Norfolk Southern Railway
Company - Abandonment Exemption - In Gaston County, NC -
Request for Extension of Consummation Date Deadline

Dear Mr. Williams:

Norfolk Southern Railway Company (NSR) previously requested that the Board grant extensions of time to consummate the abandonment of the rail line that was the subject of NSR's petition for exemption in this docket. By decisions served December 1, 2004, April 7, 2005 and November 29, 2005, the Board granted extensions of the consummation date through today, May 9, 2006. The reason for the extension requests was that NSR was negotiating with various parties, including the City of Gastonia and the North Carolina Railroad Company for disposition of the right-of-way outside the National Trails System Act procedures. NSR now realizes that those extension requests were unnecessary because environmental consultation conditions remain outstanding that are legal barriers to consummation of the abandonment.

Therefore, NSR does not request a further extension of the date for consummation of the abandonment in this proceeding. In line with the Board's regulations, NSR will consummate the abandonment within 60 days of the completion of the environmental consultation conditions or, in the event of changed circumstances, will ask for a further extension of the consummation date within that time period. In order to comply with the request of the City of Gastonia that handling of this matter be expedited, NSR will complete these consultations as soon as possible but believes that some of the consultations and state agency reviews may take until well into the summer to complete.

Mr. Vernon A. Williams
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Although the Board extended the consummation deadline date, the Board also clarified that extensions of time to consummate abandonments were not required when legal barriers to the consummation were outstanding in *Norfolk Southern Railway Company — Abandonment Exemption — In Chowan County, NC*, STB Docket No. AB-290 (Sub-No. 251X) (STB served October 20, 2005). See also *Fox Valley & Western Ltd. - Abandonment Exemption - In Brown and Outagamie Counties, WI*, STB Docket No. AB-402 (Sub-No. 8X) (STB served September 26, 2002) where the Board noted that it appeared to be unnecessary to issue a decision to extend the deadline for consummation of an abandonment because a condition was outstanding but did so in order to provide additional certainty that the deadline would not pass under the circumstances.

We regret any extra work or confusion caused by our previous requests. Thank you for your consideration of this request.

Very truly yours,



James R. Paschall

cc: via fax (704) 854-6607

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cc via e-mail:

Mr. Scott M. Saylor, President
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Mr. R. L. Williams	Mr. G. A. Meade