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ENTERED
Office of Proceedings
March 19, 2020
Part of
Public Record

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March 19, 2020

VIA E-FILING

Cynthia T. Brown, Chief
Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington DC 20423-0001

Re: Norfolk Southern Railway Company – Abandonment Exemption – Between
Mansfield and Bloomington, IL, In McLean, Dewitt and Piatt Counties, Illinois,
AB-290 (Sub-No. 393X)

Dear Ms. Brown:

On May 5, 2017, Norfolk Southern Railway Company (“NSR”) filed a verified notice of exemption pursuant to 49 C.F.R. part 1152, subpart F -Exempt Abandonments and Discontinuances to abandon approximately 30.40 miles of rail line between milepost UM 47.9 and milepost UM 78.3 between Mansfield and Bloomington, in McLean, Dewitt and Piatt Counties, Ill. (the “Line”). Notice of the exemption was served and published in the Federal Register on May 25, 2017 (82 Fed. Reg. 24,201). The exemption became effective on June 24, 2017.

While NSR originally intended to abandon the Line, NSR has since determined that it desires to preserve the Line for future rail service. To accomplish this objective, NSR has decided it will exercise discontinuance authority for the Line, rather than abandonment authority. NSR desires to make its decision effective today, March 19, 2020.¹ NSR fully understands that if it later decides to abandon the Line it will have to refile for abandonment authority. Should you have any questions

¹ The Board has held that if a railroad wishes to discontinue service over a portion of a rail line that has been authorized for abandonment but before it has consummated the abandonment, it may do so and exercise the lesser included authorization of discontinuance authority rather than abandonment authority. See T&P Ry.--Aban.--Shawnee, Jefferson, & Atchison Count., KS, 2 S.T.B. 36, 40 (1997). See also The Alabama Great Southern Railroad Company – Discontinuance Exemption – In Saint Bernard Parish, LA, AB-290 (Sub-No. 323X) (STB served December 17, 2013) (explaining that carriers which seek abandonment authority can choose instead to exercise the lesser included discontinuance authority). See also Almono LP–Abandonment Exemption–In Allegheny County, PA, AB-842X (STB served Jan. 28, 2004) (explaining that when a carrier is authorized to abandon a line, that authority is permissive, not mandatory. The carrier can choose to exercise that authority or not).

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concerning this notice of consummation of discontinuance authority, please contact the undersigned counsel for NSR.

Sincerely,



Crystal M. Zorbaugh

An Attorney for Norfolk Southern Railway Company

cc: Parties of Record
Garrett Urban
Laura Hoag
Scott Plum