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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FINANCE DOCKET NO. 35147

**NORFOLK SOUTHERN RAILWAY COMPANY, PAN AMERICAN
RAILWAYS, INC., ET AL – JOINT CONTROL AND OPERATING/POOLING
AGREEMENTS – PAN AM SOUTHERN LLC**

NOTICE OF INTENT TO PARTICIPATE

In accordance with the Board's decision in the above-referenced matter served June 26, 2008, please enter the appearance of the undersigned, Roger J. Schiera, Esq., as a party of record representing the New York State Department of Transportation.

Please also add the following person to the service list as a non-party participant:

Raymond Hessinger
NYSDOT
50 Wolf Road
Albany, NY 12232

Respectfully submitted.



Roger J. Schiera, Esq.
Associate Counsel
NYSDOT
50 Wolf Road
Albany, New York 12232
Tel. (518) 457-8309
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Dated: July 8, 2008

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notice of Intent to Participate was served on:

- (1) Secretary of Transportation, 1200 New Jersey Avenue, S E., Washington, DC 20590,
- (2) Attorney General of the United States, c/o Assistant Attorney General, Antitrust Division, Room 3109, Department of Justice, Washington, DC 20530, and
- (3) Richard A. Allen (representing Applicants), Zuckert, Scoutt & Rasenberger, I.L.P. 888 Seventeenth Street, N.W., Suite 700, Washington, DC 20006,

by first class mail postage prepaid on this date.

Dated: July 8, 2008


Roger J. Schiera