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BAKER & MILLER PLLC

ATTORNEYS and COUNSELLORS
2401 PENNSYLVANIA AVENUE, NW
SUITE 300
WASHINGTON, DC 20037

TELEPHONE: (202) 663-7820
FACSIMILE: (202) 663-7849

Crystal M. Zorbaugh

(202) 663-7831 (Direct Dial)
E-Mail: czorbaugh@bakerandmiller.com

October 3, 2019

VIA E-FILING

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

 GRANTED Office of Proceedings	DECISION ID NO. 47280
	DECIDED DATE 10/3/2019
	SERVED DATE: 10/4/2019
	APPROVED: <i>Qui C. Dui</i> Director
☒ Extended to 10/9/2020.	

RE: Norfolk Southern Railway Company – Abandonment Exemption – In Stark County, Ohio, AB-290 (Sub-No. 366X)

Dear Ms. Brown:

I am writing on behalf of Norfolk Southern Railway Company ("NSR") in connection with the above-referenced railroad abandonment proceeding in order to request relief from the consummation notice requirements set forth at 49 C.F.R. § 1152.29(e)(2). Specifically, for the reasons set forth below, NSR hereby requests an additional one-year extension of the applicable consummation notice deadline.

On January 9, 2015, NSR filed a notice of exemption for NSR to abandon rail service over an approximately 1.30-mile rail line extending from milepost EU 0.70 to milepost EU 2.00 in Stark County, Ohio (the "Line"). Notice of the exemption was served and published in the Federal Register on January 29, 2015 (80 Fed. Reg. 4,962). The exemption was originally scheduled to become effective on February 28, 2015. However, in a decision served on February 27, 2015, the Board changed the effective date of the abandonment to allow for interim trail use/rail banking negotiations for the Line for a period of 180 days, until August 26, 2015, and to permit public use negotiations for a period of 180 days commencing from the February 28, 2015 effective date of the exemption, until August 27, 2015. The Board also made the abandonment exemption subject to the condition that NSR shall consult with and notify the National Geodetic Survey ("NGS") at least 90 days prior to beginning salvage activities that would disturb or destroy any geodetic station markers.

For several years, the Board granted Stark County Parks District ("Stark County") and NSR several extensions of time to allow Stark County and NSR (the "Parties") to continue trails use negotiations for the Line. Per a Director of the Office of Proceeding's stamp decision served

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Ms. Cynthia T. Brown

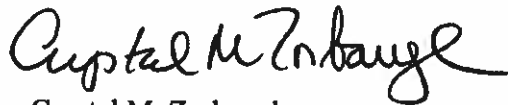
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on January 19, 2018, the last NITU period expired on August 10, 2018. Despite years of negotiations the Parties were never able to reach an agreement for trails use. As such, on August 22, 2019, NSR notified the Board that trails use negotiations were unsuccessful and it no longer wished to continue negotiations. NSR requested and was granted a consummation deadline extension through October 9, 2019.

Over the past year, NSR has completed its consultations and begun preparations necessary to salvage and consummate the abandonment. Unfortunately, NSR will be unable to fully consummate the abandonment by October 9, 2019. Therefore, for good cause shown, NSR respectfully requests a one-year extension of the current deadline for filing a notice of consummation in this proceeding.

Sincerely,



Crystal M. Zorbaugh

Counsel for Norfolk Southern Railway Company

cc: Parties of Record
Greg Summy
Laura Hoag
Scott Plum