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August 31, 2021

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Via E-Filing

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

ENTERED
Office of Proceedings
August 31, 2021
Part of
Public Record

Re: Norfolk Southern Railway Company – Abandonment Exemption – In Hudson and Essex Counties, New Jersey, AB-290 (Sub-No. 408X)

Dear Ms. Brown:

Per a letter dated August 25, 2021, Open Space Institute Land Trust, Inc. (“OSI”), a New York not-for-profit corporation, requested that the Board extend the period of time allowed for the parties to negotiate interim trail use/railbanking (“NITU”) in the above-captioned proceeding.¹ Norfolk Southern Railway Company (“NSR”) hereby notifies the Board that it consents to the OSI's request for a one-year extension of the negotiation period towards a possible NITU arrangement for the approximately 8.6-mile rail line between Milepost WD 2.9 in the City of Jersey City to Milepost WD 11.5 in the Township of Montclair, in Hudson and Essex Counties, New Jersey (the “Line”).

Since the original issuance of the NITU, NSR at all times has maintained an intention to transfer the Line intact for interim trail use and railbanking. The Line remains intact and NSR has continued to negotiate with OSI in good faith for the transfer or sale of the Line. If you have any questions, concerning this filing please contact me at (202) 663-7831 or by e-mail: czorbaugh@bakerandmiller.com.

Sincerely,

/s/ Crystal M. Zorbaugh

Crystal M. Zorbaugh
Counsel for Norfolk Southern Railway Company

cc: Parties of Record
Hanna Chouest, Scott Plum
Eric Hocky, Justin Marks (OSI)

¹ Per Board Decision Id: 50406 served September 29, 2020, the NITU period currently expires on September 29, 2021.