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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. FD 36836

**NORFOLK SOUTHERN RAILWAY COMPANY
– ACQUISITION OF CONTROL –
NORFOLK & PORTSMOUTH BELT LINE RAILROAD COMPANY**

**MOTION FOR
PROPOSED PROCEDURAL SCHEDULE**

**ENTERED
Office of Proceedings
February 14, 2025
Part of
Public Record**

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February 14, 2025

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Corporation and Norfolk Southern Railway
Company**

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SURFACE TRANSPORTATION BOARD**

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– ACQUISITION –
NORFOLK & PORTSMOUTH BELT LINE RAILROAD COMPANY**

PROPOSED PROCEDURAL SCHEDULE

Norfolk Southern Corporation (“NSC”) and Norfolk Southern Railway Company (“NSR”) (collectively, “NS”) hereby submits a proposed procedural schedule in the above-captioned matter (the “Proceeding”). Concurrent with this submission, NS is filing a Minor Application pursuant to 49 U.S.C. §§ 11323-11325 and 49 C.F.R. § 1180 seeking STB authority to control Norfolk & Portsmouth Belt Line Railroad Company (“NPBL”) (designated “NS-1”), and a Motion for Protective Order (designated “NS-2”). For a full description of the transaction, see NS-1, Minor Application.

The proposed procedural schedule set forth in this document reflects the procedural schedule adopted by the Board in Norfolk S. Ry. Co. and The Cincinnati, New Orleans and Texas Pacific Railway Company – Acquisition – Trustees of The Cincinnati S. Ry. Co., FD 36699, Decision No. 1 (STB served May 31, 2023) (“CNTOP”). Similar to the CNTOP transaction and as discussed in the Minor Application, the proposed NS/NPBL control transaction will have no anticompetitive effects. The NS/NPBL control transaction will also not change any of the existing operations or eliminate or modify in any way the existing NPBL interchanges.

NS proposes that the Board issues a decision adopting the following procedural schedule:

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|---------|---|
| Day 0 | Effective date of the STB decision imposing a procedural schedule, Publication of acceptance of the application served and published in the Federal Register. |
| Day 15 | Notices of intent to participate in the Proceeding are due. |
| Day 30 | All comments, protests, requests for conditions, and any other evidence and argument in opposition to the Application and related filing, including filings by the U.S. Department of Justice (DOJ) and the U.S. Department of Transportation (DOT), due. |
| Day 58 | Responses to comments, protests, requests for conditions, other opposition, and rebuttal in support of the Application or related filings due, closing the evidentiary record in the Proceeding. |
| Day 103 | Final decision served, 45 days after the date of the closing of the evidentiary record in the Proceeding. |
| Day 133 | Date by which a final decision will become effective, 30 days after it is served. |

The issues involved in this Proceeding are well known to the host of potential participants, and the proposed procedural schedule both recognizes that, but more importantly, provides a reasonable time for the development and submission of any further arguments that may be made. Publication of a procedural schedule as set forth above ensures that interested parties will have the ability to present their arguments without unduly delaying a decision in this matter.

Respectfully submitted,

/s/ William A. Mullins

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February 14, 2025

CERTIFICATE OF SERVICE

I certify that, on February 14, 2025, in keeping with 49 CFR §1180.4(c)(5), I have caused to be served a copy of the forgoing Motion for Proposed Procedural Schedule upon the Governor (or Executive Officer), Public Service Commission, and the Department of Transportation of each State in which NS and NPBL are situated; upon the Secretary of the Department of Transportation, the Attorney General of the United States, and the Federal Trade Commission.

/s/ William A. Mullins
William A. Mullins

Attorney for Norfolk Southern Corporation and
Norfolk Southern Railway Company