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April 1, 2025

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VIA E-FILINGCynthia T. Brown, Chief
Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington DC 20423-0001ENTERED
Office of Proceedings
April 1, 2025
Part of
Public RecordRe: Norfolk Southern Railway Company – Control Acquisition – Norfolk & Portsmouth Belt Line Railroad Company, FD No. 36836

Dear Ms. Brown:

In its decision served March 14, 2025 (“March 14 Decision”), the Surface Transportation Board (“STB” or “Board”) requested Norfolk Southern Corporation and Norfolk Southern Railway Company (collectively, “NS”) to submit a revised procedural schedule reflecting timeframes applicable to a significant transaction, rather than a minor transaction. In accordance with the March 14 Decision, NS submitted its proposed revised procedural schedule on March 21.

The March 14 Decision also noted that the Board would publish notice of NS’s proposed revised schedule in the Federal Register. In footnote 10, the Board specifically noted that “parties may comment on the revised proposed procedural schedule **after it** [i.e., NS’s proposed revised procedural schedule] is published in the Federal Register.” (emphasis supplied). Notwithstanding the Board’s order, CSX Transportation, Inc.’s (“CSXT”), on March 28th, prematurely filed comments on NS’s revised procedural schedule. In its comments, CSXT requested the Board to take affirmative action to substantially revise NS’s schedule and essentially proposed its own schedule. CSXT also made an affirmative request to have the Board prematurely resolve a yet to be ripe dispute over discovery, to reconsider the Board’s decision on the appropriate environmental review, and to affirmatively set an oral hearing, whether one is needed or not.

All of CSXT’s requests are not merely comments on NS’s schedule but are requests for the Board to take affirmative action. Requests for which NS should have an opportunity to reply. However, NS is mindful of the Board’s announced desire to reduce numerous rounds of pleadings and the Board’s goals to adopt procedures that are timely, efficient, and orderly in

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order to improve the Board's ability to issue timely decisions. Accordingly, NS intends to abide by the Board's goals and the March 14th Decision. NS will await publication of its proposed revised procedural schedule in the Federal Register. NS is hopeful that it will have an opportunity to comment, in an orderly and timely manner, on any proposed modifications, affirmative requests, or requests of reconsideration of decisions already made in the March 14 Decision that may be filed by any party in response to the Federal Register notice.

Respectfully submitted,

/s/ William A. Mullins

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cc: Parties of Record