

SERVICE DATE – AUGUST 8, 2025

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. FD 36836

NORFOLK SOUTHERN CORPORATION AND
NORFOLK SOUTHERN RAILWAY COMPANY—ACQUISITION OF CONTROL—
NORFOLK & PORTSMOUTH BELT LINE RAILROAD COMPANY

Decision No. 9

Digest:¹ This decision assigns and authorizes an administrative law judge to address discovery matters.

Decided: August 8, 2025

By decision served and published in the Federal Register on July 10, 2025 (90 Fed. Reg. 30,763), the Board accepted for consideration the application filed by Norfolk Southern Corporation and Norfolk Southern Railway Company seeking the Board's authorization of their acquisition of control of Norfolk & Portsmouth Belt Line Railroad Company (NPBL), a Class III rail carrier operating in Norfolk, Portsmouth, and Chesapeake, Va. On July 31, 2025, CSX Transportation, Inc. (CSXT), filed a motion to compel the appearance and testimony of Cannon Moss, President of NPBL, no later than August 22, 2025. NPBL replied to CSXT's motion on August 5, 2025.

The Board has signed a Memorandum of Understanding with the U.S. Department of Health and Human Services, Office of Medicare Hearings and Appeals to employ the services of administrative law judges on a case-by-case basis to perform discrete, Board-assigned functions such as adjudicating discovery disputes in cases pending before the Board. The Board hereby assigns and authorizes Administrative Law Judge Jenifer Soulikias to entertain and rule upon discovery matters and to resolve initially all disputes concerning discovery in this proceeding. The parties are directed to send copies of all their filings and documents in these proceedings to Judge Soulikias, at alj.soulikias.inbox@stb.gov. The parties are encouraged to cooperate on discovery matters and resolve any disputes promptly.

¹ The digest constitutes no part of the decision of the Board but has been prepared for the convenience of the reader. It may not be cited to or relied upon as precedent. See Pol'y Statement on Plain Language Digs. in Decisions, EP 696 (STB served Sept. 2, 2010).

It is ordered:

1. The Board hereby ratifies the loan of Administrative Law Judge Soulikias to the office of administrative law judge in the Surface Transportation Board, under terms and conditions prescribed in 5 U.S.C. § 3344 and 5 C.F.R. § 930.208, and the Board today approves her appointment as the Board's own action under the Constitution.
2. This proceeding is assigned to Judge Soulikias for the handling of all disputes concerning discovery in this proceeding.
3. In addition to filing pleadings with the Board and serving copies on parties of record, parties must send a copy of all filings and documents, including submissions already filed with the Board, to Judge Soulikias, at alj.soulikias.inbox@stb.gov.
4. Judge Soulikias will be added to the service list in this proceeding and a copy of this decision will be served upon her.
5. A copy of this decision will be served on the U.S. Office of Personnel Management (OPM), at Human Resource Solutions, Administrative Law Judge Program, 1900 E Street N.W., Suite 2469, Washington, DC 20415-9400 and electronically at lenor.thompson-watkins@opm.gov. Judge Soulikias shall send a copy of the notice or order that constitutes the final disposition of her assignment of this case to OPM at the above address.
6. This decision is effective on its service date.

By the Board, Board Members Fuchs, Hedlund, Primus, and Schultz.