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January 26, 2026

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NPBL-11

VIA ELECTRONIC FILING

Chief of Case Administration
Office of Chief Counsel
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

ENTERED
Office of Chief Counsel
January 26, 2026
Part of
Public Record

Re: **Docket No. FD 36836 (Sub-No. 1)**
CSX Transportation, Inc. – Terminal Trackage Rights –
Norfolk Southern Railway Company and
Norfolk and Portsmouth Belt Line Railroad Company

Dear Case Administration Chief:

In a January 6, 2026 letter filing (CSXT-39), CSX Transportation, Inc. (“CSXT”) complains about a Norfolk and Portsmouth Belt Line Railroad Company (“NPBL”) submission on December 19, 2026 (NPBL-8) forwarding letters from Portsmouth-area stakeholders regarding this docket. According to CSXT, by submitting the stakeholder letters after CSXT filed its rebuttal, NPBL has not “honored the procedural schedule.” CSXT-39 at 1-2 & n.2. CSXT also complained that NPBL had held one of the stakeholder letters for more than 10 days after the letter’s date before submitting it. CSXT-39 at 1.

Three days after NPBL’s submission, and with no apparent irony, CSXT made a filing attaching a stakeholder letter for consideration in this proceeding. CSXT-37, filed December 22, 2025. A week later, CSXT made another filing attaching another stakeholder letter. CSXT-38, filed December 29, 2025. In that instance, the stakeholder letter was dated ten days prior to the date of CSXT’s filing.

The Board should be unpersuaded by asserted standards that CSXT would impose on other parties but that somehow do not apply to CSXT itself.

CSXT also takes the opportunity in its CSXT-39 filing to address the substantive merits of this proceeding and re-argue points made in its rebuttal. NPBL does not seek to respond further to those arguments here. All parties had the opportunity to submit final briefs on January 6, 2026, and were free to present their positions as they saw fit.

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I certify that a copy of this filing has been served by electronic mail or first-class mail, postage prepaid, on all parties of record in this docket.

Respectfully submitted,

/s/ *Thomas J. Litwiler*

Thomas J. Litwiler
Attorney for Norfolk and Portsmouth
Belt Line Railroad Company

TJL:tl

cc: Parties of Record
Hon. Jenifer Soulikias, ALJ