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ENTERED
Office of Proceedings
December 24, 2014
Part of
Public Record

December 24, 2014

Ms. Cynthia Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423

RE: FD 35873, Norfolk Southern Railway Company – Acquisition and Operation --
Certain Rail Lines of the Delaware and Hudson Railway Company, Inc.

Dear Ms. Brown:

I am writing on behalf of Delaware and Hudson Railway Company, Inc. (D&H) to request that D&H be included on the service list in the above referenced proceeding as follows:

David F. Rifkind
Stinson Leonard Street
1775 Pennsylvania Ave, NW
Suite 800
Washington, DC 20006-4605

Additionally, D&H acknowledges that as the transferor of the rail lines in this "minor" transaction, it is considered an "applicant" under the Board's rules. See 49 CFR § 1180.3(a)(1). As such, D&H is not required to file a Notice of Intent to Participate in order to participate in this proceeding. Nevertheless, out of an abundance of caution, D&H reserves its rights to do so.

Sincerely,

STINSON LEONARD STREET LLP

A handwritten signature in black ink, appearing to read "David F. Rifkind", written over the printed name.

David F. Rifkind

DFR/pva

Cc: Service List

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FD 35873

**NORFOLK SOUTHERN RAILWAY COMPANY—ACQUISITION AND
OPERATION—CERTAIN RAIL LINES OF THE DELAWARE AND HUDSON
RAILWAY COMPANY, INC.**

CERTIFICATE OF SERVICE

I, David F. Rifkind, hereby certifies that I transmitted a copy of the foregoing request to the following parties by first class United States mail this 24th day of December 2014:

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