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September 16, 2014

VIA E-FILING

Cynthia T. Brown, Chief
Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington DC 20423-0001



GRANTED

Office of
Proceedings

DECISION ID NO.: 44039
DECIDED DATE: 9/22/14
SERVICE DATE: 9-23-14
APPROVED: Rachel D. Campbell
Director

☒ updated to 9/19/15.

Re: *Norfolk Southern Railway Company – Abandonment Exemption – In Polk County, Iowa*
STB Docket No. AB-290 (Sub-No. 341X)

Dear Ms. Brown:

Norfolk Southern Railway Company (“NSR”) hereby requests for good cause shown a one-year extension, until September 19, 2015, of the deadline to consummate the abandonment authority granted in the above-referenced proceeding. Consummation of the abandonment was delayed for several reasons, all of which warrant a second extension of the consummation deadline.

NSR filed for abandonment authority on August 30, 2013. The exemption was served and published in the Federal Register on September 19, 2013 (78 Fed. Reg. 57,681). On September 27, 2013, the Board’s Office of Environmental Analysis (“OEA”) served an Environmental Assessment (“EA”) indicating that comments on the EA were due by October 11, 2013. Due to the federal government shut down for 16 days during that period, the Board extended the period for submitting environmental comments until October 24, 2013.¹

On November 26, 2013, the Board completed its environmental review and imposed the following salvaging conditions:² (1) prior to salvage activities, NSR was to consult with the Iowa Department of Natural Resources (“IDNR”) to determine what, if any, permits were needed and, if applicable, to comply with any reasonable requirements; and (2) prior to salvage activities, NSR was to

¹ Norfolk Southern Railway Company – Abandonment Exemption – In Polk County, Iowa, STB Docket No AB-290 (Sub-No. 341X) (STB served October 18, 2013).

² The exemption was originally scheduled to become effective October 19, 2014, per the Board’s September 19th exemption notice. However, the Board’s November 26, 2013 decision changed the effective date to the service date of that decision.

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consult with IDNR's Conservation and Recreation Division to determine if a Sovereign Lands Construction Permit would be required, and, if applicable, to comply with its reasonable requirements.

Over the past year, NSR began making preparations to salvage the line and consummate its abandonment authority in this proceeding. However, due to various reasons, NSR has not been able to complete the consultation and salvage process. As such, NSR needs additional time to complete the process consistent with the Board's November 26, 2013 decision. Accordingly, NSR respectfully requests a 1-year extension, until September 19, 2015, of the current deadline for filing a notice of consummation in this proceeding. NSR would appreciate prompt action on this matter. Please let me know if you require anything else in order to grant the subject extension.

Sincerely,



William A. Mullins

Attorney for Norfolk Southern Railway Company

cc: All parties of record
Maquiling Parkerson, Marc Kirchner, LaWada Poarch