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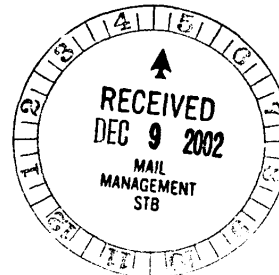
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December 9, 2002

VIA HAND-DELIVERY

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
Case Control Unit
1925 K Street, N.W.
Washington, D.C. 20423

ENTERED
Office of Proceedings
DEC 9 2002
Part of
Public Record



Re: Docket No. 42072, Carolina Power & Light Company
v. Norfolk Southern Railway Company

Dear Secretary Williams:

Enclosed for filing in the above-referenced proceeding please find an original and ten copies of the parties' Joint Motion to Establish Briefing Schedule in the above-referenced proceeding.

The parties respectfully request that the Board expedite its consideration of the enclosed Motion.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads 'C. Michael Loftus'.

C. Michael Loftus

Enclosures

cc: David M. Konschnik (Office of Proceedings)
G. Paul Moates, Esq. (Counsel for NS)

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

CAROLINA POWER & LIGHT,
COMPANY,

Complainant,

v.

NORFOLK SOUTHERN RAILWAY
COMPANY

Defendant.



Docket No. 42072

**JOINT MOTION TO
ESTABLISH BRIEFING SCHEDULE**

***** EXPEDITED ACTION REQUESTED *****

The parties filed their Rebuttal Evidence in this proceeding on November 27, 2002. They have conferred on the subject of briefs and have agreed to submit this joint motion requesting the Board to authorize and direct that one round of simultaneous briefs be filed, with each brief not to exceed 30 pages in length. The agreed due date for the briefs is the later of January 29, 200³~~2~~, or 15 days after service of a decision by the Board authorizing the filing of briefs.

The parties respectfully request that the Board expedite its decision on this joint motion and that it authorize the filing of simultaneous briefs in accordance herewith.

Respectfully submitted,



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Dated: December 9, 2002