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NORFOLK SOUTHERN CORPORATION
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January 8, 2004

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Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

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Office of Proceedings

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Part of
Public Record

Attention: Mr. Rick Davis

Re: STB Docket No. AB-290 (Sub-No. 244X), Norfolk Southern Railway
Company - Abandonment Exemption - Between Toler and Peg, In
Pike County, KY

Dear Mr. Davis:

Norfolk Southern Railway Company's (NSR) filed a Notice of Exemption in the subject proceeding on January 7, 2004. The opening paragraph of the Notice of Exemption and a reference on page 5 state that the notice is Notice of Exemption from the provisions of 49 U.S.C. 10903-10905. As indicated by the caption of the docket and as shown by the substance of the filing itself, this is a Notice of Exemption filed under 49 C.F.R. 1152.50. Therefore, the Notice of Exemption should have referred only to an exemption from 49 U.S.C. 10903 and not to the following sections of Title 49. No notice, petition or request with respect to Sections 10904 (OFAs) or 10905 (public use conditions) is included in this Notice of Exemption. We regret any inconvenience to the Board and request that you correct the Notice of Exemption and further Board references to it to show the Notice's intended scope as an exemption under 49 C.F.R. 1152.50 from 49 U.S.C. 10903. Thank you.

Very truly yours,


James R. Paschall