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BEFORE THE
SURFACE TRANSPORTATION BOARD

STB FINANCE DOCKET NO. 34514

RARITAN CENTRAL RAILWAY, L.L.C.
-- OPERATION EXEMPTION --
HELLER INDUSTRIAL PARKS, INC.

EXPEDITED ACTION REQUESTED

**SUPPLEMENTAL STATEMENT OF NORFOLK SOUTHERN RAILWAY COMPANY
IN SUPPORT OF PETITION TO STAY EXEMPTION**

John V. Edwards
NORFOLK SOUTHERN CORPORATION
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Attorney for Norfolk Southern Railway
Company

Dated: June 21, 2004



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On June 18, 2004, Consolidated Rail Corporation ("Conrail"), Norfolk Southern Railway Company ("NS") and CSX Transportation, Inc. ("CSXT") filed a petition to stay the Verified Notice of Exemption ("Notice") in the above-referenced action. That petition ("Stay Petition") seeks a stay of the Notice filed by Raritan Central Railway, L.L.C. ("Raritan") on June 15, 2004, to acquire exclusive operating rights to approximately two miles of track and right of way in Edison Township, New Jersey, that is currently operated by Conrail, NS and CSXT.

NS files this supplemental statement in support of the stay to submit for the Board's consideration an e-mail communication that Raritan sent only to NS. NS submits that this e-mail further demonstrates the public interest in granting the stay.

Specifically, the e-mail from Eyal Shapira (owner of Raritan) to John Kraemer (Shortline Marketing Director of NS) states the following (the e-mail is reproduced in its entirety):

From: EyalShapira@aol.com [mailto:EyalShapira@aol.com]
Sent: Friday, June 18, 2004 6:36 AM
To: jmkraeme@nscorp.com
Subject: Re: Somerville, NJ

For your info

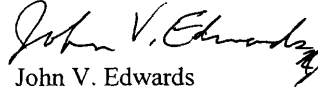
I have authorized my lawyer to spent as much money as needed on the Heller Park case. At any rate, whatever is the outcome, NS business to RCRY and Heller Park will be moving inbound with large premium or not moving at all. Yesterday, we had a great open house in Sparrows Point. One Governor, many dignitaries, six CSX folks, and 0 NS folks. So much for a relation brother.
Eyal

(The reference to RCRY is a reference to customers located at the Raritan Center Industrial Park, located near Heller Park, at which RCRY has a switching operation.)

Shippers in Heller Park today have non-discriminatory access to two Class I carriers through Conrail switching. If the Board does not issue the requested stay, and instead permits the Notice of Exemption to become effective, then as of August 15, 2004, there will be apparent authority to eliminate that competitive and non-discriminatory access, and the customers at the industrial park will become solely served by Raritan. Raritan should not be permitted to (mis)use the Board's Notice of Exemption procedures to reduce the competitive access to customers in the industrial park, and take on the mantle of a common carrier that cannot be evicted except through "adverse abandonment" proceedings, without regulatory oversight.

NS submits that a stay of the notice of exemption is in the public interest.

Respectfully submitted,



John V. Edwards

General Attorney

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Attorney for Norfolk Southern Railway
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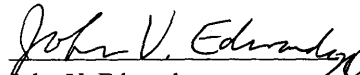
Dated: June 21, 2004

CERTIFICATE OF SERVICE

I certify that on this 21st day of June, 2004, I have had the foregoing Supplemental Statement of Norfolk Southern Railway Company in Support of Petition for Stay hand delivered to John Heffner and by overnight courier on Ellen Carpenter, in each case at the address set forth below:

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