



January 31, 2005

Honorable Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001

Request for Financial Information, Notice of Intent to File Offer of Financial Assistance for Tennessee Railway – Nick’s Creek, TN to Devonia, TN (STB Docket No. AB-290 Sub-No. 259X)

Honorable Secretary Williams:

On January 28, 2005, National Coal Corporation filed Notice of Intent to File an Offer of Financial Assistance for the segment of Tennessee Railway from Nick’s Creek, TN, to Devonia, TN. In connection with that Notice, National Coal Corporation requests that Norfolk Southern Railway provide the information set forth in 49 CFR 1152.27(a) including minimum purchase price required to acquire the Tennessee Railway segment for which the Exemption was granted. National Coal Corporation further requests that Norfolk Southern Railway provide (1) its most recent assessment of the physical condition of the involved line, revenue, and other data necessary to determine Norfolk Southern Railway’s estimate of net liquidation value of the line; (2) supporting data reflecting available real estate appraisal, assessments of the quality and the quantity of track material in the line and removal cost estimates used to obtain the net liquidation value; and (3) an estimate of the cost to rehabilitate the line to Federal Railroad Administration Class I Safety Standards.

Since it is unlikely that this information can be provided prior to the February 18 due date of the Offer of Financial Assistance, National Coal Corporation requests that the Board toll the 30-day period for submitting offers of financial assistance for an additional time of the aggregate of the number of days for Norfolk Southern Railway to provide all of the requested data, plus 30 days in order to provide National Coal Corporation sufficient time to conduct an adequate review and analyze the material provided by Norfolk Southern Railway. This will not prejudice the interests of Norfolk Southern Railway or any other party.

Respectfully,

Charles Kite
Senior Vice President, Corporate Council

Certificate of Service

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Request for Information Re - Notice of Intent to File Offer of Financial Assistance for Tennessee Railway was served upon James R. Paschall, General Attorney, Norfolk Southern Railway Company, Three Commercial Place, Norfolk, VA., 23510 by placing a true and exact copy of the foregoing instrument in Express Mail this 31st day of January, 2005, postage prepaid.

A handwritten signature in black ink, appearing to read 'Charles W. Kite', written over a horizontal line.

Charles W. Kite
Senior Vice President, General Council