



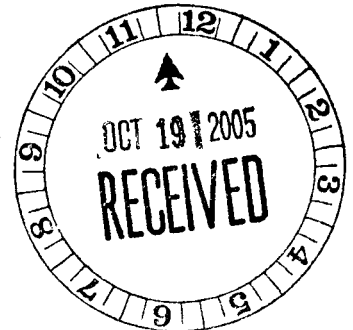
Norfolk Southern Corporation
Law Department
Three Commercial Place
Norfolk, Virginia 23510-9241

James R. Paschall
Senior General Attorney

Writer's Direct Dial Number

(757) 629-2759

October 18, 2005



VIA FEDERAL EXPRESS

Mr. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D. C. 20006

Re: STB Docket No. AB-290 (Sub. No. 262), Norfolk Southern Railway
Company – Abandonment – in Beaufort County, North Carolina –
Notice of Intent to Abandon Rail Service

Dear Mr. Williams:

Enclosed please find the original and ten copies of a Notice of Intent to
Abandon Rail Service, with regard to the above-captioned matter.

Please acknowledge receipt on the enclosed copy of this letter and return it
to me in the self-addressed, stamped envelope.

I certify that a true copy of the Notice of Intent to Abandon Rail Service was
sent (by certified mail) to Governor Michael F. Easley, Office of the Governor,
20301 Mail Service Center, Raleigh, NC 27699-0301, and to the
persons/organizations on the attached list, this 18th day of October, 2005.

Yours very truly,

James R. Paschall

JRP/kch
Enclosures

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Office of Proceedings
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Public Record

Thomas J. Regan, Jr., President
PCS Potash Corp.
Suite 400, 1101 Skokil Boulevard
P.O. Box 3320
Northbrook, IL 60062

William T. Cooper, Jr.
General Manager Phosphate Operations
Aurora Division
PCS Phosphate Company, Inc.
P. O. Box 48
Aurora, NC 27608

North Carolina State Clearinghouse
Department of Administration
1302 Mail Service Center
Raleigh, NC 27699-1302

North Carolina State Environmental Protection Agency (NCDENR)
Department of Environment, and Health and Natural Resources
P.O. Box 27687
Raleigh, NC 27611-7687

North Carolina Department of Environment and Natural Resources
Division of Coastal Management
1638 Mail Service Center
Raleigh, NC 27699-1638

Mr. Al Hodge, Regional Supervisor
North Carolina Department of Environment and Natural Resources
Division of Water Quality
943 Washington Square Mall
Washington, NC 27889

Mr. Donald Davenport
Beaufort County Manager
County Manager's Office
121 W. 3rd Street
Washington, NC 27889

J. I. Palmer, Jr.
Regional Administrator - Region 4
U. S. Environmental Protection Agency
61 Forsyth Street, SW
Sam Nunn Atlanta Federal Center
Atlanta, GA 30303-3104

Mr. Sam Hamilton
Regional Director - Region 4
U. S. Fish and Wildlife Service
1875 Century Boulevard
Atlanta, GA 30345

U. S. Fish and Wildlife Service
Raleigh Field Office
P. O. Box 33726
Raleigh, NC 27636-3726

Mr. Ray Alexander, District Engineer
U. S. Army Corps of Engineers - Wilmington District
P. O. Box 1890
Wilmington, NC 28402-1890

Mr. Jim Gale, Special Agent-in-Charge
National Park Service
100 Alabama Street, SW
Atlanta, GA 30303

Ms. Mary K. Combs, State Conservationist
USDA Natural Resources Conservation Service
4405 Bland Rd., Suite 205
Raleigh, NC 27609

Mr. William Harrell, District Conservationist
USDA Natural Resources Conservation Service
Cashwell Office Park, Suite C
208 Mallory Street
Goldsboro, NC 27534

Mr. Richard Snay - Chairman At-Large
National Geodetic Survey
Chief of Spatial Reference System Div.
1315 East/West Highway, Room 8813
Silver Spring, Maryland 20910

Mr. Gary W. Thompson, RLS
Chief, NC Geodetic Survey
Elks Building
20323 Mail Service Center
Raleigh, NC 27699-0323

Mr. Patrick B. Simmons
Director - Rail Division
North Carolina Department of Transportation
1533 Mail Service Center
Raleigh, NC 27699-1533

JoAnne Sanford, Chair
North Carolina Utilities Commission
P. O. Box 29510
Raleigh, NC 27626

MTMCTEA
Attn: Railroads for National Defense
720 Thimble Shoals Blvd., Suite 130
Newport News, VA 23606-2574

U. S. Department of Agriculture
Chief of the Forest Service
Sidney R. Yates Federal Building
201 14th Street, SW at
Independence Ave., SW
Washington, DC 20250

Regional Director
National Park Service
100 Alabama Street, SW
1924 Building
Atlanta, GA 30303

National Park Service
Recreation Resources Division
1849 C Street, N.W. (2310)
Washington, DC 20240-0001

Mr. William Shaddox
National Park Service
Land Resources Division
1849 C Street, N.W. (2540)
Washington, DC 20242-0004

Mr. F. Leo McCann
President
American Train Dispatchers Association
1370 Ontario Street, Suite 1040
Cleveland, OH 44113-1736

Mr. D. M. Hahs
International President
Brotherhood of Locomotive Engineers & Trainmen
Standard Building
1370 Ontario Street
Cleveland, OH 44113-1702

Mr. Freddie N. Simpson
Acting President
Brotherhood of Maintenance of Way Employees Division – IBT
20300 Civic Center Drive, Suite 320
Southfield, MI 48076-4169

Mr. Richard A. Johnson
General President
Brotherhood Railway Carmen
3 Research Place
Rockville, MD 20850

Mr. W. D. Pickett
President
Brotherhood of Railroad Signalmen
917 Shenandoah Shores Road
Front Royal, VA 22630-6418

Mr. Edward D. Hill
International President
International Brotherhood of Electrical Workers
1125 15th Street, NW
Washington, DC 20005

Mr. Paul C. Thompson
International President
United Transportation Union
14600 Detroit Avenue
Cleveland, OH 44107

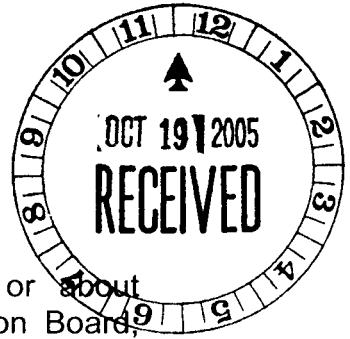
Mr. Jay Westbrook
AVP-Passenger and Joint Facility Contracts
CSX Transportation
500 Water Street, J315
Jacksonville, FL 32202

Mr. John Booth
Director- Joint Facility Contracts
CSX Transportation
500 Water Street, J315
Jacksonville, FL 32202

NOTICE OF INTENT TO ABANDON RAIL SERVICE

STB No. AB-290 (Sub-No. 262)

Notice of Intent to Abandon Railroad Line and Service



Norfolk Southern Railway Company gives notice that on or about November 17, 2005 it intends to file with the Surface Transportation Board, Washington, D.C. 20423, an application for permission for the abandonment of a line of railroad known as the Lee Creek Line extending from railroad milepost WL-26.7 near Aurora, NC to the end of line at railroad milepost WL-31.3 near Lee Creek, NC (the Line), which traverses through United States Postal Service ZIP Codes 27806 and 28516, a distance of 4.6 miles, in Beaufort County, North Carolina. The Line includes the station of Lee Creek, North Carolina, milepost number WL-29.0.

The reason for the proposed abandonment is that the only shipper located on the Line, PCS Phosphate Company, Inc., which owns the underlying real estate, desires the track to be removed from its current location so that it may conduct mining operations in that area. Applicant does not receive sufficient revenue from the operation of the Line to justify rebuilding the Line in a different location. Based on information in applicant's possession, the Line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

This line of railroad has appeared on the system diagram map or included in the narrative in category 1 since March 29, 2004.

The interest of railroad employees will be protected by the employee protective conditions set forth in Oregon Short Line R. Co.-Abandonment-Goshen, 360 I.C.C. 91 (1979).

The application will include the applicant's entire case for abandonment. Any interested person, after the application is filed on November 17, 2005, may file with the Surface Transportation Board written comments concerning the proposed abandonment or protests to it. These filings are due 45 days from the date of filing of the application. All interested persons should be aware that following any abandonment of rail service and salvage of the Line, the Line may be suitable for other public use, including interim trail use. Any request for a public use condition under 49 U.S.C. 10905 (Sec. 1152.28 of the Board's rules) and any request for a trail use condition under 16 U.S.C. 1247(d) (Sec. 1152.29 of the Board's rules) must also be filed within 45 days from the date of filing of the application. Persons who may oppose the abandonment or discontinuance but who do not wish to participate fully in the process by appearing at any oral hearings or by submitting verified statements of witnesses, containing detailed evidence, should file comments. Persons interested only in seeking public use or trail use conditions should also file comments. Persons opposing the proposed

abandonment or discontinuance that do wish to participate actively and fully in the process should file a protest.

Protests must contain that party's entire case in opposition (case in chief) including the following:

- (1) Protestant's name, address and business.
- (2) A statement describing protestant's interest in the proceeding including:
 - (i) A description of protestant's use of the Line;
 - (ii) If protestant does not use the Line, information concerning the group or public interest it represents; and
 - (iii) If protestant's interest is limited to the retention of service over a portion of the line, a description of the portion of the Line subject to protestant's interest (with milepost designations if available) and evidence showing that the applicant can operate the portion of the Line profitably, including an appropriate return on its investment for those operations.
- (3) Specific reasons why protestant opposes the application including information regarding protestant's reliance on the involved service [this information must be supported by affidavits of persons with personal knowledge of the fact(s)].
- (4) Any rebuttal of material submitted by applicant.

In addition, a commenting party or protestant may provide a statement of position and evidence regarding:

- (i) Intent to offer financial assistance pursuant to 49 U.S.C. 10904;
- (ii) Environmental impact;
- (iii) Impact on rural and community development;
- (iv) Recommended provisions for protection of the interests of employees;
- (v) Suitability of the properties for other public purposes pursuant to 49 U.S.C. 10905; and
- (vi) Prospective use of the right-of-way for interim trail use and rail banking under 16 U.S.C. 1247(d) and Sec. 1152.29.

A protest may demonstrate that: (1) the protestant filed a feeder line application under 49 U.S.C. 10907; (2) the feeder line application involves any portion of the rail line involved in the abandonment or discontinuance application; (3) the feeder line application was filed prior to the date the abandonment or discontinuance application was filed; and (4) the feeder line application is pending before the Board.

Written comments and protests will be considered by the Board in determining what disposition to make of the application. The commenting party or protestant may participate in the proceeding as its interests may appear.

If an oral hearing is desired, the requester must make a request for an oral hearing and provide reasons why an oral hearing is necessary. Oral hearing requests must be filed with the Board no later than 10 days after the application is filed.

Those parties filing protests to the proposed abandonment should be prepared to participate actively either in an oral hearing or through the submission of their entire opposition case in the form of verified statements and arguments at the time they file a protest. Parties seeking information concerning the filing of protests should refer to Sec. 1152.25.

Written comments and protests, including all requests for public use and trail use conditions, should indicate the proceeding designation STB No. AB-290 (Sub-No. 262) and must be filed with the Secretary, Surface Transportation Board, Washington, DC 20423, no later than January 2, 2006. Interested persons may file a written comment or protest with the Board to become a party to this abandonment proceeding. A copy of each written comment or protest shall be served upon the representative of the applicant James R. Paschall, Senior General Attorney, Norfolk Southern Railway Company, Three Commercial Place, Norfolk, VA 23510, (phone 757-629-2759). The original and 10 copies of all comments or protests shall be filed with the Board with a certificate of service. Except as otherwise set forth in part 1152, each document filed with the Board must be served on all parties to the abandonment proceeding. 49 CFR 1104.12(a).

The line sought to be abandoned will be available for subsidy or sale for continued rail use, if the Board decides to permit the abandonment, in accordance with applicable laws and regulations (49 U.S.C. 10904 and 49 CFR 1152.27). No subsidy arrangement approved under 49 U.S.C. 10904 shall remain in effect for more than 1 year unless otherwise mutually agreed by the parties (49 U.S.C. 10904(f)(4)(B)). Applicant will promptly provide upon request to each interested party an estimate of the subsidy and minimum purchase price required to keep the line in operation. The carrier's representative to whom inquiries may be made concerning sale or subsidy terms is Marcellus C. Kirchner, Director Strategic Planning, Norfolk Southern Railway Company, Three Commercial Place, Norfolk, VA, 23510 (phone 757-629-2679).

Persons seeking further information concerning abandonment procedures may contact the Surface Transportation Board or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis.

A copy of the application will be available for public inspection on or after November 17, 2005 at Norfolk Southern Railway Company, 328 NC 33 Hwy W, Chocowinity, NC 27817 and Norfolk Southern Railway Company, 1500 Carson

Street, Raleigh, NC 27523. The carrier shall furnish a copy of the application to any interested person proposing to file a protest or comment, upon request.

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by the Section of Environmental Analysis will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Any other persons who would like to obtain a copy of the EA (or EIS) may contact the Section of Environmental Analysis. EAs in these abandonment proceedings normally will be made available within 33 days of the filing of the application. The deadline for submission of comments on the EA will generally be within 30 days of its service. The comments received will be addressed in the Board's decision. A supplemental EA or EIS may be issued where appropriate.