

215912



March 2, 2006

WRITER'S DIRECT NUMBER: (317) 236-2230

WRITER'S DIRECT FAX: (317) 592-4681

INTERNET: kelly@icemiller.com

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

Re: Finance Docket No. 34839
Norfolk Southern Railway Company – Control and Consolidation
Exemption – Algers, Winslow and Western Railway Company

Dear Secretary Williams:

On February 14, 2006, Norfolk Southern Railway Company ("NS") filed a petition for exemption from the prior approval requirements of 49 U.S.C. § 11323 for its acquisition of a 50 percent interest in the Algers, Winslow and Western Railway Company.

Solar Underground LLP presently has a letter of intent concerning the purchase of the coal mine facilities as referenced in the Petition, p. 3, note 6 where NS states: "NSR understands that AMCI intends to convey Pike #2 to Solar Sources. . . ." Solar has concerns about the proposed acquisition transaction from the standpoint of future rail service to the mine facilities of Pike #2 which has a rail connecting to the line of Algers Winslow and Western Railway Company.

The purpose of this letter is to request an extension of time to and including March 22, 2006 to file comments or a reply with the Board concerning the Norfolk Southern's petition for exemption referenced above.

Very truly yours,

ICE MILLER

G. Daniel Kelley, Jr.

ENTERED
Office of Proceedings

MAR 6 - 2006

Part of
Public Record

GDK:cw

cc: James A. Hixon

Honorable Vernon A. Williams

March 2, 2006

Page 2

James A. Squires

George A. Aspatore

John M. Scheib

Richard A. Allen

Shannon M. Moyer

Vernon A. Williams

Christopher A. Mills