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August 2, 2006



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VIA FEDERAL EXPRESS

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

ENTERED
Office of Proceedings
AUG 3 - 2006
Part of
Public Record

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

Dear Secretary Williams:

Enclosed please find the original and ten copies of Solar's letter with the attached Exhibit 1 withdrawing its objections in this matter.

Very truly yours,

ICE MILLER

G. Daniel Kelley, Jr.

GDK:cw

cc: Richard A. Allen
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888 Seventeenth Street, N.W.
Washington, D.C. 20006-3939

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August 2, 2006

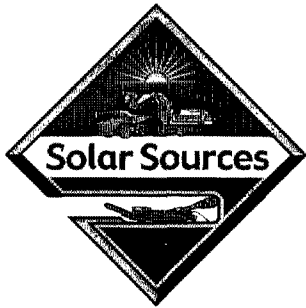
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Coal for the Steam and Industrial Market

Solar Sources

Corporate Office:

Solar Sources, Inc.

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Indianapolis, Indiana 46247-0068



August 1, 2006

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

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Public Record

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

Dear Secretary Williams:

I, Felson Bowman, as Manager of Solar Sources Underground, L.L.C. ("Solar") hereby notify the Board that in view of the attached assurances (Exhibit 1 hereto) provided by the AWW and NS, Solar withdraws its opposition to the Petition for Exemption in STB Finance Docket 34839 filed by Norfolk Southern Railway and Norfolk Southern Corporation (collectively NS) to acquire the remaining 50 percent of the Algers, Winslow and Western Railway Company (AWW) and to consolidate AWW into NS following the acquisition.

Thank you for your consideration.

Sincerely,

Felson Bowman

Felson Bowman
Manager

FB/cdb

Surface Operating Office:
Solar Sources, Inc.
625 North Ninth Street • P.O. Box 7
Petersburg, Indiana 47567
Tel. 812 354-8776 • Fax 812 354-6690

Solar Sources Underground, LLC:
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Tel. 812 354-2808 • Fax 812 354-2659
Mailing Address:
P.O. Box 567 • Petersburg, Indiana 47567

AGREEMENT

This Agreement is entered into effective the 31st day of July, 2006, among Solar Sources Underground LLC (hereinafter "SOLAR"), Algers, Winslow & Western Railway Company (hereinafter "AWW") and the Norfolk Southern Railway Company (hereinafter "NSR"). The term "customer/shipper" as used herein means the party responsible for paying AWW or NSR for rail transportation services.

SOLAR, AWW and NS agree as follows:

1. AWW agrees that so long as the AWW lines at issue in STB Finance Docket No. 34839 continue in service as common carrier lines and SOLAR or its successors or assigns ("Solar") own Pike #2, AWW will consult with Solar and negotiate in good faith with its customers/shippers, and Solar, if Solar is a customer/shipper, as AWW (a) complies with its obligations under 49 U.S.C. 10742 to provide "reasonable, proper, and equal facilities" for interchange of coal shipped from Pike #2, provided however that any challenge regarding AWW's compliance with such obligations may be filed only before the Surface Transportation Board; and (b) complies with 49 U.S.C. 10701 by establishing "reasonable rates" for the through transportation of coal shipped from Pike #2 to destinations not served by NSR or its subsidiaries, provided however that the reasonableness of such rates are subject to challenge only before the Surface Transportation Board. Solely as a result of this provision, Solar shall not obtain any right to assert an independent claim on behalf of its customers/shippers.

2. NSR agrees that provided that the Surface Transportation Board approves the Petition for Exemption filed by NSR and Norfolk Southern Corporation to acquire the 50 percent interest in the AWW that NSR does not already own and such approval is not

conditioned by requiring NSR (a) to grant trackage rights to Indiana Southern Railroad for the purpose of transporting loaded and empty coal trains between Oakland City, IN, and the rail loading facilities at the two AWW-served coal mines located near Algers and Enosville, IN; or, (b) in the alternative, to establish a suitable switching charge between these rail loading facilities and Oakland City, IN, NSR will continue the AWW assurances provided to Solar (as defined in ¶ 1, above) set forth above in ¶ 1 for so long as the AWW lines at issue in STB Finance Docket No. 34839 continue in service as common carrier lines and Solar (as defined in ¶ 1 above) owns Pike #2. Solely as a result of this provision, Solar shall not obtain any right to assert an independent claim on behalf of its customers/shippers.

3. SOLAR agrees to file with the Surface Transportation Board a letter stating the following:

I hereby notify the Board that in view of the attached assurances provided by the AWW and NS, Solar Sources Underground, LLP (Solar) withdraws its opposition to the Petition for Exemption in STB Finance Docket 34839 filed by Norfolk Southern Railway and Norfolk Southern Corporation (collectively NS) to acquire the remaining 50 percent of the Algers, Winslow and Western Railway Company (AWW) and to consolidate AWW into NS following the acquisition.

[INTENTIONALLY LEFT BLANK]

Solar Sources Underground LLC

By Felson Bowman
Felson Bowman, Manager

Algers, Winslow & Western Railway
Company

By James A. Hixon
James A. Hixon,
Vice President

Norfolk Southern Railway Company

By James A. Hixon
James A. Hixon
Vice President