



City of Norfolk

Office of the City Manager

220776

November 21, 2007

Via Facsimile (202-245-0454)
and U.S. Mail

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
395 E. Street, S.W.
Washington, D.C. 20423

Re: STB Docket No. AB-290 (Sub-No. 293X)

Dear Mr. Williams:

I am an Assistant City Manager for The City of Norfolk, Virginia, and my duties include oversight of the Light Rail Project which will be built in substantial part on the Norfolk Southern Railway Company (NSR) right of way located in Norfolk which is the subject of a petition for exemption to abandon the line under 49 U.S.C. Section 10502. The petition was granted by the Surface Transportation Board by decision, STB Docket No. AB-290 (Sub-No. 293X), decided November 6, 2007. The STB decision was opposed by Mr. James Riffin. Mr. Riffin's opposition was rejected by the STB. It has come to our attention that Mr. Riffin has filed an appeal of the STB decision and has also filed a motion to stay the proceedings pending the appeal.

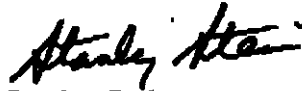
To grant Mr. Riffin's motion to stay would cause irreparable harm to the City of Norfolk and its citizens. While waiting for the subject line to be abandoned the City has negotiated the conveyance of the right of way from the NSR to the City which is scheduled to close in a few weeks. The estimated cost of the Project is \$232.1 million dollars. Rail cars have been special ordered. The Project, in October received from the Federal Transit Administration \$128 million dollars. Eleven construction contracts are to be awarded. The first contract was awarded in early November and construction is scheduled to begin this month. In January five more contracts are to be awarded. By February construction should be proceeding throughout the 7 plus mile route. The successful planning and timing of construction activities are very critical to the project's adherence to budgetary constraints.

Uncertainty engendered by the granting of a stay will put at risk the local, state and federal funding for the Project. Any delay will cause serious problems. Construction will involve construction corridors presently in use. This will involve and interfere with highway, train and maritime traffic. As the construction begins delays should occur only under extreme circumstances. Those extreme circumstances are not present here. Any delay will have unpredictable and serious ramifications.

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Your attention to this matter is appreciated.

Sincerely,

A handwritten signature in cursive script, appearing to read "Stanley Stein".

Stanley Stein
Assistant City Manager

cc: Mr. James R. Paschall
Mr. James Riffin
Mr. Matthew O. Tucker