



KAPLAN KIRSCH ROCKWELL

March 6, 2009

E-Filing

Hon. Anne Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Re: *Norfolk Southern Railway Company – Abandonment – In Atlanta, Fulton County, Georgia – Notice of Exemption; Docket No. AB-290 (Sub-No. 210X)*

National Railroad Passenger Corporation – Application Under 49 U.S.C. §24311(c) to Condemn Certain Rail Carrier Property in Atlanta, Fulton County, Georgia – Norfolk Southern Railway Company; Finance Docket No. 35215

Dear Ms. Quinlan:

I am enclosing the Joint Motion of the Atlanta Development Authority, Atlanta BeltLine, Inc., Norfolk Southern Railway Company, Georgia Department of Transportation and National Railroad Passenger Corporation to Hold Proceedings in Abeyance an Additional 15 Days in the above-referenced proceedings.

Thank you for your attention to this matter.

Sincerely,

Charles A. Spitulnik

Enclosure

208164

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**Docket No. AB-290 (Sub-No. 210X)
NORFOLK SOUTHERN RAILWAY COMPANY
- ABANDONMENT -
IN ATLANTA, FULTON COUNTY, GEORGIA
- NOTICE OF EXEMPTION**

**Finance Docket No. 35215
NATIONAL RAILROAD PASSENGER CORPORATION - -
APPLICATION UNDER 49 U.S.C. §24311(c) TO CONDEMN
CERTAIN RAIL CARRIER PROPERTY IN ATLANTA, FULTON COUNTY, GEORGIA - -
NORFOLK SOUTHERN RAILWAY COMPANY**

**JOINT MOTION OF
THE ATLANTA DEVELOPMENT AUTHORITY, ATLANTA BELTLINE, INC.,
NORFOLK SOUTHERN RAILWAY COMPANY, GEORGIA DEPARTMENT OF
TRANSPORTATION AND NATIONAL RAILROAD PASSENGER CORPORATION TO HOLD
PROCEEDINGS IN ABEYANCE AN ADDITIONAL 15 DAYS**

Communications with respect to this document should be addressed to:

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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**Docket No. AB-290 (Sub-No. 210X)
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The Atlanta Development Authority (“ADA”), Atlanta BeltLine, Inc. (“ABI”), Norfolk Southern Railway Company (“NSR”), Georgia Department of Transportation (“GDOT”) and National Railroad Passenger Corporation (“Amtrak”) (collectively, “Movants”) hereby move this Board for an order extending for an additional 15 days the abeyance order entered by the Board on February 5, 2009, such that all aspects of both of these proceedings will be held in abeyance through and including March 23, 2009. The Movants have engaged in constructive discussions focused on finding a common solution that will accommodate the BeltLine vision and transit plan, as well as intercity and high speed rail in the region, but have not concluded those discussions. The Movants are hopeful that they will be able to address the issues that remain between them, and reach an agreement satisfactory to all, if they are given an additional 15 days to complete their discussions.

Accordingly, the Movants request the Board to issue an order:

1. Holding these proceedings in abeyance through and including March 23, 2009;
2. Requiring them to file, either individually or jointly as they may decide at the time, a status report with respect to their discussions by no later than March 23, 2009; and

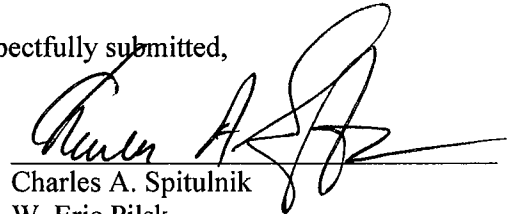
3. Extending the schedule for filing responses in Docket No. AB-290 (Sub-No. 210X) such that the responses of ADA, ABI and NSR described in this Board's order dated January 21, 2009 in that proceeding will be due on March 27, 2009,¹ pending the conclusion of the above-mentioned discussions among the Movants.

WHEREFORE, ADA, ABI, NSR, GDOT and Amtrak respectfully request the Board to issue the order described herein.

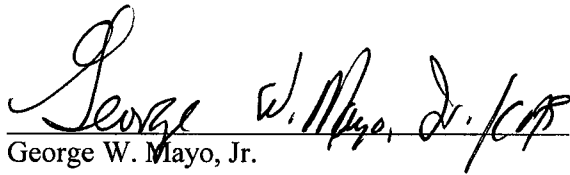
Respectfully submitted,



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Counsel for National Railroad Passenger Corporation

Dated: March 6, 2009

¹ To that end, all of the Movants specifically acknowledge that the filing of this Motion does not represent a waiver by any of them of any positions or arguments that any of them may assert in either or both of these proceedings.

Certificate of Service

I hereby certify that on this 6th day of March 2009, served a copy of the foregoing JOINT MOTION OF THE ATLANTA DEVELOPMENT AUTHORITY, ATLANTA BELTLINE, INC., NORFOLK SOUTHERN RAILWAY COMPANY AND GEORGIA DEPARTMENT OF TRANSPORTATION TO HOLD PROCEEDINGS IN ABEYANCE AN ADDITIONAL 15 DAYS on the following persons, in addition to the parties of record who are joint signatories to this Motion:

David Emory
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Charles A. Spitulnik

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