

Nauman Smith

Attorneys At Law

Please Reply to:
P. O. Box 840
Harrisburg, PA 17108-0840

Benjamin C. Dunlap, Jr.
E-mail: bdunlapjr@nssh.com

March 2, 2010

Via Hand Delivery

James McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

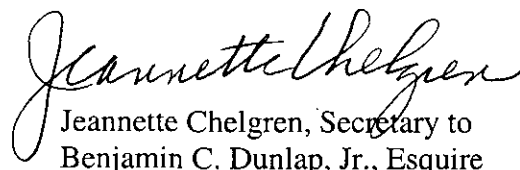
In re: Application of Norfolk Southern Railway Company to abolish the public rail-highway crossing of High Street above its tracks in the City of Bethlehem and the Borough of Hellertown, Northampton County, Pennsylvania (DOT # 592 787 H). PUC Docket No. A-2008-2075123

Dear Sir:

Enclosed please find the original and three (3) copies of the Status Report of Norfolk Southern Railway Company for filing in the above-referenced matter. In accordance with the accompanying Certificate of Service, we are serving a copy of the Status on all parties of record by electronic and regular mail.

If you have any questions, please don't hesitate to contact our office.

Sincerely yours,


Jeannette Chelgren, Secretary to
Benjamin C. Dunlap, Jr., Esquire

Enclosures

cc: All Parties of Record (w/enc.)
Randal S. Noe, Esquire (w/enc.)
Thomas Bracey (w/enc.)

RECEIVED
2010 MAR -2 PM 3:28
SECRETARY'S BUREAU

Superior analysis. Effective solutions. Since 1871.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

RECEIVED
2010 MAR -2 PM 3:28
PA PUC
SECRETARY'S BUREAU

**In re: Application of Norfolk Southern Railway :
Company to abolish the public rail-highway :
crossing of High Street above its tracks in the : Docket No. A-2008-2075123
City of Bethlehem and Borough of Hellertown, :
Northampton County, Pennsylvania :
(DOT # 592 787 H) :**

FIRST STATUS REPORT

Norfolk Southern Railway Company (“Norfolk Southern”), by and through its attorneys, Nauman, Smith, Shissler & Hall, LLP, hereby files this First Status Report, pursuant to the requirements of Ordering Paragraph 3 of the Procedural Order dated December 4, 2009, in the above-referenced matter.

On December 4, 2009, counsel for Norfolk Southern spoke with Joseph M. Kelly, Solicitor for the City of Bethlehem (“City”) and made a settlement offer. Mr. Kelly indicated that he would discuss this with his client and the other parties that would be involved in the potential trail development that would include the crossing. He also stated he would get back to counsel for Norfolk Southern with maps or diagrams illustrating potential usage of the former rail line for a trail.

Counsel for Norfolk Southern heard nothing from the City until March 1, 2010, when counsel for Norfolk Southern called the City Law Department to inquire as to the status of the matter. In speaking with City Attorney Christopher Cooper, Norfolk Southern was informed that the City had held at least one meeting with Northampton County and the Borough of Hellertown to discuss the potential trail development. The City had also had discussions with the Pennsylvania Department of Transportation, Mr. Cooper said. However, no decision had yet been made in regard to Norfolk

Southern's settlement offer. Reminded of the need to keep this matter moving, Mr. Cooper stated that the City would provide a response to Norfolk Southern's offer in the near future.

Respectfully submitted,
NAUMAN, SMITH, SHISSLER & HALL, LLP



Benjamin C. Dunlap, Jr., Esquire

Supreme Court I.D. No. 66283

200 N. 3rd Street, 18th Floor

P. O. Box 840

Harrisburg, PA 17108-0840

Telephone: (717) 236-3010

Facsimile: (717) 234-1925

Counsel for Norfolk Southern Railway Company

Date: March 2, 2010

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**In re: Application of Norfolk Southern Railway :
Company to abolish the public rail-highway :
crossing of High Street above its tracks in the : Docket No. A-2008-2075123
City of Bethlehem and Borough of Hellertown, :
Northampton County, Pennsylvania :
(DOT # 592 787 H) :**

CERTIFICATE OF SERVICE

I hereby certify that I served one (1) copy of the First Status Report in the above action, this day by electronic mail and by depositing the same in the United States mail, postage prepaid, in Harrisburg, Pennsylvania, addressed to:

Via Electronic Mail/Regular Mail:

Adm. Law Judge Kandace F. Melillo
PA Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265
E-mail: kmelillo@state.pa.us

Jason D. Sharp, Esquire
Office of Chief Counsel
PennDOT
P.O. Box 8212
Harrisburg, PA 17105-8212
E-mail: Jsharp@state.pa.us

Martha R. Smith, Esquire
Assistant Counsel
PA Dept. Of Conservation & Natural Resources
7th Floor RCSOB
P. O. Box 8767
Harrisburg, PA 17105-8767
E-mail: marthasmith@state.pa.us

Joseph M. Kelly, Esquire
City of Bethlehem
10 E. Church Street
Bethlehem, PA 18018
E-mail: jkelly@bethlehem-pa.gov

Via Regular First Class Mail:

Karl F. Longenbach, Esquire
Northampton County Solicitor
669 Washington Street
Easton, PA 18042

Lower Saucon Authority
Attn: Tiffany T. Clewell
3706 Old Philadelphia Pike
Bethlehem, PA 18015

RECEIVED
2010 MAR -2 PM 3:28
PA PUC
SECRETARY'S BUREAU

Moravian College
Attn: Facilities Services
1415 Cortland Street
Bethlehem, PA 18018

PPL Electric Utilities Corporation
Attn: Jennifer Perdick
827 Housman Road
Allentown, PA 18104

XO Communication
C/o De-Tech Inc.
Attn: Robert Freed
120 N. Pearl Street
Crestline, OH 44827

John Herzog, Esquire
PA Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

UGI Utilities Inc.
Attn: Linda Sofranek
2121 City Line Road
Bethlehem, PA 180172

Verizon Pennsylvania, Inc.
Attn: Ernestine Draper
900 Race Street, 6th flr.
Philadelphia, PA 19107

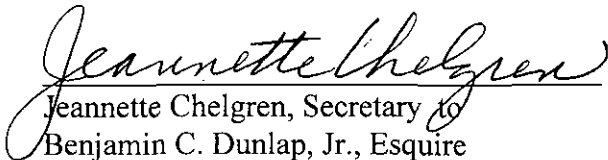
Hellertown Boro Authority/Hellertown Boro
Attn: Glenn B. Higbie
501 Durham Street
P. O. Box 81
Hellertown, PA 18055

RCN Telecom Services, Inc.
Attn: Marie M. Lew, President
196 Van Buren Street, Suite 300
Herndon, PA 20170

Suburban Propane LP
Attn: Mike Merrill
240 Route 10 West
Whippany, NJ 07981

Borough of Hellertown
685 Main Street
Hellertown, PA 18055

Date: March 2, 2010


Jeannette Chelgren, Secretary to
Benjamin C. Dunlap, Jr., Esquire