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March 9, 2015

Via Electronic Mail

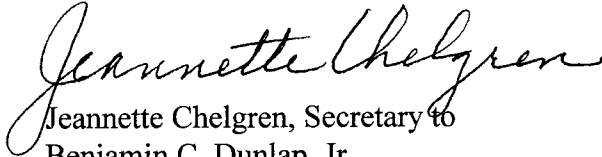
Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

**RE: Bridge structure where State Route 1025 crosses over a single track of Delaware and Hudson Railway Company, Inc. (264 293 K) in Nicholson Borough, Wyoming County.
Docket No. M-2013-2364201**

Dear Secretary Chiavetta:

I am enclosing herewith a Motion to Join, or in the Alternative Petition to Intervene, and Motion for Continuance for filing on behalf of Norfolk Southern Railway Company in the above-referenced matter. As evidenced by the attached Certificate of Service, a copy of the Motion has been served on all interested parties. A hard copy of the Motion will **not** be delivered to your office pursuant to the most recent requirements.

Sincerely yours,


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

Enclosure

cc: All Interested Parties of Record
Randy Noe, Esquire
Timothy Bentley, Esquire
Thomas Bracey

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Bridge structure where State Route 1025 :
crosses over a single track of Delaware and :
Hudson Railway Company, Inc. (264 293 K) : **Docket No. M-2013-2364201**
in Nicholson Borough, Wyoming County :
: **Filed Electronically**

**MOTION TO JOIN, OR IN THE ALTERNATIVE
PETITION TO INTERVENE, AND MOTION FOR CONTINUANCE**

Norfolk Southern Railway Company (“Norfolk Southern”), by and through its undersigned counsel, files this Motion to Join, or in the alternative Petition to Intervene, and Motion for Continuance in the above-referenced matter, based upon the following:

1. Norfolk Southern is currently the largest operator on the portion of the rail line that includes the crossing at issue in this proceeding.
2. As a current operator on the line, it could have and should have been included as a party in this proceeding from its inception.
3. In addition, Norfolk Southern is currently in negotiations to purchase the portion of the subject rail line that includes the crossing from its current owner, Delaware and Hudson Railway Company.
4. Due to its current operations on and potential future ownership of the relevant portion of the line, Norfolk Southern has an interest in this proceeding which may be directly affected and which is not adequately represented by existing participants and as to which the Petitioner may be bound by the actions of the Commission in this proceeding. See 52 Pa. Code § 5.72(a)(2).
5. Norfolk Southern therefore moves to join in this proceeding pursuant to 52 Pa. Code § 5.103, or alternatively petitions to intervene, pursuant to 52 Pa. Code § 5.71 *et seq.*


6. Norfolk Southern additionally moves for a continuance of the hearing scheduled in this matter for April 14, 2015, and suspension of the litigation schedule in paragraph 3 of Prehearing Order #3 pending the sale closure of the line, which is expected to occur this summer.

7. Norfolk Southern has been informed by the Commission's Bureau of Technical Utility Services, Transportation Division -- Rail Safety Section, that it intends to move to incorporate this proceeding with a pending investigation proceeding of other crossings on the line in order to facilitate the discussion of a potential global resolution of issues.

WHEREFORE, Norfolk Southern Railway Company respectfully requests that this Honorable Commission grant its request to be made a party and for a continuance of the proceedings.

Respectfully submitted,

NAUMAN, SMITH, SHISSLER & HALL, LLP

By 
Benjamin C. Dunlap, Jr., Esquire
Supreme Court I.D. #66283

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Attorney for Norfolk Southern Railway Company

Date: March 9, 2015

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Bridge structure where State Route 1025 :
crosses over a single track of Delaware and :
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in Nicholson Borough, Wyoming County :
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CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing Motion to Join, or in the Alternative Petition to Intervene and Motion for Continuance on behalf of Norfolk Southern Railway Company, in the above action, this day by depositing the same in the United States mail, postage prepaid, in Harrisburg, Pennsylvania, addressed to:

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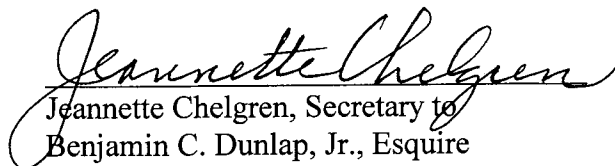
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Harrisburg, PA 17110

Date: March 9, 2015


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