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ORIGINAL

November 3, 2009

Dean Jackson
Chief Administrative Law Judge
Illinois Commerce Commission
527 E. Capitol Ave.
Springfield, IL 62701

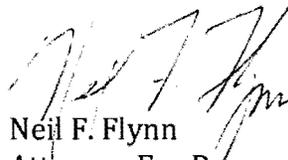
RE: Docket T09-0106
IDOT v. Norfolk Southern Railway Company

Dear Judge Jackson:

Please be informed that Respondent Norfolk Southern Railway Company takes no exception and has no objection to the Draft Agreed Order prepared by the Commission Staff and forwarded by email to all parties of record on October 21, 2009.

Thank you very much.

Sincerely,



Neil F. Flynn
Attorney For Respondent,
Norfolk Southern Railway Company

Cc: All Parties of Record

TRANSPORTATION DIV

2009 NOV - 3 P 3: 37

ILLINOIS COMMERCE
COMMISSION

DOCKETED

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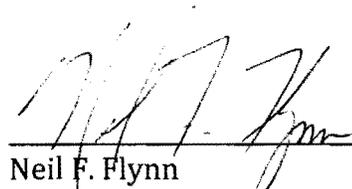


CERTIFICATE OF SERVICE

I, Neil F. Flynn, attorney of record for Respondent Norfolk Southern Railway Company, certify that I served a true and correct copy of the attached letter upon the parties to this proceeding on this 3rd day of November, 2009 at the following respective addresses:

Jerry W. Schauf
Piatt County Highway Department
Piatt County Annex Addition
301 S. Charter Street
Monticello, IL 61856

Gloria M. Camarena
Special Assistant Attorney General
100 W. Randolph Street
Suite 6-600
Chicago, IL 60601

A handwritten signature in black ink, appearing to read "Neil F. Flynn", is written over a horizontal line.

Neil F. Flynn
Attorney for Norfolk Southern
Railway Co.