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## BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Petition of Norfolk Southern Railway Company	:	Case No. 06-459-RR-UNC
to Close to Vehicular Traffic the	:	NOTICE OF WITHDRAWAL
South Street Grade Crossing (472-502N), Located in the City	:	OF PETITION
of West Leipsic, Putnam County, Ohio	•	D. Casey Talbott (0046767)
	:	(Trial Attorney)
		Mark A. Shaw (0059713)
	:	EASTMAN & SMITH, LTD.
		One SeaGate, 24th Floor
	:	P.O. Box 10032
		Toledo, Ohio 43699-0032
	:	Telephone: (419) 241-6000
		Fax: (419) 247-1777
	:	
		Attorneys for Petitioner Norfolk
	:	Southern Railway Company

Petitioner Norfolk Southern Railway Company hereby gives notice of the

withdrawal of the instant petition, without prejudice to its right to refile same.

This is to certify that the images appearing are an accurate and complete reprédutions of a case file document delivered in the regular docree of inginess. Technicism <u>AB</u> Date Processed <u>3000</u> Counsel for the interested parties have been contacted and have no objection to

this Notice.

Respectfully submitted,

EASTMAN & SMITH, LTD.

D. Casey Talbott (0046767) (Trial Attorney) Mark A. Shaw (0059713) One SeaGate, 24th Floor P.O. Box 10032 Toledo, Ohio 43699-0032 Telephone: (419) 241-6000 Fax: (419) 247-1777

Attorneys for Petitioner Norfolk Southern Railway Company

## PROOF OF SERVICE

A copy of the foregoing Notice of Withdrawal of Petition was mailed this 30 day of January, 2007, to The Hon. Alan Schriber, Chairman, The Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215-3793; to Todd C. Schroeder, Esq., Solicitor, Village of West Leipsic, Ohio, Schroeder, Blankemeyer and Schroeder, LLP, 315 East Main Street, P.O. Box 110, Ottawa, Ohio 45875;; to Bonnie Johrendt, Docketing Division, The Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215-3793; to Susan Kirkland, Ohio Rail Development Commission, 50 West Broad Street, 15th Floor, Columbus, Ohio 43215; and to Steven L. Beeler, Esq., Assistant Attorneys General, Public Utilities Section, 180 East Broad Street, Columbus, Ohio.43266.

Attorney for Petitioner Norfold

Attorney for Petitioner Norlog Southern Railway Company