



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

1501 MAIL SERVICE CENTER, RALEIGH, N.C. 27699-1501

LYNDO TIPPETT
SECRETARY

June 3, 2008

Original via certified mail

Mr. C. Wick Moorman
Chairman, President and Chief Executive Officer
Norfolk Southern Company
Three Commercial Place
Norfolk, Virginia 23510-2191

Mr. Scott Saylor, President
North Carolina Railroad Company
2809 Highwoods Boulevard, Suite 100
Raleigh, North Carolina 27604-1000

Dear Sirs:

This letter is in reference to the master agreement between your respective companies dated July 27, 1999, which sets forth the principles and rights for railroad operations over the North Carolina Railroad Company (NCRR).

Section 12 on page 15 of the agreement, Implementation of the NCDOT's Updated "Rail IMPACT" Program, refers to investment in a program of rail improvements totaling \$20 million. Upon satisfaction of this requirement, it is the right of the North Carolina Department of Transportation (NCDOT) to add one daily passenger train set to operate between Raleigh and Charlotte. The purpose of this letter is to advise that this requirement has been met and the NCDOT now desires to put into operation the additional intercity passenger train service in accord with the master agreement.

We look forward to working with you and your staff to timely carry out this important service for the citizens of North Carolina. Our principle contact for implementation will be Patrick B. Simmons, the Department's Rail Division Director. You may contact him at 919-733-7245, extension 263.

Sincerely,

A handwritten signature in black ink, appearing to read "Lyndo Tippet", written over a light gray rectangular background.

Lyndo Tippet

Mr. C. Wick Moorman

Mr. Scott Saylor

Page 2

cc: Governor Michael F. Easley
William H. Kinchloe, Chairman, NCRR
J. Douglas Galyon, Chairman, North Carolina Board of Transportation
Roberto Canales, P.E., Deputy Secretary for Transit, NCDOT
Patrick B. Simmons, Rail Division Director, NCDOT