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June 21, 2013

By Courier

Cynthia T. Brown
Surface Transportation Board
395 E Street, SW
Washington DC 20423

ENTERED
Office of Proceedings

JUN 21 2013

Part of
Public Record



Re: E.I. DuPont de Nemours & Co. v. Norfolk Southern Ry. Co., STB Docket No. NOR 42125

Dear Ms. Brown:

Enclosed for filing in the above-referenced matter is a workpaper requested by Complainant E.I. DuPont de Nemours & Co. ("DuPont") on June 17, 2013, following both parties' filing of Briefs on June 14, 2013. In order to complete the record, Norfolk Southern Railway Company ("NS") is providing the Board with a copy of the correspondence between the parties regarding this matter. NS has enclosed three disks containing the workpaper NS provided to DuPont in response to its request.

Please do not hesitate to contact me with any questions.

Sincerely,

Matthew J. Warren

Enclosure

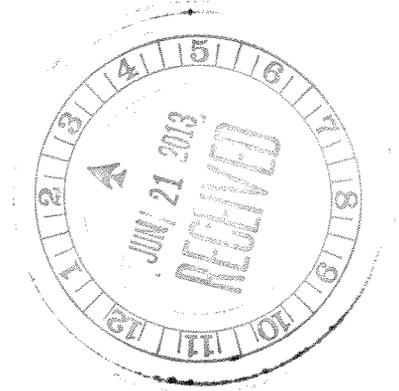


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June 20, 2013

By Email

Jason D. Tutrone
 Thompson Hine LLP
 1919 M Street, N.W.
 Washington, DC 20036

Re: E.I. DuPont de Nemours & Co. v. Norfolk Southern Ry. Co., STB Docket No. 42125 - Request for NS Workpaper

Dear Jason:

This letter responds to your email dated June 17, 2013, in which you requested the workpapers underlying the car classification counts set forth in the “DuPont Base Year Corrected” column of Table 2 at page 25 of NS’s Final Brief.

As NS’s Brief explains, the car classification analysis presented by DuPont on Rebuttal created a field (“RowNum”) that arranged the data for each car in the proper sequence. However, the query actually executed by DuPont (and shown in DuPont Rebuttal workpaper “Plan Block Analysis V11.xlsx”) did not utilize the “RowNum” field, but instead reviewed the data based upon a different field (“ID”) that did not order the data in the proper sequence. NS corrected this error by modifying a single line (Line 23) of the code in DuPont Rebuttal workpaper “Plan Block Analysis V11.xlsx” to base the query on the properly sequenced “Row Num” field. See NS Brief at 24. In generating this workpaper, NS used the same process as DuPont, with the change to one line of code, as NS explained in its Brief at page 24. NS identified the change to the sql code in footnote 36 on that same page. NS followed DuPont’s approach and updated the workpaper to incorporate the results when DuPont’s query is corrected.

Attached to this letter is NS workpaper “Plan Block Analysis V.11 – Fixed.xlsx,” which is a copy of the original DuPont Rebuttal workpaper “Plan Block Analysis V11.xlsx” in which the code is corrected to apply the “RowNum” field. (The SQL tab of NS workpaper “Plan Block Analysis V.11 – Fixed.xlsx” shows the correction to Line 23 of the code.) The car classification counts for each yard based on that correction of DuPont’s Rebuttal workpaper “Plan Block Analysis V11.xlsx” are set forth in the “DuPont Base Year Corrected” column of Table 2.

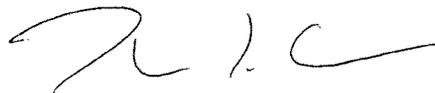
Jason D. Tutrone
June 20, 2013
Page 2

The car classification counts presented by DuPont on Rebuttal included both (i) the cars in column "AH" (Originate/Terminate ATC) of DuPont Rebuttal workpaper "DRR Yard Matrix Rebuttal v8.xlsx", tab DRR YARDS, and (ii) the cars in column "AI" of that workpaper (which are based on the counts developed in DuPont's workpaper "Plan Block Analysis V11.xlsx"). The "corrected" car classification counts in the "DuPont Base Year Corrected" column of Table 2 on page 25 of NS's Final Brief are likewise the sum of the "corrected" numbers for each yard shown on NS workpaper "Plan Block Analysis V11 - Fixed.xlsx" and the number of cars for each yard shown in column "AH" of DuPont Rebuttal workpaper "DRR Yard Matrix Rebuttal v8.xlsx", tab DRR YARDS. For example, NS workpaper "Plan Block Analysis V11 - Fixed.xlsx," Tab "Base Year" shows a count of 1,774 cars per day at Elkhart, IN. Column "AH" of DuPont's "DRR Yard Matrix Rebuttal v8.xlsx" tab DRR YARDS shows an additional 6 Originating/Terminating cars at that location. Adding the 6 Cars from DuPont's workpaper to the "corrected" Base Year car count in NS workpaper "Plan Block Analysis V11 - Fixed.xlsx" produces the total of 1,780 cars per day at Elkhart reflected in the "DuPont Base Year Corrected" column of Table 2 at page 25 of NS's Final Brief.

For your reference, copies of NS workpaper—"Plan Block Analysis V11 - Fixed.xlsx" and DuPont's original Rebuttal workpapers "DRR Yard Matrix Rebuttal v8.xlsx" and "Plan Block Analysis V11.xlsx" are attached to this letter.

Please do not hesitate to contact me with questions.

Sincerely,



Matthew J. Warren

Attachments