

231144

SURFACE TRANSPORTATION BOARD

Docket No. FD 35517

CF INDUSTRIES, INC. v. INDIANA & OHIO RAILWAY, POINT COMFORT AND
NORTHERN RAILWAY, AND THE MICHIGAN SHORE RAILROAD—PETITION
FOR DECLARATORY ORDER

MOTION OF AMERICAN CHEMISTRY COUNCIL, THE CHLORINE INSTITUTE,
INC., THE FERTILIZER INSTITUTE, AND PPG INDUSTRIES, INC. FOR LEAVE
TO FILE A NOTICE OF INTENT TO PARTICIPATE OUT OF TIME

COME NOW Complainants, American Chemistry Council (“ACC”), 700 Second
St., NE, Washington, DC 20002; the Chlorine Institute, Inc. (“CI”), 1300 Wilson Blvd.,
Suite 525, Arlington, VA 22209; The Fertilizer Institute (“FI”), 425 Third Street, S.W.,
Suite 950, Washington, DC 20024; and PPG Industries, Inc. (“PPG”), One PPG Place,
Pittsburgh, PA 15272 and file this Motion for Leave to file of intent to participate in the
above-captioned proceeding out of time. It is not clear whether the above parties, as
parties to Docket NOR 42129 need file the attached Notice but to remove any uncertainty
please accept the Notice out of time.

Respectfully submitted,

/s/ Paul M. Donovan
Paul M. Donovan
LaRoe, Winn, Moerman & Donovan
1250 Connecticut Ave, N.W. Suite 200
Washington, DC 20036
(202) 298-8100

ENTERED
Office of Proceedings
OCT 19 2011
Part of
Public Record

Jeffrey O. Moreno
Thompson Hine LLP
1920 N Street, N.W. Suite 800
Washington, DC 20036
(202) 331-8800