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Admitted in FL & CO

June 28, 2019

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BY E-FILE

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
United States Surface Transportation Board
395 E Street, S.W.
Washington D.C. 20423

ENTERED
Office of Proceedings
June 28, 2019
Part of
Public Record

Re: *Assessment of Mediation and Arbitration Procedures*, Ex Parte No. 699

Dear Ms. Brown:

CSX Transportation, Inc. (CSXT) hereby notifies the Board of its intent to participate in the Board's Arbitration Program under 49 C.F.R. Part 1108. Pursuant to 49 C.F.R. § 1108.3, CSXT consents to the Arbitration Program for demurrage matters up to a monetary award cap of \$200,000.

With respect to conditions, CSXT does not consent to arbitrate disputes that: (1) have commenced with a formal filing prior to the non-CSXT party having opted-in to the STB's arbitration program; (2) are already governed by other agreements or other association memberships, including National Grain and Feed Association (NGFA) arbitration; (3) are brought by entities other than the CSXT business partner that has received CSXT's demurrage bill (e.g., trade associations); or (4) involve multiple complainants or class actions. Finally, CSXT consents to arbitrate demurrage disputes only as to regulated commodities moving under common carrier rates.

Please don't hesitate to contact me with any questions or concerns regarding the above.

Sincerely,



John P. Patelli