

36705
SEC

SERVICE DATE – FEBRUARY 2, 2006

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 34783

THE INDIANA RAIL ROAD COMPANY – ACQUISITION –
SOO LINE RAILROAD COMPANY

Decision No. 3

Decided: February 1, 2006

NOTICE TO THE PARTIES:

The attached service list has been compiled from the notices of intent to participate filed with the Board in accordance with the procedural schedule set forth in this proceeding as described in Decision No. 2, served January 13, 2006, and published the same day in the Federal Register at 71 FR 12694.

Each person actively participating as a Party of Record in this proceeding must, by February 13, 2006, serve a copy of all filings submitted so far in this proceeding on each Party of Record (designated on the attached service list as “Party of Record”) to the extent such filings have not previously been served upon such other parties. Each Party of Record also will be required to file with the Secretary of the Board, by February 13, 2006, an original plus 10 copies of a certificate of service, indicating that the service required by the preceding sentence has been accomplished. Alternatively, a party may file a certificate of service via the Board’s e-filing format.

Any document filed in this proceeding must be filed either via the Board’s e-filing format or in the traditional paper format. Any person e-filing a document should comply with the instructions found on the Board’s website at “www.stb.dot.gov” at the “E-FILING” link. Any person filing a document in the traditional paper format should send to the Board an original and 10 paper copies of the document (and also an IBM-compatible floppy disk with any textual submission in any version of either Microsoft Word or WordPerfect).

Every filing made by a Party of Record after the service date of this Notice must have its own certificate of service indicating that all Parties of Record on the service list have been served with a copy of the filing. As stated in Decision No. 2, Members of the United States Congress and Governors are not Parties of Record and, therefore, need not be served with copies of filings, unless any such Member of Congress or Governor has requested to be, and is designated, as a Party of Record.

The Board will follow the practice regarding service of Board actions in past proceedings. See Paducah & Louisville Railway, Inc. – Acquisition – CSX Transportation, Inc., STB Finance Docket No. 34738 et al., Decision No. 3 (STB served Sept. 21, 2005). Copies of decisions, orders, and notices will be served only on those persons who are designated as Party of Record, Non-Party, Member of Congress, or Governor on the official service list. All other interested persons are encouraged either to secure copies of such decisions, orders, and notices via the Board’s website at “www.stb.dot.gov” under “E-LIBRARY/Decisions & Notices” or to make advance arrangements with the Board’s copy contractor, ASAP Document Solutions (mailing address: Suite 103, 9332 Annapolis Rd., Lanham, MD 20706; e-mail address: asapdc@verizon.net; telephone number: 202-306-4004), to receive copies of decisions, orders, and notices served in this proceeding. ASAP Document Solutions will handle the collection of charges and the mailing and/or faxing of decisions, orders, and notices to persons who request this service.¹

All persons on the attached service list should review the list and determine whether information about their address and status (as a Party of Record or Non-Party), is correct. The list reflects the Board’s policy of allowing only one official representative per party to be placed on the service list, as specified in Press Release No. 97-68 dated August 18, 1997, announcing the implementation of the Board’s “One Party-One Representative” policy for service lists. In this proceeding, if a request was made in the notice of intent to participate to have more than one name added to the service list as a Party of Record representing a particular entity, the extra name was added to the service list as a “Non-Party.” Any person designated as a Non-Party will receive copies of Board decisions, orders, and notices but not copies of official filings. Persons seeking to change their status must accompany that request with a written certification that he or she has complied with the service requirements set forth at 49 CFR 1180.4, and any other requirements set forth in Decision No. 2 and this decision.

¹ An interested person does not need to be on the service list to obtain a copy of the application filed by The Indiana Rail Road Company (INRD) and Soo Line Railroad Company (Soo), or any other filing in this proceeding. The Board’s Railroad Consolidation Procedures provide: “Any document filed with the Board (including applications, pleadings, etc.) shall be promptly furnished to interested persons on request, unless subject to a protective order.” See 49 CFR 1180.4(a)(3). The INRD/Soo application and other filings received in this proceeding will also be available on the Board’s website at “www.stb.dot.gov” under “E-LIBRARY/Filings.” Furthermore, ASAP Document Solutions will provide, for a charge, copies of the primary application or any other filing made in this proceeding, except to the extent any such filing is subject to the protective order previously entered in this proceeding.

Requests to change or correct service list information, or to be deleted from the service list, must be filed **in writing** with the Board by **February 8, 2006**. Parties must submit such requests either via the Board's e-filing format or in the traditional paper format (an original plus 10 copies). Requests submitted in the paper format should be directed to:

Surface Transportation Board
Re: STB Finance Docket No. 34783
1925 K Street, N.W.
Washington, DC 20423-0001

Vernon A. Williams
Secretary

SERVICE LIST

PARTY OF RECORD

Richard A. Allen
Zuckert, Scoutt & Rasenberger, LLP
888 Seventeenth Street, N.W., Suite 700
Washington, DC 20006

Represents: Norfolk Southern Railway Company

PARTY OF RECORD

John Broadley
John H. Broadley & Associates, P.C.
1054 31st Street, N.W., Suite 200
Washington, DC 20007

Represents: The Indiana Rail Road Company

PARTY OF RECORD

Louis E. Gitomer
Ball Janik LLP
1455 F Street, N.W., Suite 225
Washington, DC 20005

Represents: CSX Transportation, Inc.

PARTY OF RECORD

Honorable Alberto R. Gonzales
Attorney General of the United States
c/o Assistant Attorney General, Antitrust
Division, Room 3109
U.S. Department of Justice
Washington, DC 20530

PARTY OF RECORD

Terence M. Hynes
Sidley, Austin, Brown & Wood
1501 K Street, N.W.
Washington, DC 20005

Represents: Soo Line Railroad Company

PARTY OF RECORD

Honorable Norman Y. Mineta
Secretary, U.S. Department of Transportation
400 Seventh Street, S.W.
Washington, DC 20590

PARTY OF RECORD

Mark H. Sidman
Weiner Brodsky Sidman Kider, PC
1300 19th Street, N.W., Fifth Floor
Washington, DC 20036

Represents: Louisville & Indiana Railroad Company

NON-PARTY

Honorable Robert W. Behning
State of Indiana
House of Representatives
State House Room 4-6
Indianapolis, IN 46204

NON-PARTY

Honorable Brian C. Bosma
Speaker, Indiana House of Representatives
Third Floor State House
Indianapolis, IN 46204

NON-PARTY

Honorable Lawrence J. Buell
State of Indiana
House of Representatives
Third Floor State House
Indianapolis, IN 46204

NON-PARTY

Honorable Kevin D. Burke
Mayor, City of Terre Haute
City Hall
17 Harding Avenue
Terre Haute, IN 47807

NON-PARTY

Honorable J. Murray Clark
State of Indiana Senate
State House, 200 West Washington Street
Indianapolis, IN 46204-2785

NON-PARTY

John V. Edwards
Senior General Attorney
Norfolk Southern Corporation
Three Commercial Place
Norfolk, VA 23510

NON-PARTY

Honorable Ralph M. Foley
State of Indiana
House of Representatives
Third Floor State House
Indianapolis, IN 46204

NON-PARTY

Honorable Robert D. Garton
President Pro Tempore
State of Indiana Senate
State House, 200 West Washington Street
Indianapolis, IN 46204-2785

NON-PARTY

Honorable Phillip Hinkle
State of Indiana
House of Representatives
Third Floor State House
Indianapolis, IN 46204

NON-PARTY

Honorable Glenn L. Howard
State of Indiana Senate
1005 W. 36th Street
Indianapolis, IN 46208-4129

NON-PARTY

Honorable Eric Koch
Assistant Majority Whip
State of Indiana, House of Representatives
200 West Washington Street
Indianapolis, IN 46204-2785

NON-PARTY

Peter J. Shultz
CSX Corporation
1331 Pennsylvania Avenue, N.W., Suite 560
Washington, DC 20004

NON-PARTY

Honorable Brent Steele
State of Indiana Senate
200 West Washington Street
Indianapolis, IN 46204-2785

NON-PARTY

Jeffrey L. Taylor
Vice President, Polyethylene
Westlake Chemical Corporation
Westlake Center
2801 Post Oak Boulevard, Suite 600
Houston, TX 77056

NON-PARTY

Honorable R. Michael Young
State of Indiana Senate
3102 Columbine Circle
Indianapolis, IN 46224

MEMBER OF CONGRESS

Honorable Evan Bayh
United States Senate
463 Russell Senate Office Building
Washington, DC 20510-1404

MEMBER OF CONGRESS

Honorable Dan Burton
U.S. House of Representatives
2185 Rayburn House Office Building
Washington, DC 20515-1405

MEMBER OF CONGRESS

Honorable Julia Carson
U.S. House of Representatives
1535 Longworth House Office Building
Washington, DC 20515-1401

MEMBER OF CONGRESS

Honorable John N. Hostettler
U.S. House of Representatives
1214 Longworth House Office Building
Washington, DC 20515-1401

MEMBER OF CONGRESS

Honorable Richard G. Lugar
United States Senate
306 Hart Senate Office Building
Washington, DC 20510-1401

MEMBER OF CONGRESS

Honorable Michael R. Pence
U.S. House of Representatives
426 Cannon House Office Building
Washington, DC 20515-1406

MEMBER OF CONGRESS

Honorable Michael E. Sodrel
U.S. House of Representatives
1508 Longworth House Office Building
Washington, DC 20515-1401

MEMBER OF CONGRESS

Honorable Mark E. Souder
U.S. House of Representatives
2231 Rayburn House Office Building
Washington, DC 20515-1405

GOVERNOR

Honorable Mitchell E. Daniels, Jr.
Governor
State of Indiana
State House, Second Floor
Indianapolis, IN 46204