

33860
SEC

SERVICE DATE - JULY 28, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 34342

KANSAS CITY SOUTHERN
— CONTROL —
THE KANSAS CITY SOUTHERN RAILWAY COMPANY,
GATEWAY EASTERN RAILWAY COMPANY,
AND
THE TEXAS MEXICAN RAILWAY COMPANY

Decision No. 5

Decided: July 25, 2003

The Surface Transportation Board will hold a public hearing on Thursday, July 31, 2003, beginning at 9:00 a.m., rather than 10:00 a.m., in Washington, D.C. The hearing will provide a forum for interested persons to express their views on the matters at issue in this proceeding. The hearing will take place in Room 760, the Board's Hearing Room, on the 7th floor at the Board's headquarters in the Mercury Building, 1925 K Street, N.W., Washington, D.C. By notice served on July 9, 2003, the Board requested that persons seeking to participate in this hearing file a notice of intent to participate, by July 23, 2003, and indicate the time requested to speak.

Instructions for Attendance at Hearing

As with past public hearings, the Board requests that all persons attending the hearing use the Mercury Building's main entrance at 1925 K Street (on the northeast corner of the intersection of 20th and K Streets). There will be no reserved seating. Please plan to arrive early enough to be seated no later than 8:45 a.m. For security reasons, upon entering the 20th Street entrance, all persons should be prepared to produce photo identification (such as a driver's license), pass through a metal detector, and submit to an inspection of all briefcases, handbags, and any other bags. Visitors must be cleared through security in the Board's Suite 100 (on the 1st Floor, at the top of the ramp to the left of the main lobby) prior to being escorted to the hearing room.

Quiet laptops and tape recorders may be brought into the hearing room, but absolutely no provision will be made for the connection of personal computers to Board telephone lines. Cellular telephone use is not permitted in the hearing room, or in the rear anteroom. Cellular phones may only be used outside the hearing room.

The Board's hearing room does comply with the Americans With Disabilities Act, and persons needing such accommodations should contact Beverly Ledbetter in the Board's Section of Facilities Management at (202) 565-1709, by the close of business on Wednesday, July 30, 2003.

Schedule of Appearances

A schedule of speakers' appearances and time allocations is attached as an Appendix to this decision. As the Board will be familiar with the written submissions filed previously, the Board requests that speakers not orally present those submissions verbatim during the hearing but, rather, briefly summarize the submissions, augment their content as seen fit, and be prepared to answer questions from the bench.

This action will not affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. Time for oral presentations is allotted in the Appendix to this decision.
2. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary

APPENDIX

SCHEDULE OF APPEARANCES

	<u>TIME ALLOTTED</u>
<u>APPLICANT'S OPENING SPEAKER</u>	
Kansas City Southern Speaker: Michael R. Haverty	10 minutes
<u>FEDERAL GOVERNMENT PARTY</u>	
U.S. Department of Agriculture Speaker: Bill Hawks	5 minutes
<u>PANEL: CLASS I RAILROADS</u>	
The Burlington Northern and Santa Fe Railway Co. Speaker: Richard E. Weicher	5 minutes
Canadian National Railway Company Speaker: Paul A. Cunningham	5 minutes
Union Pacific Railroad Company Speaker: J. Michael Hemmer	8 minutes
<u>PANEL: TRANSPORTATION COMPANIES</u>	
J. B. Hunt Transport, Inc. Speaker: Paul R. Bergant	10 minutes
Pacer International, Inc. Speaker: John Orrison	10 minutes
Watco Companies, Inc. Speaker: Rick Webb	10 minutes

**TIME
ALLOTTED**

PANEL: PORT & MARINE INDUSTRIAL PARK

Port of Houston Authority Speaker: Richard J. Schiefelbein	5 minutes
Triangle Marine Industrial Park Speaker: Edward P. deZevallos	5 minutes

PANEL: SHIPPER PARTIES

Bartlett and Company Speaker: William J. Fellows	10 minutes
Beachner Grain, Inc. Speaker: Gary A. Beachner	10 minutes
E. I. du Pont de Nemours and Company Speaker: (To be determined)	10 minutes
Martin Product Sales LLC Speaker: Albert S. Foley	10 minutes
Mead Westvaco Corporation Speaker: Chris Osen	10 minutes

RAIL LABOR PARTY

Transportation•Communications International Union Speaker: Christopher Tully	10 minutes
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APPLICANT'S CLOSING SPEAKER

Kansas City Southern Speaker: Gerald K. Davies	10 minutes
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