

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

ENTERED
Office of Proceedings
May 7, 2012
Part of
Public Record

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SUNBELT CHLOR ALKALI PARTNERSHIP)	
	Complainant)	
	v.)	
NORFOLK SOUTHERN RAILWAY COMPANY)	Docket No. NOR 42130
	Respondents.)	
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ERRATA TO FIRST AMENDED COMPLAINT

Complainant, SunBelt Chlor Alkali Partnership (“SunBelt”), hereby submits this Errata to the First Amended Complaint against defendant, Norfolk Southern Railway Company, which SunBelt filed on May 4, 2012. In the last sentence of the opening paragraph of the Complaint, SunBelt inadvertently asked the Board “to determine the reasonableness of the NS and UP rates,” when it should have referred only to the “NS rates.” SunBelt has attached a replacement page 1 to the First Amended Complaint that corrects this mistake.

Respectfully submitted,



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May 7, 2012

ATTACHMENT

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

SUNBELT CHLOR ALKALI PARTNERSHIP)	
)	
Complainant,)	
)	
v.)	Docket No. NOR 42130
)	
NORFOLK SOUTHERN RAILWAY COMPANY)	
)	
Defendant.)	
)	

FIRST AMENDED COMPLAINT

COMES NOW Complainant, SunBelt Chlor Alkali Partnership (“SunBelt”), 1638 Industrial Road, McIntosh, AL 36553, and files this First Amended Complaint against Defendant, Norfolk Southern Railway Company (“NS”), Three Commercial Place, Norfolk, VA 23510. SunBelt brings this Complaint pursuant to 49 U.S.C. §§ 10701, 10704, 10707, 11701 and 11704, and 49 C.F.R. Part 1111. SunBelt requests that the Surface Transportation Board (“STB” or “Board”) prescribe reasonable rates and service terms for the transportation of chlorine by NS from McIntosh, AL to New Orleans, LA. SunBelt asks the Board to award damages, plus interest, to the extent that SunBelt has paid or will pay common carrier rates in excess of a reasonable maximum rate for such transportation, beginning on July 30, 2011. SunBelt asks the Board to determine the reasonableness of the NS rates using the constrained market pricing principles and procedures adopted in *Coal Rate Guidelines—Nationwide*, Ex Parte No. 347 (Sub-No. 1), 1 I.C.C. 2d 520 (1985), as further refined and applied in subsequent decisions issued by the Interstate Commerce Commission and the Board.

In support of this Complaint, SunBelt states as follows:

CERTIFICATE OF SERVICE

I hereby certify that I have caused the foregoing "Errata to First Amended Complaint" to be served by e-mail and first class mail, this 7th day of May 2012, on:

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Jeffrey O. Moreno