

SLOVER & LOFTUS LLP

ATTORNEYS AT LAW

1224 SEVENTEENTH STREET, N.W.
WASHINGTON, D.C. 20036-3003

WILLIAM L. SLOVER
C. MICHAEL LOFTUS
JOHN H. LE SEUR
KELVIN J. DOWD
ROBERT D. ROSENBERG
FRANK J. PERGOLIZZI
ANDREW B. KOLESAR III
PETER A. PFOHL
DANIEL M. JAFFE
KATHERINE F. WARING
BRADFORD J. KELLEY

TELEPHONE:
(202) 347-7170

FAX:
(202) 347-3619

WRITER'S E-MAIL:

kjd@sloverandloftus.com

OF COUNSEL
DONALD G. AVERY
CHRISTOPHER A. MILLS

July 8, 2015

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VIA ELECTRONIC FILING

Ms. Cynthia Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0111

ENTERED
Office of Proceedings
July 8, 2015
Part of
Public Record

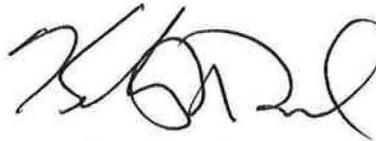
Re: Ex Parte No. 722, Railroad Revenue Adequacy

Dear Ms. Brown:

Attached for filing in the referenced proceeding, please find the Notice of Intent to Participate of The Western Coal Traffic League, Consumers Energy Company and South Mississippi Electric Power Association.

Thank you for your attention to this matter.

Sincerely,



Kelvin J. Dowd

Enclosures

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

RAILROAD REVENUE ADEQUACY

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Ex Parte No. 722

**NOTICE OF INTENT TO PARTICIPATE OF
THE WESTERN COAL TRAFFIC LEAGUE
CONSUMERS ENERGY COMPANY
and
SOUTH MISSISSIPPI ELECTRIC POWER ASSOCIATION**

William L. Slover
Kelvin J. Dowd
Robert D. Rosenberg
SLOVER & LOFTUS LLP
1224 Seventeenth St., N.W.
Washington, D.C. 20036
(202) 347-7170

Attorneys for
The Western Coal Traffic League,
Consumers Energy Company and
South Mississippi Electric Power Association

Dated: July 8, 2015

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

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RAILROAD REVENUE ADEQUACY)	Ex Parte No. 722
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NOTICE OF INTENT TO PARTICIPATE

Pursuant to the Board Notice served on May 8, 2015, The Western Coal Traffic League, Consumers Energy Company and South Mississippi Electric Power Association (collectively, “Allied Shippers”) hereby give notice of their intent to participate in the hearing to be held on July 22-23, 2015 in this proceeding.¹ Allied Shippers request that they be allotted one (1) hour to make their presentation and respond to questions from the Board. Allied Shippers will be represented at the hearing by:

¹ The Board’s May 8 Notice also encompassed the proceeding denominated as Ex Parte No. 664 (Sub-No.2), *Petition of the Western Coal Traffic League to Institute a Rulemaking Proceeding to Abolish the Use of the Multi-Stage Discounted Cash Flow Model In Determining the Railroad Industry’s Cost of Equity Capital*. Allied Shippers as a group are not parties to this proceeding, and this Notice of Intent relates only to the matters at issue in the instant docket. The Western Coal Traffic League is an individual party to *Ex Parte No. 664(Sub-No.2)*, and is submitting a separate notice of intent to participate in that portion of the hearing.

Kelvin J. Dowd
Counsel
Slover & Loftus LLP
Washington, D.C.

Harvey A. Levine, Ph.D.
Levine Consulting Services
Potomac, Maryland

John F. Hennigan, Ph.D.
Microeconomic Consulting & Research Associates
Washington, D.C.

In their presentation, Allied Shippers will summarize their positions and arguments as set out in detail in their Joint Opening Comments (filed September 5, 2014) and Joint Reply Comments (filed November 4, 2014) regarding (1) appropriate modifications to the Board's current rules and methodology for making annual determinations of revenue adequacy for the rail industry as a whole, pursuant to 49 U.S.C. §10704(a)(3); and (2) the proper implementation of the Revenue Adequacy Constraint under the *Coal Rate Guidelines*.² Allied Shippers also plan to respond to certain points raised by other parties to this proceeding in their reply comments,³ and will reply specifically to the five (5) questions related to revenue adequacy posed by the Board in its May 8 Notice (at 2-3).

² *Coal Rate Guidelines, Nationwide*, 1 I.C.C. 2d 520 (1985), *aff'd. sub nom., Consolidated Rail Corp. v. United States*, 812 F. 2d 1444 (3d Cir. 1987).

³ Because the procedural schedule governing this case called for simultaneous filing of opening and reply comments by all parties, Allied Shippers have not had an opportunity to respond to, *e.g.*, various claims asserted by railroads and their trade association in these parties' reply presentations.

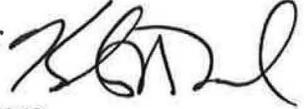
Respectfully submitted,

The Western Coal Traffic League,
Consumers Energy Company and
South Mississippi Electric Power
Association

Of Counsel:

Slover and Loftus LLP
1224 Seventeenth Street, N.W.
Washington, D.C. 20036

Dated: July 8, 2015

By: William L. Slover 
Kelvin J. Dowd
Robert D. Rosenberg
Slover & Loftus LLP
1224 Seventeenth St., N.W.
Washington, D.C. 20036
(202) 347-7170

Attorneys & Practitioners