



Office of the Chairman

Surface Transportation Board
Washington, D.C. 20423-0001

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Mr. Jeffrey O. Moreno
Mr. David E. Benz
Thompson Hine LLP
1919 M Street, N.W., Suite 700
Washington, D.C. 20036-1600

Dear Mr. Moreno,

I am in receipt of your letter dated April 22, 2013, concerning Total Petrochemicals & Refining USA, Inc. v. CSX Transportation, Inc., Docket No. NOR 42121. Your client, Total Petrochemicals & Refining USA, Inc. (TPI), is requesting guidance from the Surface Transportation Board as to when it intends to issue a market dominance decision in the case, as its complaint has been pending before the Board for quite some time.

This letter is to inform you that it is my intention that the market dominance decision will be rendered in this proceeding no later than May 31, 2013. I appreciate the patience of all parties involved. This letter will be posted on the Board's website in Docket No. NOR 42121.

Sincerely,

Daniel R. Elliott III

cc: Vice Chairman Ann D. Begeman
Commissioner Francis P. Mulvey
G. Paul Moates
Paul A. Hemmersbaugh