

LAW OFFICES OF
LOUIS E. GITOMER

LOUIS E. GITOMER
LOU_GITOMER@VERIZON.NET

THE ADAMS BUILDING, SUITE 301
600 BALTIMORE AVENUE
TOWSON, MARYLAND 21204-4022
(202) 466-6532
FAX (410) 332-0885

December 14, 2012

233505
ENTERED
Office of Proceedings
December 14, 2012
Part of
Public Record

Ms. Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D. C. 20423

Re: Docket No. FD 35700, *Chessie Logistics Co. LLC-Acquisition and
Operation Exemption-J. Emil Anderson & Son, Inc.*

Dear Ms. Brown:

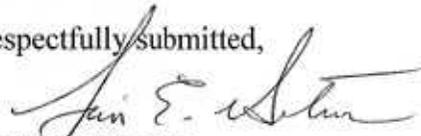
CSX Transportation, Inc. ("CSXT") is concerned that the proposed acquisition and operation of 1.006 miles of track by Chessie Logistics Co. LLC ("CLC") in Melrose Park, Cook County, IL may result in shippers being misled by the name of CLC.

As the Board knows, one of the predecessors of CSXT was known as the Chessie System. The fame of the Chessie brand was such that it continues to be well known in the railroad industry. CSXT is concerned that the use of the name Chessie by CLC could mislead shippers to believe that the company that is providing service to them is CSXT. Such a misrepresentation lead to competitive harm to shippers who elect to use CLC believing it be affiliated with CSXT. In addition, such a misrepresentation by CLC could harm competitors of CLC who lose business because shippers believe that CLC is affiliated with CSXT.

In order to avoid misunderstandings by shippers, CSXT requests that the Board condition the new operations of CLC on a commitment by CLC that it will not represent to shippers or anyone else that it is affiliated in any way with CSXT.

CSXT is efilng this letter. Thank you for your assistance. If you have any questions, please contact me.

Respectfully submitted,



Louis E. Gitomer
Attorney for CSX Transportation, Inc.

Cc: Ariel A. Erbacher