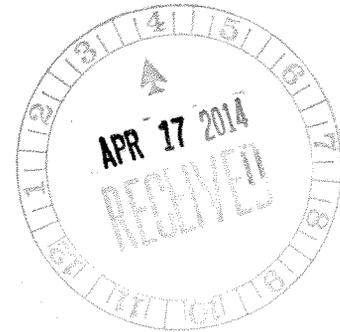


April 17, 2014

*Via hand delivery*

Cynthia T. Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20423-0001

235918  
ENTERED  
Office of Proceedings  
April 17, 2014  
Part of  
Public Record



**Re: STB Docket No. NOR 42121, Total Petrochemicals & Refining USA, Inc. v. CSX Transportation, Inc.**

Dear Ms. Brown:

Enclosed for filing in the above-captioned proceeding please find an original and ten (10) copies of the Errata to Opening Evidence (“Errata”) of Total Petrochemicals & Refining USA, Inc. (“TPI”). This Errata relates to the Opening Evidence on rate reasonableness that TPI filed with the Board on February 18, 2014.

Three (3) compact disks are enclosed as well. These CDs contain electronic workpapers and electronic mail messages referenced in the Errata. These workpapers and e-mail messages are designated **Highly Confidential** pursuant to the Protective Order in effect for this proceeding. There is no Public version of the workpapers or the e-mail messages.

I have enclosed one additional copy of the Errata for stamp and return. Please date-stamp the additional copy for return to my office via messenger.

Please do not hesitate to contact me with any questions.

Sincerely,

David E. Benz  
*counsel for Total Petrochemicals & Refining USA, Inc.*

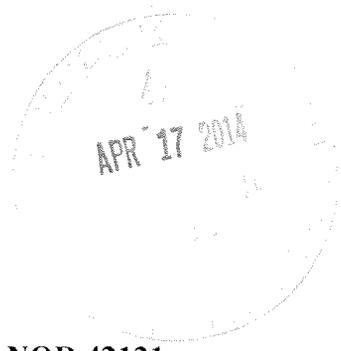
enclosures

cc: counsel for CSX Transportation, Inc.



**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

\_\_\_\_\_) )  
**TOTAL PETROCHEMICALS &** )  
**REFINING USA, INC.** )  
 )  
                                  **Complainant,** )  
 )  
                                  **v.** )  
 )  
**CSX TRANSPORTATION, INC.** )  
 )  
                                  **Defendant.** )  
\_\_\_\_\_) )



**Docket No. NOR 42121**

**ERRATA TO OPENING EVIDENCE**

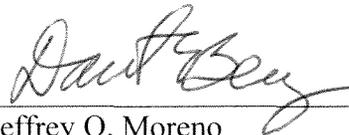
Pursuant to 49 CFR § 1117.1, Complainant Total Petrochemicals & Refining USA, Inc. (“TPI”), hereby files this Errata to Opening Evidence (“Errata”). With this Errata, TPI is providing workpapers to the Surface Transportation Board (“Board”) that previously have been provided to defendant CSX Transportation, Inc. (“CSXT”) in response to CSXT’s workpaper requests over the past several weeks.

On February 18, 2014, TPI filed its Opening Evidence on rate reasonableness with the Board and served the Opening Evidence on CSXT. As part of its Opening Evidence, TPI included numerous workpapers. In the weeks since February 18th, CSXT has requested additional supporting workpapers for various aspects of the Opening Evidence, and TPI has provided such workpapers to CSXT. In order that the Board may have access to all materials provided to CSXT, TPI is now providing copies of these additional workpapers to the Board.

These workpapers are being filed under seal as Highly Confidential materials pursuant to the Protective Order in effect for this proceeding, which is the same treatment afforded the workpapers filed contemporaneously with TPI’s Opening Evidence. The workpapers are being

provided to the Board in electronic format on a compact disc ("CD"). TPI has also included copies of e-mails to show that the workpapers were provided to CSXT promptly after each of CSXT's requests. The e-mails are included on the same CD and are also designated as Highly Confidential due to the narrative descriptions of the workpapers included therein.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "David Benz", is written over a horizontal line.

Jeffrey O. Moreno  
David E. Benz  
Thompson Hine LLP  
1919 N Street, N.W., Suite 700  
Washington, D.C. 20036  
(202) 331-8800

April 17, 2014

**CERTIFICATE OF SERVICE**

I hereby certify that on this 17th day of April 2014, I served a copy of the foregoing upon counsel for defendant CSXT via hand delivery at the address below:

G. Paul Moates  
Paul Hemmersbaugh  
Matthew Warren  
Sidley Austin LLP  
1501 K Street, NW  
Washington, DC 20005

*Counsel for CSX Transportation, Inc.*

  
\_\_\_\_\_  
David E. Benz