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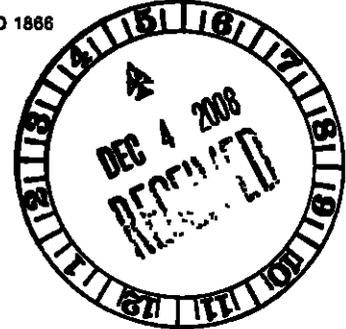
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December 4, 2008



By Hand

Anne K. Quinlan, Esq  
Acting Secretary  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423

Re: E.I. DuPont de Nemours and Company v. CSX Transportation, STB No. 42112

Dear Secretary Quinlan:

Enclosed, for filing in the above-referenced matter, please find the original and ten copies of Defendant CSX Transportation Inc.'s Reply to Complainant E.I. du Pont de Nemours and Company's Motion for Protective Order ("Reply"), and an electronic copy of that Reply. Please stamp the enclosed additional copies to indicate that the Reply has been received and filed, and return the stamped copies with our messenger, for our files. Thank you for your assistance in this matter

If you have questions, please contact the undersigned

Very truly yours,  
  
Paul A. Hemmersbaugh

Enclosures

cc: Nicholas DiMichael

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BEFORE THE  
SURFACE TRANSPORTATION BOARD

E.I. DUPONT DE NEMOURS AND CO )  
 )  
Complainant, )  
 )  
v )  
 )  
CSX TRANSPORTATION, INC )  
 )  
Defendant )

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Docket No. NOR



**CSXT REPLY TO DUPONT'S MOTION FOR PROTECTIVE ORDER**

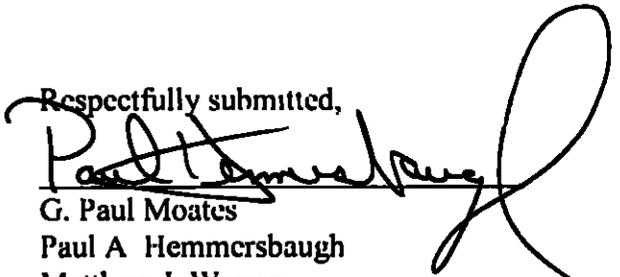
Defendant CSX Transportation, Inc ("CSXT") hereby submits its Reply to Complainant E I du Pont de Nemours and Company's ("DuPont") Motion for Protective Order (Dec. 2, 2008) ("Motion") In order to accommodate DuPont's request for expedited consideration of its Motion, CSXT submits this Reply well in advance of the time required by the Board's rules. With the exceptions noted below, CSXT does not oppose DuPont's Motion

The proposed "Undertakings" for Confidential and Highly Confidential materials that DuPont submitted with its Motion both contain typographical errors. First, each of the undertakings states that the proposed protective order was "served on October 22, 2008," a date prior to the December 2008 filing of the Motion and prior to the filing of this rate case CSXT suggests that erroneous date be replaced with the date on which the Board actually serves a protective order to govern this proceeding. Second, the first sentence of each of the proposed undertakings erroneously refers to this proceeding as Docket No. 42110, when in fact the correct number is STB Docket No 42112. Third, the proposed undertaking for "Confidential Material" includes, in its second sentence, another reference to docket 42110 In each of the foregoing instances, the undertakings should be revised by replacing "STB Docket No 42110" with "STB

Docket No. 42112” Counsel for DuPont has advised counsel for CSXT that DuPont concurs with the changes CSXT proposes in this paragraph

The modifications CSXT proposes above are necessary to avoid confusion and to ensure that the Protective Order accurately reflects the parameters of this case. If the Board makes the necessary changes to the proposed “Undertakings” described in the foregoing paragraph, CSXT will not oppose entry of the protective order proposed by DuPont.

Peter J. Shultz  
Paul R. Hitchcock  
Steven C. Armbrust  
John Patelli  
CSX Transportation Inc.  
500 Water Street  
Jacksonville, FL 32202

Respectfully submitted,  
  
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*Counsel to CSX Transportation, Inc*

Dated. December 4, 2008

**CERTIFICATE OF SERVICE**

I hereby certify that on this 4th day of December, 2008, I caused a copy of the foregoing Reply of CSX Transportation, Inc to E I du Pont de Nemours and Company's Motion for Protective Order, to be served on the following parties by hand or more expeditious method of delivery

Nicholas J DiMichael  
Jeffrey O Moreno  
Jennifer M. Gartlan  
Eric N Heyer  
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Richard Bryan