

February 14, 2003

207242

Via Messenger

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

ENTERED
Office of Proceedings

FEB 19 2003

Part of
Public Record



Attn: STB Ex Parte No. 638

RE: STB Ex Parte No. 638, *Procedures to Expedite Resolution of Rail Rate Challenges to Be Considered Under the Stand-Along Cost Methodology*

Dear Secretary Williams:

Enclosed please find an original and ten (10) copies of the "Notice of Intent to Participate and Response for Written Testimony" of the National Industrial Transportation League ("the League") to be filed in the above-referenced docket.

Also, enclosed is one additional copy of the Notice for stamp and return. Kindly date-stamp the additional copy for return to this office by messenger.

If you have any questions, please do not hesitate to contact me. My office telephone number is (202) 331-8800.

Sincerely,

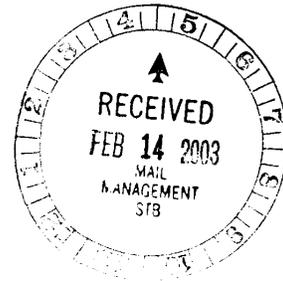
A handwritten signature in cursive script that reads 'Nicholas J. DiMichael'.

Nicholas J. DiMichael

Attorney for:

The National Industrial Transportation League

**BEFORE THE
SURFACE TRANSPORTATION BOARD**



STB Ex Parte No. 638

**PROCEDURES TO EXPEDITE RESOLUTION OF RAIL RATE
CHALLENGES TO BE CONSIDERED UNDER THE STAND-ALONE COST
METHODOLOGY**

**NOTICE OF INTENT TO PARTICIPATE AND
RESPONSE FOR WRITTEN TESTIMONY
OF
THE NATIONAL INDUSTRIAL TRANSPORTATION LEAGUE**

**ENTERED
Office of Proceedings**

FEB 19 2003

**Part of
Public Record**

Nicholas J. DiMichael
THOMPSON HINE LLP
1920 N Street, N.W.
Suite 800
Washington, D.C. 20036
(202) 331-8800

Attorney for:

*The National Industrial
Transportation League*

Dated: February 14, 2003

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Ex Parte No. 638



**PROCEDURES TO EXPEDITE RESOLUTION OF RAIL RATE
CHALLENGES TO BE CONSIDERED UNDER THE STAND-ALONE COST
METHODOLOGY**

**NOTICE OF INTENT TO PARTICIPATE AND
RESPONSE FOR WRITTEN TESTIMONY
OF
THE NATIONAL INDUSTRIAL TRANSPORTATION LEAGUE**

Comes now the National Industrial Transportation League ("NITL" or "the League"), by and through its attorneys and submits this Notice of Intent to Participate in STB Ex Parte No. 638, *Procedures to Expedite Resolution of Rail Rate Challenges to be Considered Under the Stand-Alone Cost Methodology*, pursuant to the decision of the Surface Transportation Board served in this docket on February 6, 2003.

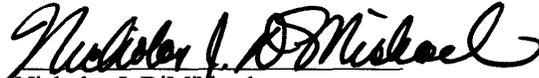
By virtue of this Notice, the League informs the Board of its intent to participate in the February 27, 2003 Public Hearing and requests 15 minutes of speaking time. In addition, the League states that it will, at the Public Hearing, summarize its written comments filed October 11 and October 31, 2002 and therefore rests on those written comments.

**ENTERED
Office of Proceedings
FEB 19 2003
Part of
Public Record**

Respectfully submitted,

The National Industrial Transportation League

By its Attorney,

A handwritten signature in black ink, appearing to read "Nicholas J. DiMichael". The signature is written in a cursive style with a large, stylized initial "N".

Nicholas J. DiMichael
THOMPSON HINE LLP
1920 N Street, N.W.
Suite 800
Washington, D.C. 20036
(202) 331-8800

February 14, 2003

CERTIFICATE OF SERVICE

I hereby certify that I have served on this 14th day of February, 2003, a copy of the Notice of Intent to Participate and Response for Written Testimony of the National Industrial Transportation League by first-class mail on the parties listed below:

Samuel M. Sipe, Jr.
Steptoe & Johnson LLP
1330 Connecticut Ave., N.W.
Washington D.C. 20036

Thomas C. Canter
Executive Director
The National Coal Transportation Association
4 Meadow Lark Lane, Suite 100
Littleton, Colorado 801127-5718

Michael F. McBride
LeBoeuf, Lamb, Greene & MacRae, LLP
1875 Connecticut Ave., N.W.
Suite 1200
Washington, D.C. 20009-5728

Kelvin J. Dowd
Slover & Loftus
1224 17th Street N.W.
Washington, D.C. 20036-3003

Dennis J. Starks
Association of American Railroads
50 F Street N.W.
Washington, D.C. 20001

Ray Hickman
OptionsNet
10435 S. Sandusky Ave.
Tulsa, Oklahoma 74137

Jon H. Mielke
Executive Secretary
Public Service Commission
State of North Dakota
600 E. Boulevard Ave., Dept. 408
Bismarck, ND 58505-0480

Rosalind A. Knapp
Deputy General Counsel
United States Department of Transportation
400 Seventh St., S.W.
Washington, D.C. 20590

Steven D. Strege
Executive Vice President
North Dakota Grain Dealers Association
118 Broadway, 606 Black Building
Fargo, ND 58102

Gordon P. MacDougall
1025 Connecticut Ave., N.W.
Washington, D.C. 20036



Aimee L. DePew