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May 8, 2008

JOHN H. BROADLEY

Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street NW
Washington, D.C. 20423

Re: Finance Docket 35137, The Indiana Rail Road Company -- Trackage Rights -- CSX Transportation, Inc.

Dear Ms. Quinlan:

This letter is to clarify a possible ambiguity in the trackage rights exemption notice filed in this matter. The trackage rights agreement permits The Indiana Rail Road Company (INRD) to move coal trains and empty hopper trains over CSXT's line between Carlisle and Sullivan, Indiana. The trackage rights are limited to trains carrying coal originating at the Sunrise Mine at Carlisle, located on CSXT's line, and destined to two electric power plants located on INRD's line at Indianapolis, IN and Merrom, IN.

Because these trackage rights permit INRD to serve a mine located on CSXT's line under certain limited conditions, in our notice of exemption and the attached Caption Summary for the Federal Register we characterized them as "limited local trackage rights." We believe such a characterization is a correct description of the trackage rights granted by the trackage rights agreement.

The description of the trackage rights in Section 3A of the trackage rights agreement clearly indicates that INRD is granted the right to operate its coal trains between the Sunrise Coal Company load out at Carlisle, located on CSXT's line, and the connection with INRD's line at Sullivan, IN, for service to the IP&L plant at Indianapolis and the Hoosier Energy plant at Merrom, IN. The reference to "overhead service between the load out facility of Sunrise Coal Company or its successors or assigns at Carlisle, and INRD's line of railroad running east to west through Sullivan" makes clear that INRD does not have the right to use the trackage rights to serve any other industry or facility between Carlisle and Sullivan. This is the basis for the "limited" local trackage rights. They are limited to serving Sunrise Coal Company located on CSXT's line.

Honorable Anne K. Quinlan
May 8, 2008
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I hope this clarifies the intent of the Notice of Exemption and the Caption Summary.

Yours very truly,

A handwritten signature in black ink that reads "John Broadley". The signature is written in a cursive style with a large, sweeping initial "J".

John Broadley

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of May 2008 I served a copy of the foregoing Letter Regarding Verified Notice of Exemption by causing copies thereof to be deposited in the United States mail, postage prepaid, addressed to the following:

**Steven C. Armbrust, Esq.
Counsel
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
(904) 359-1229**

**Indiana Department of Transportation
Rail Section
100 North Senate Avenue
Room N955
Indianapolis, IN 46204
Attention: Michael Riley, Railroad Section Manager**

**Secretary of Transportation
Office of Chief Counsel
Federal Railroad Administration
Docket Clerk
1120 Vermont Avenue NW
Washington, D.C. 20005**

**U.S. Department of Justice
Attorney General
Room B-103
950 Pennsylvania Avenue NW
Washington D.C. 20530-0001**

**Federal Trade Commission
Premerger Notification Office
600 Pennsylvania Avenue NW
Room 303
Washington, D.C. 20580**

**Governor Mitch Daniels
Office of the Governor
200 West Washington Street
Room 206
Indianapolis, IN 46204**

John Bradley

Dated: May 8, 2008