STB FD 33388 5-20-99 C 30182

30182
EB

SERVICE DATE - MAY 20, 1999

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 33388

CSX CORPORATION AND CSX TRANSPORTATION, INC.,
NORFOLK SOUTHERN CORPORATION AND
NORFOLK SOUTHERN RAILWAY COMPANY
— CONTROL AND OPERATING LEASES/AGREEMENTS —
CONRAIL INC. AND CONSOLIDATED RAIL CORPORATION

STB Finance Docket No. 33388 (Sub-No. 69)

RESPONSIVE APPLICATION — STATE OF NEW YORK, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, AND THE NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION

Decision No. 123

Decided: May 18, 1999

This decision addresses petitions for reconsideration of Decision No. 109, served December 18, 1998, in which we set initial compensation for the trackage rights imposed at the request of the State of New York and the New York Department of Transportation (NYDOT) and the New York City Economic Development Corporation (NYCEDC) (collectively, New York parties) in Decision No. 89, served July 23, 1998.[1] Petitions for reconsideration were filed on January 7, 1999, by CSX[2]

---

[1] As pertinent here, in Decision No. 89, slip op. at 177 (Ordering Paragraph No. 28), we stated:

> CSX must attempt to negotiate, with CP, an agreement pursuant to which CSX will grant CP either haulage rights unrestricted as to commodity and geographic scope, or trackage rights unrestricted as to commodity and geographic scope, over the east-of-the-Hudson Conrail line that runs between Selkirk (near Albany) and Fresh Pond (in Queens), under terms agreeable to CSX and CP, taking into account the investment that needs to continue to be made to the line.

[2] In Decision No. 89, we approved, subject to conditions, the application by CSX Corporation and CSX Transportation, Inc. (collectively CSX) and Norfolk Southern Corporation and Norfolk Southern Railway Company (collectively NS) under 49 U.S.C. 11321-26 for: (1) the acquisition of control of Conrail Inc., and Consolidated Rail Corporation (collectively Conrail); and (2) the division of Conrail's assets by and between CSX and NS.

and by Canadian Pacific Railway Company (CP).[3] Replies were filed on January 27, 1999 by CP and CSX, and by NYCEDC and NYDOT. On February 5, 1999, CSX filed a motion to supplement the record, to which CP replied on February 12, 1999. On February 8, the National Railroad Passenger Corporation (Amtrak) filed a motion for leave to file a verified statement, to which that statement was attached. CSX replied on February 16, 1999.

## INTRODUCTION

In Decision No. 109, we established an initial trackage rights fee of $0.71 per car-mile for CP's use of CSX's line between Albany and Fresh Pond, NY, and an initial $250 per car switching fee for CSX's switching service in the New York City area. Both CP and CSX have filed petitions for reconsideration in which they have submitted new evidence supporting revised fees. CP has also sought clarification or expansion of the rights we previously granted. On reconsideration we are reducing those initial fees to a trackage rights fee of $0.52 per car-mile and a switching fee of $128.10 per car,[4] but are denying other relief in terms of clarification or expanded rights that CP has sought. These fees should permit CP to compete effectively with CSX for traffic moving to and from the Bronx and Queens.

**THE TRACKAGE RIGHTS FEE.** In our prior decision, we determined that any compensation determined in this proceeding must put the tenant in the same competitive position as the owning carrier, and that the capitalized earnings (CE) method established in SSW Compensation[5] is appropriate for that purpose here.

---

[3] CP includes Canadian Pacific Railway Company, Delaware and Hudson Railway Company, Inc., Soo Line Railroad Company, and St. Lawrence & Hudson Railway Company Limited.

[4] These initial fees are subject to a retroactive readjustment ("true-up"). The switching fee will be revised if studies of CSX's actual switching costs yield higher or lower cost numbers. Unless the parties agree otherwise, the trackage rights fee would also be revised to reflect such things as the actual cost of capital ultimately determined for the year in which the traffic moves, any changes in maintenance of way expense incurred by CSX on the line, or any new investment CSX makes to the line. Moreover, the actual trackage rights fee per car-mile depends upon the actual number of car-miles that are moved during the year. The fee we have calculated merely allocates all relevant costs over the number of car-miles that we estimate, based on this record, that the line will carry. (Thus, the more successful CP and CSX are in diverting truck traffic to the line, the lower the per car-mile fee will be.)

[5] See St. Louis S.W. Ry. Compensation — Trackage Rights, 1 I.C.C.2d 776, 786 (1984) (SSW Compensation I); 4 I.C.C.2d 668 (1988) (SSW Compensation II); 5 I.C.C.2d 525 (1989); 8 I.C.C.2d 80 (1991); 8 I.C.C.2d 213 (1991); and Decision No. 109, at 9, n.17.

Trackage rights fees developed using the SSW Compensation method contain a pro-rata share of all the landlord's "below the wheel" operating and maintenance costs[6] as well as a pro-rata share of a rate of return element (referred to as "interest rental").

CP and CSX have now calculated widely divergent initial trackage right fees of $0.34[7] and $2.70[8] per car-mile, respectively, both using the SSW Compensation method. Based on our restatement of the parties' evidence, we find that the initial trackage rights fee should be revised to $0.52 per car-mile. Our evaluation of the parties' evidence is discussed below and our restatement is shown in Table 3.

**A. Below-the-Wheel Cost Component.** In Decision No. 109, we accepted CP's calculation of $0.13 per car-mile for below-the-wheel costs based on Conrail's 1995 URCS system average data.[9] In its current petition, CSX provides evidence and argument in support of a cost of $0.196. CSX argues that CP's $0.13 per car-mile number understates the below-the-wheel cost for Conrail's east-of-the-Hudson line segment because CP failed to include the total cost for all cost items. We agree with CSX that CP understates below-the-wheel cost by failing to include certain below-the-wheel cost items that URCS treats as 100% constant[10] and by using the URCS' Constant Cost Markup Ratio (Ratio) to bring variable cost to the full cost level.

According to CSX, use of the Ratio works well when all URCS cost categories are under consideration, but understates the total or fully allocated costs when only certain cost items, such as "below-the-wheel" costs, are involved. For example, the URCS variability percentage assigned to "Dispatching Trains," "Operating Signals," "Operating Drawbridges," and "Highway Crossings" costs is zero (or 100% constant). Thus, even though each of these is a component of "below-the-wheel" costs, when fully allocated costs are derived from variable costs using the Ratio approach, no costs for any of these activities are included. Further, when the Ratio is applied to below-the-wheel cost items, an incorrect total cost can result. This is because the Ratio is a composite of all

---

[6] "Below the wheel" costs are those operating expenses and maintenance costs incurred by the landlord (CSX) to permit the tenant (CP) to conduct its operations over the specific line segment at issue.

[7] In its January 7, 1999 statement, CP calculated the trackage rights fee at $0.36 per car-mile. In its January 27, 1999, statement, however, CP advocated a fee of $0.34 per car-mile. CP indicates that it is willing to pay $0.36 per car-mile despite its development of the lower cost.

[8] Although CSX calculates the fee at $2.70, it states that it is willing to accept $1.21 per car-mile.

[9] CP's below-the-wheel cost calculation was the only evidence of record.

[10] CP failed to include any costs associated with dispatching trains, operating signals, operating drawbridges, and highway crossings.

railroad activities and may overstate or understate fully allocated costs for any individual or selected group of activities.

CSX uses the URCS Flow-Through Option, which computes all costs under the assumption that they are 100% variable. This method directly calculates total costs for each cost component without using the Ratio. The Flow-Through Option corrects for the fact that the variability percentages of many of the "below-the-wheel" cost components are less than the reciprocal of the Ratio. We conclude that this approach is the most accurate method available for calculating full costs for the selected group of activities (below-the-wheel costs) at issue.

Although we accept CSX's method of developing below-the-wheel costs, we have restated its estimate to $0.193 per car-mile.[11] The below-the-wheel cost is $0.202 per car-mile when indexed to the 1998 level.

**B. Interest Rental Component.** The interest rental component, which compensates the owner for the cost of capital in its investment, is developed by applying the railroad industry's cost of capital to the value of the line, and then spreading this fixed sum evenly over each car-mile the line is expected to carry. The most significant dispute in this record focuses on the parties' calculations of the value of the line.

Under the capitalized earnings (CE) approach — which is our preferred method in SSW Compensation cases,[12] and which we are using here — the value of the line's road property is determined by first computing how much CSX has paid for Conrail's road property to obtain one dollar of Conrail's (pre-tax) earnings, and then applying this as a multiplier to the pre-tax earnings that are projected to be generated by operations over the line at issue for the year in which it was purchased. Thus, to obtain a valuation for the line, we divide the market value of (i.e., what CSX has paid for) Conrail's road property by Conrail's pre-tax earnings, and apply the resulting ratio — the "earnings multiplier" — to the net revenues (i.e., pre-tax earnings) applicable to the east-of-the Hudson line for 1997.

The total interest rental for the line is then computed by taking the value of the line and multiplying it by the most recent railroad industry cost of capital. In the final step in this process,

---

[11] We restated CSX's cost of $0.196 to $0.193 to correct for what appears to be an inadvertent error. CSX incorrectly used a gross-ton-mile operating cost of $290,993,000, but Conrail's 1995 URCS gross-ton-mile costs are $282,995,000.

[12] The CE approach is our preferred method for developing the rental component in trackage rights compensation cases because, among other things, it values the property as a going concern for railroad use, i.e., the use to which the property would actually be put. See Atchison, T. & S.F. Ry Co -- Operating Agreement, 8 I.C.C.2d 297, 304 (1992).

the initial per car-mile interest rental is derived by dividing the total interest rental by the total car-miles projected for the east-of-the-Hudson line.

Although both the parties have applied the SSW Compensation method, there is a significant divergence in their calculations of (1) the market value of Conrail's road property and Conrail's pre-tax earnings (both of which are used in developing the earnings multiplier) and (2) the net revenues applicable to the east-of-the-Hudson line (to which the earnings multiplier is applied).

**1. Market Value of Conrail's Road Property.** In developing the market value of Conrail's road property, the parties have first estimated Conrail's total market value, then have calculated the ratio of road property to total market value.

*a. Conrail Total Market Value.* CP computes Conrail's fair market value to be $12.076 billion ($9.9 billion paid for Conrail stock plus $2.176 billion of Conrail long-term debt and capitalized leases as of December 31, 1996).[13] CSX uses the fair market value for Conrail developed by Price Waterhouse, which yields a somewhat higher confidential number. The difference between the parties' estimates seems to be attributable to assets funded by deferred income taxes. Citing the Railroad Accounting Principles Board (RAPB) Final Report, CP contends that the deferred income taxes should not be considered.[14] CP notes that the Board does not consider deferred taxes in its computation of the railroads' cost of capital rate and also subtracts accumulated deferred taxes from the railroads' investment base before computing return on investment (ROI).

Upon reconsideration, we agree with CP that the market value of Conrail should be limited to the value of its stock and assumed debt, so that assets funded by deferred taxes are not included. This is the procedure adopted in SSW Compensation I. And, as noted by CP, we also subtract the

---

[13] CP cites SSW Compensation I, 1 I.C.C.2d at 787. There the Interstate Commerce Commission (ICC) stated that the "purchase price of the company's assets . . . would be the stock purchase price (equity) plus all outstanding debt on the date the company's stock was purchased." To determine Conrail's debt, CP uses Conrail's December 31, 1996 SEC Form 10-K report, the last such report that it filed. While this may not be the "final" value of Conrail debt assumed by NS and CSX, there is no evidence in the record to indicate a later value.

[14] In its September 1, 1987 report, on page 43, RAPB concluded that deferred taxes have a zero economic cost to the railroad.

value of accumulated deferred taxes when we develop our net railroad investment base used in computing ROI.[15]

Further, we have adjusted Conrail's market value to reflect the fact that we are considering only that portion of Conrail's assets purchased by CSX.[16] We restated the fair market value of that portion of Conrail acquired by CSX to reflect CSX's purchase of 19.9% of Conrail shares at $110 per share, and the balance (22.1%) at $115 per share. The restated value is $5.1139 billion as shown in Table 1 below.

[15] Accumulated deferred taxes represent a zero-cost source of capital. To consider this zero-cost element properly, either the cost of capital rate must be adjusted to take into account the zero-cost of deferred taxes or the net investment base must exclude the value of assets associated with deferred taxes. Because we develop the cost of capital rate based on the cost of equity and debt only, and do not consider the zero-cost of deferred taxes, we necessarily subtract accumulated deferred taxes from the investment base in order to compute ROI properly.

[16] CSX and NS divided Conrail on a 42%/58% basis. Only 42% of the market value of Conrail can be attributed to CSX.

TABLE 1

Fair Market Value of CSX's Acquisition of 42% of Conrail (In Millions)

| | |
|---|---|
| 19.9% Conrail Shares @$110 | $2,000.0 |
| 22.1% Conrail Shares @$115 | 2,200.0 |
| 42% of Conrail Long-term Debt 12/31/96 | 707.7 |
| 42% of Conrail Capitalized Leases 12/31/96 | 206.2 |
| Fair Market Value of CSX's Portion of Conrail | $5,113.9 |

*b. Conrail's Road Property Value as a Percentage of its Total Market Value.* The total market value of Conrail consists of road property, equipment, non-rail assets, and construction work in progress. Because only road property is being rented to CP, the value of Conrail's road property as a percentage of its overall market value must be computed.[17] CP uses the relative percentage of net (after depreciation) book value of road property as reported in Conrail's 1995 Annual Report Form R-1 to develop a market value of road property. CP argues that CSX's (Price Waterhouse) valuation of road property at replacement cost and of equipment at market value overstates the relative value of road property. CSX adopts our computation of the ratio of road property to total property from Decision No. 109.[18]

We continue to believe that the percentage relationship between road property and total property developed by Price Waterhouse is a more appropriate basis for determinating relative value of road property and other property than is the pre-acquisition book value relationship. Conrail's book value of these road property assets reflects significant write-downs that occurred when the various predecessor railroads were first conveyed to Conrail in 1976, and these write-downs do not accurately reflect today's relative market values. The Price Waterhouse valuations more accurately reflect the current market values of Conrail property.[19]

---

[17] See SSW Compensation II, 4 I.C.C.2d at 674.

[18] This was based on the Price Waterhouse determination of asset valuation after the acquisition, taking into account write-ups in the value of road property.

[19] While we are accepting the Price Waterhouse numbers, we note that they represent preliminary estimates and are subject to change after Conrail's assets are actually divided between CSX and NS and incorporated into those systems on Day One, now predicted to take place on June 1, 1999. Should there be differences between the final asset valuations and those included in the earlier submission that would significantly change the road property/total property ratio, we would be open to reconsideration of the calculation of the earnings multiplier to reflect those changes.

Dividing Conrail's road property valuation by its total value establishes that, overall, road property is 88.49% of total Conrail market value. Applying this percentage to the $5.1139 billion that we have determined to be CSX's share of Conrail's total market value results in a fair market value of road property for CSX's portion of Conrail of $4.5251 billion.

**2. Conrail's Pre-tax Earnings.** In our prior decision, we restated CP's evidence of Conrail's pre-tax earnings. CP had overstated the benefits projected to be realized by including various public benefits that would not flow back to NS and CSX. CP had also used benefits projected for a "normal" year, although such benefits would not be realized until after the third year following consummation.

CP has now excluded from its computations the public benefits not flowing back to the carriers. Although CSX continues to argue that inclusion of merger benefits is not appropriate or in accordance with ICC and Board procedures developed in SSW Compensation, it has developed its own calculations of additional, annuitized, merger-related earnings, making various adjustments to CP's method. Both parties have now annuitized additional merger-related earnings, to account for these earnings over a series of years, rather than just the "normal year."[20] Each of the parties added the annuitized earnings to Conrail's 1995 earnings. As discussed below, however, the parties' pre-tax earnings estimates are substantially different because they used different figures for Conrail's 1995 earnings and for its additional projected annuitized earnings.

*a. Conrail's 1995 Earnings.* The parties' determinations of Conrail's 1995 earnings (before including any annuitized additive for merger-related earnings) are substantially different because CSX used unadjusted earnings from Conrail's Annual Report. Those earnings reflected a $283.4 million one-time special charge that Conrail took in 1995. CP restated those earnings by excluding the special charge.

We accept CP's 1995 earnings estimate resulting from its treatment of this special charge. Special charges represent material transactions that distort operating results for a given year. The SSW Compensation procedure is based on expected earnings flows associated with the railroad being acquired, and one-time charges result in an understatement of such earnings because they are a departure from normal expectations.

*b. Projected Annuitized Transaction-Related Earnings.* Although in Decision No. 109 we rejected CP's initial attempt to increase Conrail's 1995 pre-tax earnings to include projected earnings resulting from the acquisition, we now have a more complete record that permits us to appropriately account for those earnings. An important consideration in our approval of the Conrail acquisition was the fact that substantial financial benefits would accrue to NS and CSX from the transaction. Those benefits justified payment of a significantly higher amount for Conrail stock than

---

[20] CSX did not present any estimate of pre-tax earnings in pre-Decision No. 109 evidence.

would otherwise have been the case. The SSW Compensation procedure is not a static or fixed method,[21] and the specific circumstances here justify a modification of that method to include additional earnings to be realized by CSX from the acquisition of the Conrail lines.

If such an adjustment is to be made, the parties do not agree on whether the "Summary of Benefits" or pro forma income statement data should be used,[22] and whether all or only a portion of the benefits should be included. CP uses "Summary of Benefits" data to estimate the annual incremental increase in earnings resulting from the Conrail acquisition. CSX argues that the pro forma income statement data is more appropriate because the Summary of Benefits statements do not consider additional depreciation and amortization expenses resulting from the revaluation of Conrail's assets. CSX states that use of the Summary of Benefits data overstates the additional net revenues expected to result from the acquisition.

We agree with CSX that CP's approach overstates the additional net revenues expected to result from the acquisition by failing to consider depreciation and amortization.[23] We have thus used the adjusted figures shown in the pro forma income statements as representative of the actual net revenue increases expected to result from the Conrail acquisition.[24]

We also agree with CSX's argument that only a portion of its increased earnings expected to result from the Conrail acquisition should be attributed to the Conrail lines CSX is acquiring, and that the remaining portion should be attributed to CSX's previously existing lines. CSX is correct that new earnings will be spread throughout its entire system, not just on the former Conrail lines it acquired. Thus, allocating all these earnings to the Conrail lines would be improper.[25] While the actual allocation ratio between Conrail and CSX lines is uncertain at this time, CSX's 50-50

---

[21] In four major decisions, the ICC continued to refine the SSW Compensation methodology.

[22] Both the Summary of Benefits and pro forma income statement data are found in CSX/NS-18, in Appendix A (benefits) and Appendix C (pro forma statements).

[23] Depreciation and amortization are legitimate expense elements that should be considered when calculating net revenues from operations.

[24] We are using the operating income figures from the adjustment columns found in CSX/NS-18 Appendix D at 7-11. As is the case for our other inputs, we are limiting the adjustments to the CSX portion only.

[25] Moreover, CP's method yields the anomalous result that the more Conrail's lines are worth, the less this particular Conrail line is worth.

allocation is more realistic than CP's allocation of 100% of these projected earnings to the Conrail lines. [26]

As shown in Table 2 below, our restatement results in annual projected pre-tax earnings of $504.584 million for CSX's share of Conrail.

TABLE 2

| | |
|---|---|
| Conrail Earnings Per 1995 R-1 (In Millions) | $571.781 |
| One Time Special Charges | +283.412 |
| Total Normalized Pre-Acquisition Earnings | 855.193 |
| | X 1.0461 |
| Total Indexed Normalized Pre-Acquisition Earnings | 893.343 |
| | X .42 |
| CSX's Share | 375.204 |
| Annuitized Merger-related earnings - CSX/Conrail (50/50 split) | +129.380 |
| Total Normalized Post-Acquisition Earnings - CSX/Conrail | $504.584 |

**3. Computing the Earnings Multiplier.** The earnings multiplier is calculated by dividing the market value of the road property of the railroad by the expected earnings. In this case, dividing Conrail's road property market value of $4.5251 billion by its expected pre-tax earnings of $504.584 million produces an earnings multiplier of 8.97.

**4. East-Of-The-Hudson Segment Net Earnings.** The net earnings of the east-of-the-Hudson line segment are obtained by subtracting the line's transportation costs from the line's total revenues. The parties are now in agreement regarding the east-of-the-Hudson gross revenues[27] and line segment mileage, and both use our Uniform Railroad Costing System (URCS) Waybill Costing procedure to develop the cost associated with traffic moving over the line segment.

---

[26] Both CP and CSX use a 20-year annuity. The first 3 years are from the tables contained in CSX/NS-18. Years 4 through 20 are based on the so-called "normal" year, also contained in those tables. Neither CP nor CSX makes any adjustment for inflation, instead using the same normal year number for each year after Year 3. Therefore, we restated the parties' annuity procedure to account for inflation in Years 5 through 20. We used the average annual GDP Deflator for 1995 through 1997, 2.2305%.

[27] In their initial petitions for reconsideration, the parties did not agree on this number, but they ultimately did agree on $4,463,224.

CSX argues, however, that CP has inappropriately included a cost per car associated with inter/intra train switching at Albany.[28] CSX states that Conrail does not switch cars moving from or to the New York City area at Albany. The parties agree there is little traffic moving from or to the east-of-the-Hudson line segment. Because it is unlikely that Conrail handles, or that CSX will handle, sufficient trainload traffic destined from or to the New York City area to avoid switching at Albany, CP's adjustment is appropriate. Therefore, we accept CP's development of net 1995 earnings for the line segment, $340,420. Using this figure, we have applied the GDP deflator for 1995-1997 to derive 1997 adjusted east-of-the-Hudson line segment pre-tax earnings of $355,606.

**5. Computing the Interest Rental Component.** The remaining steps in computing the interest rental component of the trackage rights fee for Conrail's east-of-the-Hudson line segment are set out on lines 4-9 of Table 3. Applying the earnings multiplier (8.97) to the adjusted 1997 pre-tax earnings of the east-of-the-Hudson line ($355,606) yields a market value for the line — under the capitalized earnings approach — of $3,189,787. Applying the railroad industry's 1998 pre-tax cost of capital (15.6%) to the line segment's value yields a total allowable pre-tax return on capital for that line segment of $497,607. Finally, dividing this figure by the projected total car-miles (1,567,112) for that line segment yields an interest rental component of $0.318 per car-mile.

[28] CSX refers to this switch as an interchange.

TABLE 3
Trackage Rights Fee

| | | | |
|---|---|---|---|
| 1 | Line Segment Earnings - 1995 | $340,420 | CP's calculation - Exhibits JJP-2.4 and JJP-2.5, 1/27/99 |
| 2 | Plus Inflation Factor for 1996 and 1997 (4.461%) | 15,186 | STB Decision No. 109 - GDP Deflator factor for 1995 through 1997 |
| 3 | Equals Adjusted Line Segment Earnings - 1997 | 355,606 | Line 1 plus Line 2 |
| 4 | Times Earnings Multiplier | 8.97 | Developed in discussion above |
| 5 | Equals Value of Line Segment for Trackage Rights | 3,189,787 | Line 3 times Line 4. This line segment valuation is only for the traffic for which CP can compete. |
| 6 | Times 1998 Pre-Tax Cost of Capital | 15.6% | Developed by the Board - Based on after-tax rate of 10.7% as determined in Ex Parte No. 558 (Sub-No. 2), Served May 17, 1999 |
| 7 | Equals Allowable Pre-Tax Return on Line Segment | 497,607 | Line 5 times Line 6 |
| 8 | Car-Miles on Line Segment | 1,567,112 | CP's Exhibit JJP-2.7, 1/27/99; Whitehurst's Exhibit WWW-34 at 6, 12. |
| 9 | Interest Rental Per Car-Mile | $0.318 | Line 7 divided by Line 8 |
| 10 | Operating & MOW Cost | $0.202 | Restated CSX's Exhibit WWW-11, 1/7/99. |
| 11 | Total Trackage Rights Fee | $0.520 | Line 9 + Line 10 |

**PERIODIC UPDATES.** In Decision No. 109, we recognized that the trackage rights fee established there was merely a starting point and it would be necessary for the parties to perform periodic updates. We did not set a specific time period, although this was requested by the parties. The parties have again asked us to establish a schedule for reevaluating the fee.

CP would initially reevaluate the fee after 6 months from the service start-up date, and annually thereafter. CSX proposes an initial "true-up" after 1 year from the "split date" and every 3 years thereafter. We believe at least 1 year is required from the service start-up date for the parties to develop sufficient data for an initial update of the fee. Beyond that initial update, we believe CSX's proposed 3 year update schedule appears reasonable. Only if there is a substantial change in the relationship between the parties relative to the cost and use of the line may either party request updates on a more frequent basis.

**SWITCHING FEE.** In Decision No. 109, we accepted CP's offer to pay CSX $250 per car for switching service in the Bronx and Queens, provided that these payments are adjusted retroactively when actual costs of that service are ultimately determined. CP now proposes an initial switching charge of $128.10 per car based on 150% of Conrail's 1995 URCS system average switching cost per car of $85.40. CP argues that this will minimize any "true-up" adjustments that will be necessary once actual costs are determined. Implicit in CP's argument is that the actual cost will turn out to be closer to $128 per car than to $250 per car.

CSX has not suggested a specific switching fee, nor has it specifically attacked the $128 initial fee that CP advocates. It merely notes that the Bronx and Queens are "notoriously an area of high costs where extensive switching activities will take place." We agree with CSX that actual switching costs in the Bronx and Queens would probably be higher than system average cost for that service. In Decision No. 109, we authorized either party to conduct a special switching study to determine the actual costs of switching in the area. Because switching in the Bronx and Queens may be higher than system average costs, we continue to believe a switching study is required. Until such a special switching study is completed, however, we will accept CP's proposed $128.10 per car fee. We think that the actual cost of switching is likely to be closer to $128 than to $250. Given the fact that CSX has not objected to $128, we think that this is a reasonable starting point.

**CP COMPETITIVENESS.** CP claims it will be unable to compete effectively with CSX for the movement of east-of-the-Hudson traffic if it has to pay CSX a trackage rights fee of $2.70, $1.211, or $0.71 per car-mile.[29] Indeed, CP goes so far as to say that it will not exercise any east-of-the-Hudson trackage rights if we set the trackage rights fee above the $0.71 level.[30] CP claims that a fee higher than $0.36 will make it difficult for CP to divert traffic from motor carriers.

---

[29] As noted above, CSX claims that the fee should be set at $2.70 per car-mile under the SSW Compensation method, but states that it would be willing to accept a fee as low as $1.21 per car-mile. And, we established an initial fee of $0.71 per car-mile in Decision No. 109.

[30] Based on a comparison of costs from haulage rights it received as a component of its October 20, 1997 settlement agreement with CSX, CP attempts to show that for a boxcar movement between Montreal and New York City, CP's use of its trackage rights (and the $0.71 per car-mile charge) would cost it approximately $53 more per car than moving the same car under the haulage agreement. But, this haulage agreement was limited to traffic that CP, and not CSX, would be able to carry to and from the east-of-the-Hudson line. As we explained in Decision No. 89, while that haulage agreement was new competition, "numerous . . . restrictions significantly limit the movements to which this privately negotiated haulage agreement would apply." Indeed, these restrictions were the key reason for our grant of the trackage rights here. CP does not explain what relevance these comparisons have in terms of CP's competitive position vis-a-vis CSX. Nor is evidence submitted by CP of trackage rights rates negotiated by various railroads in other contexts relevant. The underlying costs and asset values of various lines tend to be quite different.

We have set an initial trackage rights fee of $0.52 applying the SSW Compensation principles, and using the best evidence of record. That fee, under which CP will share the costs of owning and operating this line with CSX, should permit CP to compete with CSX here on a reasonable footing. We realize that CP may have difficulty in competing with motor carriers over this line, but CSX will be faced with the same challenge. It would not be appropriate for us to establish charges giving CP an advantage over CSX in competing for this traffic, which we believe would be the result of a lower fee. If CP is not prepared to undertake this competitive challenge, it should inform us immediately so that we can arrange for another railroad to provide service over this corridor.

**THE SCOPE OF THE TRACKAGE RIGHTS.** CP notes that our prior decision makes no reference to use of the Harlem River Yard, through which CP's trains must pass moving to and from Oak Point Yard. CP had sought the right to use this yard for pickup, delivery, storage and any other purpose (subject to agreement with the yard's third-party operator). CSX had expressed its agreement with this proposal. The operator of the yard (who has leased it from New York State) has advised CP of its willingness to lease one and perhaps more tracks for car storage and switching.

CP now requests clarification: (1) that CP is entitled to use the Harlem River Yard for all purposes subject to working out appropriate arrangements with the yard's operator; (2) that CP traffic originating or terminating at the yard is not required to pass through Oak Point Yard; (3) that CP would not have to pay CSX any switching charge in regard to this traffic if CSX provides no switching services; and (4) that CP can directly serve customers sited at Harlem River Yard.

No clarification is necessary with regard to the first item, use of the Harlem River Yard. CSX does not own the Harlem River Yard. CP is free to work out whatever arrangements it can with the State of New York, which owns the facility. Our intervention in that process is not appropriate, or even within our authority.

Nevertheless, this does not obviate the necessity for CP's traffic to move through the Oak Point Yard. We have granted CP no direct access to shippers in the Bronx and Queens; we granted CP only trackage rights to and from Oak Point Yard, and reciprocal switching to permit CP to use that interchange point to receive and deliver traffic through that point to all parts of the Bronx and Queens. If CSX provides a switching service in connection with these movements, it is entitled to compensation. If it provides no such service, then no compensation is required.

CP also seeks "clarification" that CP is entitled to direct access to all customers and facilities in the Bronx and Queens if it should decide to exercise that right, subject to working out appropriate compensation. CSX correctly notes that we did not give CP the right to serve all facilities and shippers directly, without CSX switching, in the crowded Bronx and Queens area. Rather, we have given CP physical access to Oak Point Yard, from which it may serve New York area shippers, through reciprocal switching at an initial fee of $128.10 per car.

CP further requests that we retain jurisdiction over any "failures to agree" as to the matters in Decision No. 109. We stated that CP or NY&A would have certain rights to facilitate a CP-NY&A interchange, but only upon the working out of "suitable compensation arrangements with CSX." See Dec. No. 109, slip op. at 7-8. CSX concedes, and we agree, that we would have jurisdiction to make a determination in the case of such a failure to agree.

**THE SEGMENT LEASED BY AMTRAK.** Conrail has leased to Amtrak[31] its line between Poughkeepsie and Stuyvesant, but has retained the right to operate over the line. CP has negotiated an arrangement with Amtrak, which CP claims allows it to operate over this line on the same terms as does Conrail (and as will CSX). Since CP will be making payments to Amtrak for the use of this segment, CP argues it should not have to pay twice for the same access. CP proposes to deduct from its trackage rights payments to CSX any payments it has to make to Amtrak for use of the subject track, and seeks our endorsement that this deduction is appropriate. The record does not reveal what services or rights CP is obtaining from Amtrak for these payments. Nor is the record clear as to whether Amtrak, as a lessee, has the right to permit CP's use of the line. If Amtrak does have that right, then it is unclear why any payments would be due to CSX for use of these segments.[32] In its reply statement, CP did not even address issues relating to Amtrak. No adequate basis has been provided here for us to grant the relief that CP seeks.

**THE METRO-NORTH SEGMENT.** CSX claims it has the "exclusive" right to operate freight trains on the Metro-North portion of the east-of-the-Hudson line and that it, and not Metro-North, should therefore receive trackage rights compensation for CP's operations over that segment. We rejected that contention in Decision No. 109 at 12, because "CSX . . . cites no clear language from the Special Court decision or from the deed that requires or even supports" that claim. CSX asks us to reconsider that ruling. CP opposes that relief, and the New York parties endorse the arguments and evidence submitted by CP. We see no need to reconsider this issue now. CP apparently has a satisfactory agreement with Metro-North that permits its use of this line segment. The status quo is that CP has no interest rental obligation for this segment. If CSX ultimately prevails in establishing its claim that the agreement between Conrail and Metro-North provided for

---

[31] Amtrak has filed a petition for leave to file a supplemental statement, and CSX does not object to that filing. We will accept Amtrak's pleading.

[32] The only exception to this would be out-of-pocket expenses that might be incurred by CSX under its contract with Amtrak. CSX has suggested that CP's use of these segments may result in such costs.

exclusive use by Conrail, then this issue will be ripe for our consideration and we will revisit it as necessary.[33]

**THE CP/CSX SETTLEMENT AGREEMENT.** CSX argues that we should override the October 20, 1997 settlement agreement between CSX and CP because CP has breached that contract. The settlement involved CP's responsive application, through which it was contending that the CSX acquisition of a portion of Conrail would have anticompetitive effects in several markets, unless competition-restoring conditions were imposed. CP agreed to withdraw the responsive application in exchange for CSX granting it restricted haulage rights (limited to a small universe of traffic) to quote rates on east-of-the-Hudson traffic, and haulage and other rights in other markets. CSX now asks us to set aside the entire agreement, or, at a minimum, the haulage rights pertaining to east-of-the-Hudson traffic.

CSX claims that CP has breached the settlement by accepting the benefits of an "improved deal," obtained "at the behest of parties other than the settling party." CP argues, however, that it has met its clear obligations under the settlement agreement. CP withdrew its responsive application and supported the Conrail transaction without seeking any conditions. CP notes that it did not agree that CP would refuse to become the beneficiary of any conditions we granted at the behest of others, although CSX and CP both knew that the New York Parties were asking us to grant east-of-the-Hudson rights to an independent carrier. We are reluctant to interfere with or to discourage settlement agreements that are freely negotiated between parties, and there is no reason to do so here. If the parties had so desired, this agreement could have accounted for the existence of conditions sought by other parties. But this particular agreement creates no contingencies based on what relief we granted or did not grant to others.

It is ordered:

1. Initial trackage rights fees are revised to $0.52 per car-mile.

2. Initial switching fees are revised to $128.10 per car.

3. CSX's and CP's petitions for reconsideration or clarification, except to the extent specifically granted in this decision, are denied.

---

[33] CSX asks us to vacate language in Decision No. 109, slip op. at 12, where we suggested that even if its rights to operate over the Metro-North Segment are exclusive, no compensable costs for this section had been shown. If CSX is able to prevail in its exclusivity claim, CSX may then present evidence and argument in support of its claim for compensation with regard to that segment. In addition, CP argues that CSX's position on this issue justifies our preemption of CSX's claimed exclusivity rights in the Metro-North line. According to CP, preemption would eliminate any uncertainty. As noted in Decision No. 109, no need for preemption has yet been demonstrated.

4. CP shall inform us within 30 days of its intentions with regard to exercising these rights.

5. This decision will be effective 30 days from the service date.

By the Board, Chairman Morgan, Vice Chairman Clyburn, and Commissioner Burkes.

Vernon A. Williams
Secretary

STEPHEN M FONTAINE
MASSACHUSETTS CENTRAL RAILROAD CORPORATION
ONE WILBRAHAM STREET
PALMER MA 01069 US

JAMES E HOWARD
90 CANAL STREET
BOSTON MA 02114 US

HON. EDWARD M KENNEDY
UNITES STATES SENATE
2400 JOHN F KENNEDY FEDERAL BLDG
BOSTON MA 02203 US

JOHN R NADOLNY
14 AVIATION AVENUE
PORTSMOUTH NH 03801 US

KAREN E SONGHURST
STATE OF VERMONT
133 STATE STREET
MONTPELLIER VT 05633-5001 US

EDWARD J RODRIGUEZ
P.O. BOX 298
67 MAIN STREET
CENTERBROOK CT 06409 US

MICHAEL E STRICKLAND
NYK LINE (NORTH AMERICA) INC, SENIOR VICE PRE
300 LIGHTING WAY
SECAUCUS NJ 07094-1588 US

J WILLIAM VAN DYKE
NJ TRANSPORTATION PLANNING AUTHORITY
ONE NEWARK CENTER 17TH FLOOR
NEWARK NJ 07102 US

PHILIP SIDO
UNION CAMP CORPORATION
1600 VALLEY ROAD
WAYNE NJ 07470 US

TIMOTHY G CHELIUS
18 N EAST AVENUE
VINELAND NJ 08360 US

JOHN F. MCHUGH
MCHUGH & SHERMAN
20 EXCHANGE PLACE 51ST FLOOR
NEW YORK NY 10005 US

RICHARD B. KENNELLY, JR
CONSERVATION LAW FOUNDATION
62 SUMMER STREET
BOSTON MA 02110 US

JOHN D CIRAMS, ASSISTANT SECRETARY
COMMONWEALTH OF MASS. EXEC. OFFICE OF TRANSP
10 PARK PLAZA ROOM 3170
BOSTON MA 02116-3969 US

WILLIAM D ANKNER PHD
R I DEPT OF TRANSPORTATION
TWO CAPITOL HILL
PROVIDENCE RI 02903 US

ROBERT D ELDER
MAINE DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA ME 04333 US

JAMES F SULLIVAN
CT DEPT OF TRANSPORTATION
P O BOX 317546
2800 BERLIN TURNPIKE
NEWINGTON CT 06131 US

RICHARD C CARPENTER
SOUTHWESTERN REGIONAL PLANNING AGENCY
1 SELLECK STREET SUITE 210
EAST NORWALK CT 06855 US

HONORABLE ROBERT G. TORRICELLI
UNITED STATES SENATE
1 RIVER FRONT PLAZA, 3RD FLOOR
NEWARK NJ 07102 US

EDWARD LLOYD
RUTGERS ENVIRONMENTAL LAW CLINIC
15 WASHINGTON STREET
NEWARK NJ 07102 US

MARTIN T DURKIN ESQ
DURKIN & BOGGIA ESQS
PO BOX 378
71 MT VERNON STREET
RIDGEFIELD PARK NJ 07660 US

LAWRENCE PEPPER, JR
GRUCCIO PEPPER
817 EAST LANDS AVE
VINELAND NJ 08360 US

ANTHONY BOTTALICO
UTU
420 LEXINGTON AVENUE ROOM 458-460
NEW YORK NY 10017 US

WALTER E ZULLIG JR
METRO-NORTH COMMUTER RAILROAD COMPANY
347 MADISON AVE
NEW YORK NY 10017-3706 US

ANTHONY P. SEMANCIK
347 MADISON AVENUE
NEW YORK NY 10017-3706 US

JAMES W HARRIS
THE METROPOLITIAN PLANNING ORGANIZATION
1 WORLD TRADE CENTER STE 82 EAST
NEW YORK NY 10048-0043 US

HUGH H. WELSH
LAW DEPT., SUITE 67E
ONE WORLD TRADE CENTER
NEW YORK NY 10048-0202 US

R. LAWRENCE MCCAFFREY, JR.
NEW YORK & ATLANTIC RAILWAY
405 LEXINGTON AVENUE 50TH FLOOR
NEW YORK NY 10174 US

SAMUEL J NASCA
UTU STATE LEGISLATIVE DIRECTOR
35 FULLER ROAD SUITE 205
ALBANY NY 12205 US

DANIEL B. WALSH
BUSINESS COUNCIL OF NEW YORK STATE,INC.
152 WASHINGTON AVENUE
ALBANY NY 12210 US

DIANE SEITZ
CENTRAL HUDSON GAS & ELECTRIC CORP
284 SOUTH AVENUE
POUGHKEEPSIE NY 12601 US

IRWIN L. DAVIS
1900 STATE TOWER BLDG.
SYRACUSE NY 13202 US

ANGELO J CHICK JR, LOCAL CHAIRMAN
P O BOX 908
48398 OLD GOOSE BAY ROAD
REDWOOD NY 13679 US

GARY EDWARDS
SOMERSET RAILROAD
7725 LAKE ROAD
BARKER NY 14012 US

SHEILA MECK HYDE
CITY HALL
342 CENTRAL AVENUE
DUNKIRK NY 14048 US

IRVING J RUBIN
P O BOX 243
YOUNGSTOWN NY 14174 US

JOHN F COLLINS
COLLINS ,COLLINS, & KANTOR PC
267 NORTH STREET
BUFFALO NY 14201 US

R W GODWIN
BROTHERHOOD OF LOCOMOTIVE ENGINEERS
810 ABBOTT ROAD SUITE 200
BUFFALO NY 14220 US

ERNEST J IERARDI
NIXON HARGRAVE DEVANS DOYLE LLP
PO BOX 1051
CLINTON SQUARE
ROCHESTER NY 14603-1051 US

H DOUGLAS MIDKIFF
GENESEE TRANSPORTATION COUNCIL
65 WEST BROAD ST STE 101
ROCHESTER NY 14614-2210 US

JEANNE WALDOCK
107 GRANT COURT
ORLEAN NY 14760 US

DAVID W. DONLEY
3361 STAFFORD ST
PITTSBURGH PA 15204-1441 US

HENRY M. WICK, JR.
WICK, STREIFF, ET AL
1450 TWO CHATHAM CENTER
PITTSBURGH PA 15219 US

JOHN A. VUONO
VUONO & GRAY
2310 GRANT BUILDING
PITTSBURGH PA 15219 US

R J HENEFELD
PPG INDUSTRIES INC
ONE PPG PLACE
PITTSBURGH PA 15272 US

M E PETRUCCELLI
PPG INDUSTRIES INC
ONE PPG PLACE
PITTSBURGH PA 15272 US

D W DUNLEVY
STATE LEGISLATIVE DIRECTOR UTU
230 STATE STREET, PA AFL-CIO BLDG 2ND FLOOR
HARRISBURG PA 17101 US

HONORABLE THOMAS J RIDGE
GOVERNOR, COMMONWEALTH OF PENNSYLVANIA
225 MAIN CAPITOL BUILDING
HARRISBURG PA 17120 US

BELNAP FREEMAN
BELKNAP FREEMAN
119 HICKORY LANE
ROSEMONT PA 19010 US

JOHN J GROCKI
GRA INC
115 WEST AV ONE JENKINTOWN STA
JENKINTOWN PA 19046 US

G CRAIG SCHELTER
PHILADELPHIA INDUSTRIAL DEVELOPMENT CORPORATI
2600 CENTRE SQUARE WEST 500 MARKET ST
PHILADELPHIA PA 19102 US

JOHN J EHLINGER JR
OBERMAYER REBMANN MAXWELL & HIPPEL
1617 JOHN F. KENNEDY BLVD ONE PENN CENTER-19T
PHILADELPHIA PA 19103-1895 US

JOHN J COSCIA, EXECUTIVE DIRECTOR
DELAWARE VALLEY REGIONAL PLANNING COMMISSION
111 SOUTH INDEPENDENCE MALL EAST
PHILADELPHIA PA 19106 US

CHERYL ANNE COOK
SENIOR GENERAL ATTORNEY
1138 SIX PENN CENTER
PHILADELPHIA PA 19146 US

HON JOSEPH R BIDEN, JR.
UNITED STATES SENATE
844 KING STREET
WILMINGTON DE 19801 US

E C WRIGHT
RAIL TRANSPORTATION PROCUREMENT MANAGER
1007 MARKET STREET DUPONT BLDG 3100
WILMINGTON DE 19898 US

RICHARD R WILSON
1126 EIGHT AV STE 403
ALTOONA PA 16602 US

KURT W CARR
BUREAU FOR HISTORIC PRESERVATION
P O BOX 1026
HARRISBURG PA 17108-1026 US

KRISTOPHER MICHAEL KLEMICK
RR#3 BOX 101-15
JERSEY SHORE PA 17740-9309 US

D J O'CONNELL
GENERAL CHAIRPERSON UTU
410 LANCASTER AVE STE 5
HAVERFORD PA 19041 US

HARRY C BARBIN
BARBIN LAUFFER & O'CONNELL
608 HUNTINGDON PIKE
ROCKLEDGE PA 19046 US

WILLIAM R THOMPSON
CITY OF PHILADELPHIA LAW DEPT
1600 ARCH ST 10TH FLOOR
PHILADELPH PA 19103 US

DAVID BERGER
BERGER AND MONTAGUE, P. C.
1622 LOCUST ST
PHILADELPHIA PA 19103-6305 US

JOHN K. LEARY, GENERAL MANAGER
SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUT
1234 MARKET STREET 5TH FLOOR
PHILADELPHIA PA 19107-3780 US

ERIC M HOCKY
GOLLATZ GRIFFIN EWING
213 WEST MINER STREET
WEST CHESTER PA 19381-0796 US

J E THOMAS
HERCULES INCORPORATED
1313 NORTH MARKET STREET
WILMINGTON DE 19894 US

FREDERICK H SCHRANCK
PO BOX 778
DOVER DE 19903 US

TERRENCE D JONES
KELLER & HECKMAN
1001 G ST NW STE 500 WEST
WASHINGTON DC 20001 US

PETER A GILBERTSON
REGIONAL RRS OF AMERICA
122 C ST NW STE 850
WASHINGTON DC 20001 US

RICHARD G SLATTERY
AMTRAK
60 MASSACHUSETTS AVENUE N E
WASHINGTON DC 20002 US

PAUL A CUNNINGHAM
HARKINS CUNNINGHAM
801 PENNSYLVANIA AVENUE, NW STE 600
WASHINGTON DC 20004 US

DREW A HARKER
ARNOLD & PORTER
555 TWELFTH STREET NW
WASHINGTON DC 20004 US

MARY GABRIELLE SPRAGUE
ARNOLD & PORTER
555 TWELTH STREET NW
WASHINGTON DC 20004-1202 US

BRUNO MAESTRI
NORFOLK SOUTHERN CORPORATION
1500 K STREET SUITE 375
WASHINGTON DC 20005 US

PAUL M LAURENZA
OPPENHEIMER WOLFF & DONNELLY & BAYH LLP
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005 US

LOUIS E GITOMER
BALL JANIK LLP
1455 F STREET NW SUITE 225
WASHINGTON DC 20005 US

JOHN H BROADLEY
JENNER & BLOCK
601 13TH ST NW 12TH FL
WASHINGTON DC 20005 US

ALICE C SAYLOR
THE AMERICAN SHORT LINE RAILROAD ASSOCIATION
1120 G STREET, N. W., SUITE 520
WASHINGTON DC 20005 US

JAMES HOWARD
COALITION OF NORTHEASTERN GOVERNORS
400 NORTH CAPITOL STREET, SUITE 382
WASHINGTON DC 20001 US

MARTIN W BERCOVICI
KELLER & HECKMAN, LLP
1001 G ST NW SUITE 500 WEST
WASHINGTON DC 20001 US

DONALD F GRIFFIN
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
10 G STREET NE STE 460
WASHINGTON DC 20002 US

DENNIS G LYONS
ARNOLD & PORTER
555 TWELFTH STREET NW
WASHINGTON DC 20004 US

GEORGE W MAYO JR
HOGAN & HARTSON L L P
555 THIRTEENTH STREET NW COLUMBIA SQUARE
WASHINGTON DC 20004-1109 US

KEVIN M SHEYS
OPPENHEIMER WOLFF & DONNELLY & BAYH LLP
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005 US

ROSE-MICHELE WEINRYB
WEINER BRODSKY SIDMAN & KIDER
1350 NEW YORK AVENUE NW
WASHINGTON DC 20005 US

DANIEL DUFF
AMERICAN PUBLIC TRANSIT ASSOCIATION
1201 NEW YORK AV NW
WASHINGTON DC 20005 US

L JOHN OSBORN
SONNENSCHEIN NATH & ROSENTHAL
1301 K STREET NW STE 600 EAST
WASH DC 20005 US

KARL MORELL
BALL JANIK LLP
1455 F STREET NW SUITE 225
WASHINGTON DC 20005 US

EDWARD WYTKIND EXECUTIVE DIRECTOR
1025 CONNECTICUT AVE NW SUITE 1005
WASHINGTON DC 20005 US

CLARK EVANS DOWNS
JONES DAY REAVIS & POGUE
1450 G STREET NW
WASHINGTON DC 20005-2088 US

PAUL H LAMBOLEY
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005-3324 US

JEFFREY O MORENO
DONELAN CLEARY WOOD MASER
1100 NEW YORK AVENUE N W, SUITE 750
WASHINGTON DC 20005-3934 US

FREDERIC L WOOD
DONELAN CLEARY WOOD & MASER P C
1100 NEW YORK AVENUE NW SUITE 750
WASHINGTON DC 20005-3934 US

MARK H SIDMAN
WEINER BRODSKY,SIDMAN & KIDER
1350 NEW YORK AVE., NW., STE. 800
WASHINGTON DC 20005-4797 US

ANDREW P GOLDSTEIN
MCCARTHY SWEENEY HARKAWAY, PC
1750 PENNSYLVANIA AVE NW, STE 1105
WASHINGTON DC 20006 US

ANDREW R. PLUMP
ZUCKERT, SCOUTT & RASENBERGER. LLP
888 17TH ST., NW, STE. 600
WASHINGTON DC 20006 US

JAMES R WEISS
PRESTON GATES ELLIS ET AL
1735 NEW YORK AVENUE NW SUITE 500
WASHINGTON DC 20006 US

ERIKA Z JONES
MAYER BROWN & PLATT
1909 K STREET, NW
WASHINGTON DC 20006-1101 US

JOHN V EDWARDS, ESQ
ZUCKERT SCOUTT ET AL
888 17TH STREET N W STE 600
WASHINGTON DC 20006-3939 US

STEVEN J KALISH
MCARTHY SWEENEY & HARKAWAY
1750 PENNSYLVANIA AVE NW
WASHINGTON DC 20006-4502 US

WILLIAM A MULLINS
TROUTMAN SANDERS LLP
1300 I STREET NW SUITE 500 EAST
WASHINGTON DC 20005-3314 US

FRITZ R KAHN
1100 NEW YORK AVENUE NW SUITE 750 WEST
WASHINGTON DC 20005-3934 US

KARYN A BOOTH
DONELAN, CLEARY, WOOD & MASER, P.C.
1100 NEW YORK AVE NW SUITE 750
WASHINGTON DC 20005-3934 US

JOHN K MASER III
DONELAN CLEARY WOOD & MASER P C
1100 NEW YORK AVE NW SUITE 750
WASHINGTON DC 20005-3934 US

WILLIAM W MILLAR
AMERICAN PUBLIC TRANSIT ASSOCIATION
1201 NEW YORK AVE., NW
WASHINGTON DC 20005-6141 US

ROBERT P VOM EIGEN
HOPKINS AND SUTTER
888 16TH STREET N W STE 700
WASHINGTON DC 20006 US

SCOTT M ZIMMERMAN
ZUCKERT SCOUTT & RASENBERGER L L P
888 SEVENTEENTH STREET NW
WASHINGTON DC 20006 US

DANIEL J SWEENEY
MCCARTHY SWEENEY & HARKAWAY P C
1750 PENNSYLVANIA AVE NW STE 1105
WASHINGTON DC 20006 US

RICHARD A ALLEN
ZUCKERT SCOUT RASENBERGER
888 17TH STREET N W STE 600
WASHINGTON DC 20006-3939 US

CHARLES A SPITULNIK
HOPKINS & SUTTER
888 SIXTEENTH ST NW
WASH DC 20006-4103 US

SHERRI LEHMAN DIRECTOR OF CONGRESSIONAL AFFA
CORN REFINERS ASSOC
1701 PA AV NW
WASH DC 20006-5805 US

ROBERT G. SZABO
V.NESS FELDMAN
1050 THO JEFFERSON STREET,NW
WASHINGTON DC 20007 US

DAVID K MONROE
GALLAND, KHARASCH, GREENBERT, FELLMAN & SWIR
1054 THIRTY-FIRST STREET NW, STE 200
WASHINGTON DC 20007 US

CHRISTOPHER C O'HARA
BRICKFIELD BURCHETTE & RITTS PC
1025 THOMAS JEFFERSON ST NW EIGHTH FLOOR
WASHINGTON DC 20007 US

EDWARD D GREENBERG
GALLAND, KHARASCH, GREENBERT, FELLMAN & SWIR
1054 THIRTY-FIRST STREET NW
WASHINGTON DC 20007-4492 US

MICHAEL F MCBRIDE
LEBOEUF LAMB GREENE & MACRAE
1875 CONNECTICUT AVENUE NW
WASHINGTON DC 20009-5728 US

PAUL M DONOVAN
LAROE, WINN, MOERMAN & DONOVAN
3506 IDAHO AVE NW
WASHINGTON DC 20016 US

JOHN D HEFFNER
REA CROSS & AUCHINCLOSS
1707 L STREET, NW, STE 570
WASHINGTON DC 20036 US

WILLIAM G. MAHONEY
HIGHSAW, MAHONEY & CLARKE
1050 SEVENTEENTH STREET NW SUITE 210
WASHINGTON DC 20036 US

DAVID H COBURN
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE NW
WASHINGTON DC 20036 US

KELVIN J DOWD
SLOVER & LOFTUS
1224 17TH STREET N W
WASHINGTON DC 20036 US

HELEN M. COUSINEAU
CARLOS RODRIGUEZ & ASSOCIATES
1710 RHODE ISLAND AVENUE, NW
WASHINGTON DC 20036 US

HAROLD P QUINN, JR
NATIONAL MINING ASSOCIATON
1130 17TH STREET NW
WASHINGTON DC 20036 US

STEPHEN H BROWN
VORYS SATER SEYMOUR AND PEASE
1828 L STREET N W
WASHINGTON DC 20036 US

KEITH G O'BRIEN
REA CROSS AND AUCHINCLOSS
1707 L STREET NW STE 570
WASHINGTON DC 20036 US

CHRISTOPHER A MILLS
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036 US

ROBERT A WIMBISH ESQ
REA CROSS & AUCHINCLOSS
1707 L STREET NW STE 570
WASHINGTON DC 20036 US

RICHARD S EDELMAN
O'DONNELL SCHWARTZ & ANDERSON PC
1900 L STREET NW SUITE 707
WASHINGTON DC 20036 US

GORDON P MACDOUGALL
1025 CONNECTICUT AVE NW SUITE 410
WASHINGTON DC 20036 US

PETER A GREENE
THOMPSON HINE FLORY
1920 N STREET N W, SUITE 800
WASHINGTON DC 20036 US

JOHN M CUTLER JR
MCCARTHY SWEENEY HARKAWAY PC
1750 PENNSYLVANIA AVE N W SUITE 1105
WASHINGTON DC 20036 US

TIMOTHY M WALSH
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE N W
WASHINGTON DC 20036-1795 US

SAMUEL M SIPE JR
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE N W
WASHINGTON DC 20036-1795 US

JOSEPH GUERRIERI, JR.
GUERRIERI, EDMOND & CLAYMAN, PC
1625 MASSACHUSETTS AVE., NW. STE 700
WASHINGTON DC 20036-2243 US

DEBRA L WILLEN
GUERRIERI EDMOND & CLAYMAN PC
1625 MASSACHUSETTS AVENUE, N.W., STE 700
WASHINGTON DC 20036-2243 US

DONALD G AVERY
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036-3003 US

WILLIAM L SLOVER
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036-3003 US

L PAT WYNNS
SUITE 210
1050 - 17TH STREET N W
WASHINGTON DC 20036-5503 US

EDWARD J FISHMAN
OPPENHEIMER WOLFF & DONNELLY
1020 NINETEENTH STREET NW SUITE 400
WASHINGTON DC 20036-6105 US

JOHN L OBERDORFER
PATTON BOGGS LLP
2550 M ST NW
WASHINGTON DC 20037-1301 US

SCOTT N STONE
PATTON BOGGS L L P
2550 M STREET NW 7TH FLOOR
WASHINGTON DC 20037-1346 US

ARVID E ROACH II
COVINGTON & BURLING
PO BOX 7566
1201 PENNSYLVANIA AVE N W
WASHINGTON DC 20044-7566 US

KEITH A KLINDWORTH
U S DEPT OF AGRICULTURE
P O BOX 96456
WASHINGTON DC 20090 US

EILEEN S STOMMES
P O BOX 96456
ROOM 4006-SOUTH BUILDING
WASHINGTON DC 20090-6456 US

JUDGE JACOB LEVENTHAL, OFFICE OF HEARINGS
FEDERAL ENERGY REGULATORY COMMISSION
888 - 1ST ST, N.E. STE 11F
WASHINGTON DC 20426 US

RICHARD E SANDERSON
OFFICE OF FEDERAL ACTIVITIES
US ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON DC 20460 US

HON. BARBARA A. MIKULSKI
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. JOSEPH BIDEN, JR.
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. JOSEPH I LIEBERMAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE RICHARD LUGAR
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON CHARLES E SCHUMER
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON DANIEL PATRICK MOYNIHAN
UNITED STATES SENATE
WASINGTON DC 20510 US

BYRON L DORGAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON BYRON L DORGAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON BYRON L DORGAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON CHARLES SCHUMER
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE BOB GRAHAM
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. CHARLES ROBB
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON WILLIAM V. ROTH JR
U S SENATE
WASHINGTON DC 20510-0001 US

HON. JOHN W. WARNER
US SENATE
WASHINGTON DC 20510-0001 US

HON CHRISTOPHER J DODD
UNITED STATES SENATE
WASH DC 20510-0702 US

HONORABLE DANIEL P. MOYNIHAN
UNITED STATE SENATE
WASHINGTON DC 20510-0903 US

HONORABLE CONNIE MACK
UNITED STATES SENATE
WASHINGTON DC 20510-0904 US

HONORABLE JOHN BREAUX
UNITED STATES SENATE
WASHINGTON DC 20510-1803 US

HONORABLE J ROBERT KERREY
UNITED STATES SENATE
WASHIGTON DC 20510-2704 US

HON MIKE DEWINE
UNITED STATES SENATE
WASHINGTON DC 20510-3503 US

HON ARLEN SPECTER
UNITED STATES SENATE
WASHINGTON DC 20510-3802 US

HON RICK SANTORUM
UNITED STATES SENATE
WASHINGTON DC 20510-3804 US

HONORABLE JOHN H. CHAFEE
UNITED STATES SENATE
WASHINGTON DC 20510-3902 US

HON JACK REED
U S SENATE
WASHINGTON DC 20510-3903 US

HONORABLE ROBERT BYRD
UNITED STATES SENATE
WASHINGTON DC 20510-6025 US

HONORABLE JOHN J LAFALCE
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE CHIP PICKERING
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JESSE L. JACKSON, JR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE LUIS GUTIERREZ
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE DANNY K DAVIS
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON RALPH REGULA
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON SHERROD BROWN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NYDIA M VELAZQUEZ
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON ED TOWNS
U. S. HOUSE OR REPRESENTATIVES
WASHINGTON DC 20515 US

HON LOUISE M SLAUGHTER
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CHRISTOPHER SHAYS
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CHARLES RANGEL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MICHAEL MCNULTY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JAMES MALONEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CAROLYN B MALONEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NITA LOWEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MAURICE HINCHEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MICHAEL FORBES
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON ELIOT L ENGEL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON GARY ACKERMAN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON JERROLD NADLER
U S HOUSE OF REPRESENTATIVES
WASH DC 20515 US

HONORABLE ROBERT W. NEY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE BOB WEYGAND
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE TED STRICKLAND
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON DENNIS J KUCINICH
UNITED STATES HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

HON. ED BRYANT
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. STEVE LATOURETTE
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE SAXBY CHAMBLISS,
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE TILLIE K FOWLER
US HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE FRANK MASCARA
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. ROBERT MENENDEZ
U S HOUSE OF REPRESENTATIVES
WASH DC 20515 US

HON MARCY KAPTUR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON JAMES TRAFICANT JR
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON BOB WISE
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. JOHN J. DUNCAN
U S HOUSE OF REPRESENTATIVESS
WASHINGTON DC 20515 US

HONORABLE PAUL E. GILLMOR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. JAMES L. OBERSTAR
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. WILLIAM O. LIPINSKI
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE BOB CLEMENT
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. THOMAS C SAWYER
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. TOM BLILEY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE PETER J. VISCLOSKY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE MIKE DOYLE
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JOHN D. DINGELL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE BENJAMIN A. GILMAN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE SAM GEJDENSON
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. WILLIAM J. COYNE
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE MAJOR R. OWENS
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NANCY JOHNSON
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. BUD SHUSTER
ATTN: MIKE RICK
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE ROD R BLAGOJEVICH
U. S. HOUSE OF REPRESENTATIVES
WASHINGTO DC 20515-1305 US

HONORABLE JAMES A. BARCIA
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-2205 US

JAMES L OBERSTAR
RANKING DEMOCRATIC MEMBER COMMITTEE ON TRANSP
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3222 US.

HON JACK QUINN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3230 US

HONORABLE RICHARD BURR
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3305 US

HONORABLE TOM DAVIS
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-4611 US

HONORABLE BOBBY L. RUSH
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-9997 US

MICHAEL P HARMONIS
DEPARTMENT OF JUSTICE
325 SEVENTH STREET, NW
WASHINGTON DC 20530 US

PAUL SAMUEL SMITH
US DEPARTMENT OF TRANSPORTATION
400 SEVENTH STREET SW, ROOM 4102 C-30
WASHINGTON DC 20590 US

JOSEPH R. POMPONIO
FEDERAL RAILROAD ADMIN.
400 7TH ST SW RCC-20
WASHINGTON DC 20590 US

JOLENE MOLITORIS, ADMN.
FEDERAL RAILROAD ADMNS.
400 7TH STREET SW
WASHINGTON DC 20590 US

DAVID G ABRAHAM
SUITE 400W
7315 WISCONSIN AVENUE
BETHESDA MD 20814 US

MITCHELL M. KRAUS
TRANSPORTATION -COMMUNICATIONS INTERNATIONAL
3 RESEARCH PLACE
ROCKVILLE MD 20850 US

JOHN M ROBINSON
9616 OLD SPRING ROAD
KENSINGTON MD 20895-3124 US

WILLIAM W WHITEHURST JR
W W WHITEHURST & ASSOCIATES INC
12421 HAPPY HOLLOW ROAD
COCKEYSVILLE MD 21030-1711 US

JOHN HOY
P O BOX 117
GLEN BURNIE MD 21060 US

ROBERT J WILL
UNITED TRANSPORTATION UNION
4134 GRAVE RUN RD
MANCHESTER MD 21102 US

JOHN F WING CHAIRMAN
CITIZENS ADVISORY COMMITTEE
601 NORTH HOWARD STREET
BALTIMOTE MD 21201 US

LINDA A JANEY J D
MARYLAND OFFICE OF PLANNING
301 WEST PRESTON STREET
BALTIMORE MD 21201-2365 US

CHARLES M CHADWICK
MARYLAND MIDLAND RAILWAY INC
P O BOX 1000
UNION BRIDGE MD 21791 US

GARRET G SMITH
MOBIL OIL CORPORATION
3225 GALLOWS RD RM 8A903
FAIRFAX VA 22037-0001 US

HENRY E. SEATON
7700 LEESBURG PIKE, STE 201
FALLS CHURCH VA 22043 US

PETER Q NYCE JR
U S DEPARTMENT OF THE ARMY
901 NORTH STUART STREET
ARLINGTON VA 22203 US

WILLIAM P. JACKSON, JR.
JACKSON & JESSUP, P. C.
P O BOX 1240
3426 NORTH WASHINGTON BLVD
ARLINGTON VA 22210 US

JENNIFER BRAUN
JACKSON & JESSUP
P O BOX 1240
3426 NORTH WASHINGTON BOULEVARD
ARLINGTON VA 22210 US

GERALD W FAUTH III
G W FAUTH & ASSOCIATES INC
116 SOUTH ROYAL STREET
ALEXANDERIA VA 22314 US

FRANCIS G MCKENNA
ANDERSON & PENDLETON
206 N WASHINGTON STREET SUITE 330
ALEXANDRIA VA 22314 US

KENNETH E SIEGEL
AMERICAN TRUCKING ASSOC INC
2200 MILL ROAD
ALEXANDRIA VA 22314-4677 US

ROBERT E MARTINEZ
VA SECRETARY OF TRANSPORTAITON
P. O. BOX 1475
RICHMOND VA 23218 US

HONORABLE GEORGE ALLEN
GOVERNOR, COMMONWEALTH OF VIRGINIA
STATE CAPITOL
RICHMOND VA 23219 US

GEORGE A ASPATORE
NORFOLK SOUTHERN CORP
THREE COMMEMERCIAL PLACE
NORFOLK VA 23510 US

L P KING JR
GENERAL CHAIRPERSON UTU
145 CAMPBELL AVE SW STE 207
ROANOKE VA 24011 US

HONORABLE JOHN WARNER
UNITED STATES SENATE
235 FEDERAL BUILDING
ABINGDON VA 24210-0887 US

VAUGHN R GROVES
PITTSTON COAL COMPANY
PO BOX 5100
LEBANON VA 24266 US

TERRELL ELLIS
CAEZWV
P O BOX 176
CLAY WV 25043 US

R K SARGENT
GENERAL CHAIRPERSON UTU
1319 CHESTNUT STREET
KENOVA WV 25530 US

WILLIAM T BRIGHT
P O BOX 149
200 GREENBRIER ROAD
SUMMERSVILLE WV 26651 US

FRANK N JORGENSEN
THE ELK RIVER RAILROAD INC
P O BOX 460
SUMMERSVILLE WV 26651 US

SCOTT M SAYLOR
NORTH CAROLINA RAILROAD COMPANY
3200 ATLANTIC AV STE 110
RALIEGH NC 27604-1640 US

E NORRIS TOLSON
NC DEPT OF TRANSPORTATION
P O BOX 25201
1 S. WILINGTON STREET
RALEIGH NC 27611 US

HONORABLE DAVID M BEASLEY
GOVERNOR
P. O. BOX 11369
COLUMBIA SC 29211 US

PAUL R. HITCHCOCK
CSX TRANSPORTATION LAW DEPARTMENT
500 WATER STREET SC J-150
JACKSONVILLE FL 32202 US

CHARLES M ROSENBERGER
CSX TRANSPORTATION
500 WATER STREET - J150
JACKSONVILLE FL 32202 US

BOB HAULTER
CSX TRANSPORTATION INC
500 WATER STREET (J215)
JACKSONVILLE FL 32202 US

FRED R BIRKHOLZ
CSX TRANSPORTATION LAW DEPT - J-150
500 WATER STREET
JACKSONVILLE FL 32202 US

ROBERT V ALLEN
CSX TRANSPORTATION
500 WATER STREET J305
JACKSONVILLE FL 32202 US

J RANDALL EVANS
500 WATER STREET (J150)
JACKSONVILLE FL 32202 US

JOHN W. HUMES, JR.
CSX TRANSPORTATION
SPEED CODE J-150
500 WATER STREET
JACKSONVILLE FL 32202 US

J L RODGERS
GENERAL CHAIRMAN UTU
480 OSCEOLA AVENUE
JACKSONVILLE FL 32250 US

J T REED
GENERAL CHAIRPERSON UTU
7785 BAYMEADOWS WAY STE 109
JACKSONVILLE FL 32256 US

PHILLIP L BELL
ERIE LACKAWANNA RAILROAD CO
PO BOX 1482
TALLAHASSEE FL 32302 US

JAMES L BELCHER
EASTMAN CHEMICAL COMPANY
PO BOX 431
KINGSPORT TN 37662 US

WILLIAM L OSTEEN
ASSOCIATE GENERAL COUNSEL TVA
400 WEST SUMMIT HILL DRIVE
KNOXVILLE TN 37902 US

J R BARBEE
GENERAL CHAIRPERSON UTU
P.O. BOX 9599
KNOXVILLE TN 37940 US

HONORABLE KIRK FORDICE, GOVERNOR
STATE OF MISSISSIPPI
P O BOX 139
JACKSON MS 39205 US

HONORABLE PAUL E. PATTON
GOVERNOR
700 CAPITOL AVENUE, STE. 100
FRANKFORT KY 40601 US

WILLIAM P HERNAN JR GENERAL CHAIRMAN
P O BOX 180
HILLIARD OH 43026 US

F R PICKELL
GENERAL CHAIRPERSON UTU
6797 NORTH HIGH ST STE 108
WORTHINGTON OH 43085 US

THOMAS M O'LEARY
OHIO RAIL DEVELOPMENT COMMISSION
50 W BROAD STREET 15TH FLOOR
COLUMBUS OH 43215 US

HONORABLE DEBORAH PRYCE
U. S. HOUSE OF REPRESENTATIVES
500 SOUTH FRONT STREET, ROOM 1130
COLUMBUS OH 43215 US

DOREEN C JOHNSON, CHIEF ANTITRUST SECTION
OHIO ATTY GENERAL OFFICE
140 EAST TOWN STREET, FIRST FLOOR
COLUMBUS OH 43215-6001 US

JAMES R JACOBS
JACOBS INDUSTRIES
2 QUARRY LANE
STONY RIDGE OH 43463 US

DAVID CHAPMAN
LAFARGE LIME OHIO INC
P O BOX 128
659 ANDERSON ROAD
WOODVILLE OH 43469-0128 US

ROBERT J COOPER
GENERAL CHAIRPERSON UTU
1238 CASS ROAD
MAUMEE OH 43537 US

ROBERT E GREENLESE
TOLEDO-LUCAS COUNTY PORT AUTHORITY
1 MARITIME PLAZA SUITE 700
TOLEDO OH 43604 US

DAVID DYSARD
TMACOG
PO BOX 9508
300 CENTRAL UNION PLAZA
TOLEDO OH 43697-9508 US

RON MARQUARDT
LOCAL UNION 1810 UMWA
R D #2
RAYLAND OH 43943 US

CHARLES S HESSE
CHARLES HESSE ASSOCIATES
7777 BAINBRIDGE ROAD
CHAGRIN FALLS OH 44023-2124 US

COLETTA MCNAMEE.SR
CUDELL IMPROVEMENT INC
11500 FRANKLIN BLVD STE 104
CLEVELAND OH 44102 US

C L LITTLE
UNITED TRANSPORTATION UNION
14600 DETROIT AVE
CLEVELAND OH 44107 US

DANIEL R ELLIOTT III
ASST GENERAL COUNSEL UNITED TRANSPORTATION UN
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

CHRISTOPHER C MCCRACKEN
ULMER & BERNE LLP
1300 EAST NINTH STREET SUITE 900
CLEVELAND OH 44114 US

INAJO DAVIS CHAPPELL
ASHTA CHEMICALS INC
1300 EAST NINETH STREET SUITE 900
CLEVELAND OH 44114-1538 US

MICHAEL J GARRIGAN
BP CHEMICALS INC
4440 WARRENSVILLE CTR RD
CLEVELAND OH 44128 US

GARY A EBERT
CITY OF BAY VILLAGE
350 DOVER CENTER ROAD
BAY VILLAGE OH 44140 US

SYLVIA R. CHINN-LEVY
NEFCO
969 COPLEY ROAD
AKRON OH 44320 US

RANDALL C. HUNT
KRUGLIAK, WILKINS, GRIFFITHS & DOUGHERTY CO.
P O BOX 36963
4775 MUNSON ST NW
CANTON OH 44735-6963 US

MAYOR VINCENT M URBIN
150 AVON BELDEN RD
AVON LAKE OH 44012 US

BARBARA O'KEEFE
VILLAGE OF WELLINGTON
115 WILLARD MEMORIAL SQ
WELLINGTON OH 44090 US

ANITA R BRINDZA
THE ONE FIFTEEN HUNDRED BUILDING
11500 FRANKLIN BLVD SUITE 104
CLEVELAND OH 44102 US

CLINTON J MILLER III GENERAL COUNSEL
UNITED TRANSPORTATION UNION
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

C V MONIN
BROTHERHOOD OF LOCOMOTIVE ENGINEERS
1370 ONTARIO STREET
CLEVELAND OH 44113 US

DAVID ROLOFF
GOLDSTEIN & ROLOFF
526 SUPERIOR AVENUE EAST SUITE 1440
CLEVELAND OH 44114 US

DAVID J MATTY
CITY OF ROCKY RIVER
21012 HILLIARD ROAD
ROCKY RIVER OH 44116-3398 US

C D WINEBRENNER
GENERAL CHAIRPERSON UTU
27801 EUCLID AV RM 200
EUCLID OH 44132 US

CHARLES ZUMKEHR
ROETZEL & ANDRESS CO LPA
75 EAST MARKET STREET
AKRON OH 44308 US

CHARLES E ALLENBAUGH JR
EAST OHIO STONE COMPANY
2000 W BESSON ST
ALLIANCE OH 44601 US

D G STRUNK JR
GENERAL CHAIRPERSON UTU
817 KILBOURNE STREET
BELLEVUE OH 44811 US

R A GRICE
GENERAL CHAIRPERSON UTU
817 KILBOURNE ST
BELLEVUE OH 44811-9431 US

RICHARD E KERTH
CHAMPION INTERNATIONAL CORPORATION
101 KNIGHTSBRIDGE DRIVE
HAMILTON OH 45020-0001 US

BRAD F HUSTON
CYPRUS AMAX COAL SALES CORP
400 TECHNECENTER DRIVE STE 320
MILFORD OH 45150 US

FAY D DUPUIS
CITY OF CINCINNATI
801 PLUM STREET
CINCINNATI OH 45202 US

ROBERT EDWARDS
EASTERN TRANSPORT AND LOGISTICS
1109 LANETTE DRIVE
CINCINNATI OH 45230 US

THOMAS R RYDMAN PRESIDENT
INDIAN CREEK RAILROAD COMPANY
3905 W 600 NORTH
ANDERSON IN 46011 US

F RONALDS WALKER
CITIZENS GAS & COKE UTILITY
2020 N MERIDIAN STREET
INDIANAPOLIS IN 46202-1393 US

MICHAEL P MAXWELL JR
MCHALE, COOK & WELCH
320 N MERIDIAN ST 1100 CHAMBER OF COMMERCE BL
INDIANAPOLIS IN 46204 US

J PATRICK LATZ
HEAVY LIFT CARGO SYSTEM
PO BOX 51451
INDIANAPOLIS IN 46251-0451 US

MICHAEL CONNELLY
CITY OF EAST CHICAGO
4525 INDIANAPOLIS BLVD
EAST CHICAGO IN 46312 US

HAMILTON L CARMOUCHE, CORPORATION COUNSEL
CITY OF GARY
401 BROADWAY 4TH FLOOR
GARY IN 46402 US

HONORABLE PETER J. VISCLOSKY
U. S. HOUSE OF REPRESENTATIVES
215 WEST 35TH AVENUE
GARY IN 46408 US

CARL FELLER
DEKALB AGRA INC
P. O. BOX 127
4743 COUNTY ROAD 28
WATERLOO IN 46793-0127 US

CHRISTOPHER J BURGER, PRESIDENT
CENTRAL RAILROAD COMPANY OF INDIANAPOLIS
PO BOX 554
KOKOMO IN 46903-0554 US

WILLIAM A BON, GENERAL COUNSEL
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
26555 EVERGREEN ROAD SUITE 200
SOUTHFIELD MI 48076 US

NICOLE HARVEY
THE DOW CHEMICAL COMPANY
2020 DOW CENTER
MIDLAND MI 48674 US

JAMES E SHEPHERD
TUSCOLA & SAGINAW BAY
PO BOX 550
OWOSSO MI 48867-0550 US

LARRY B KARNES
TRANSPORTATION BUILDING
PO BOX 30050
425 WEST OTTAWA
LANSING MI 48909 US

HON JOHN ENGLER
OFFICE OF THE GOVERNOR
P O BOX 30013
LANSING MI 48933 US

T SCOTT BANNISTER
T SCOTT BANNISTER AND ASSOCIATES
1300 DES MOINES BLDG 405 SIXTH AVENUE
DES MOINES IA 50309 US

BYRON D OLSEN
FELHABER LARSON FENLON & VOGT PA
601 SECOND AVENUE SOUTH SUITE 4200
MINNEAPOLIS MN 55401-4302 US

LEO J WASESCHA
GOLD MEDAL DIVISON - GENERAL MILLS OPERATION
P O BOX 1113
NUMBER ONE GENERAL MILLS BULEVARD
MINNEAPOLIS MN 55440 US

THOMAS R BOBAK
313 RIVER OAKS DRIVE
CALUMET CITY IL 60409 US

GERALD J. VINCI
PRAIRIE GROUP
P. O.BOX 1123
7601 WEST 79TH STREET
BRIDGEVIEW IL 60455 US

RICHARD A GAVRIL
16700 GENTRY LANE NO 104
TINLEY PARK IL 60477 US

EDWARD WASHINGTON, II
CHIEF, PUBLIC UTILITIES BUREAU, ILL ATTORNEY
100 W RANDOLPH ST - 12TH FLOOR
CHICAGO IL 60601 US

CHRISTINE H. ROSSO
IL ASSISTANT ATTORNEY GENERAL
100 W RANDOLPH ST 13TH FLOOR
CHICAGO IL 60601 US

THOMAS J LITWILER
OPPENHEIMER WOLFF & DONNELLY
180 N STETSON AVE 45TH FLOOR
CHICAGO IL 60601 US

WILLIAM C SIPPEL
OPPENHEIMER WOLFF & DONNELLY
180 N STETSON AVE TWO PRUDENTIAL PLAZA 45TH F
CHICAGO IL 60601-6710 US

RICHARD F. FRIEDMAN, ESQ
EARL L NEAL & ASSOCIATES
111 WEST WASHINGTON STREET, STE 1700
CHICAGO IL 60602-2766 US

EDWARD C MCCARTHY
INLAND STEEL INDUSTRIES INC
30 WEST MONROE STREET
CHICAGO IL 60603 US

ROGER A SERPE
175 WEST JACKSON BOULEVARD SUITE 1460
CHICAGO IL 60604 US

SANDRA J. DEARDEN
MDCO CONSULTANTS, INC.
407 SOUTH DEARBORN, SUITE 1260
CHICAGO IL 60605 US

SHELDON A ZABEL
SCHIFF HARDIN & WAITE
7200 SEARS TOWER
CHICAGO IL 60606 US

THOMAS F MCFARLAND JR
MCFARLAND & HERMAN
20 NORTH WACKER DRIVE, SUITE 1330
CHICAGO IL 60606-3101 US

MYLES L TOBIN
ILLINOIS CENTRAL RAILROAD
455 NORTH CITYFRONT PLAZA DRIVE
CHICAGO IL 60611-5504 US

CHARLES D BOLAM
UNITED TRANSPORTATION UNION
1400-20TH STREET
GRANITE CITY IL 62040 US

SCOTT A RONEY
ARCHER DANIELS MIDLAND COMPANY
P O BOX 1470
4666 FARIES PARKWAY
DECATUR IL 62525 US

MERRILL L TRAVIS
ILLINOIS DEPT OF TRANSPORTATION
2300 S DIRKSEN PARKWAY RM 302
SPRINGFIELD IL 62764 US

IAN MUIR
BUNGE CORPORATION
P O BOX 28500
ST LOUIS MO 63146 US

JOHN JAY ROSACKER
KS DEPT OF TRANSP
217 SE 4TH ST 2ND FLOOR
TOPEKA KS 66603 US

HENRY T DART
PLAINTIFF MANGEMENT COMMITTEE
3748 NORTH CAUSEWAY BLVD SUITE 301
METAIRIE LA 70002 US

MIKE SPAHIS
FINA OIL & CHEMICAL CO.
6000 LEGACY DRIVE
PLANO, TX 75024-3601 US

DENNIS A. GUTH
WEST LAKE GROUP
2801 POST OAK BLVD
HOUSTON TX 77056 US

DAVID L HALL
COMMONWEALTH CONSULTING ASSOCIATES
13103 FM 1960 WEST SUITE 204
HOUSTON TX 77065-4069 US

STEVE M COULTER
EXXON COMPANY USA
PO BOX 3272
HOUSTON TX 77253-3272 US

STEPHEN M UTHOFF
CONIGLIO & UTHOFF
60 ELM AVENUE, CONIGLIO PROFESSIONAL BLDG
LONG BEACH CA 90802-4910 US

JOHN D FITZGERALD
UTU, GENERAL CHAIRPERSON
400 E EVERGREEN BLVD STE 217
VANCOUVER WA 98660-3264 US

MICHAEL P. FERRO
MILLENNIUM PETROCHEMICALS, INC.
P O BOX 2583
1221 MCKINNEY STREET SUITE 1600
HOUSTON TX 77252-2583 US

MONTY L PARKER
CMC STEEL GROUP
P O BOX 911
SEGUIN TX 78156 US

RICHARD WELSH
NARPO
50-505 GRAND TRAVERSE
LA QUINTA CA 92253 US

Records: 359

STB FD 33388 5-20-99 C 30178

30242
EB

SERVICE DATE - MAY 20, 1999

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 33388

CSX CORPORATION AND CSX TRANSPORTATION, INC.,
NORFOLK SOUTHERN CORPORATION AND
NORFOLK SOUTHERN RAILWAY COMPANY
— CONTROL AND OPERATING LEASES/AGREEMENTS —
CONRAIL INC. AND CONSOLIDATED RAIL CORPORATION

Decision No. 125

Decided: May 19, 1999

BACKGROUND

In Decision No. 89, we approved the acquisition of control of Conrail Inc. and Consolidated Rail Corporation (Conrail), and the division of that carrier's assets by (1) CSX Corporation (CSXC) and CSX Transportation, Inc. (CSXT) (collectively CSX), and (2) Norfolk Southern Corporation (NSC) and Norfolk Southern Railway Company (NSR) (collectively, NS).[1] In that decision, we found that, even though Indianapolis Power & Light Company's (IP&L) Stout plant was served by a single railroad, CSX's 89% owned subsidiary Indiana Rail Road Company (INRD), IP&L had access to Conrail through reciprocal switching. We also found that the switching rate that Conrail paid was restrained to a competitive level by the threat that a direct connection between Conrail and the Stout plant would be built. Accordingly, we imposed certain conditions to protect competition at Stout. Specifically, we imposed a condition preserving the existing build-out option by permitting Indiana Southern Railroad, Inc. (ISRR) or NS to serve IP&L if a build-out is constructed. We also imposed a condition to permit the Stout plant to be served by NS directly or by using INRD switching. We provided for a new interchange between NS and ISRR at ISRR's existing milepost 6 to permit efficient access to nearby coal sources located on ISRR.[2]

---

[1] Control of Conrail was effected by CSX and NS on August 22, 1998. The division of the assets of Conrail is scheduled to occur on June 1, 1999.

[2] IP&L indicated during the course of the proceeding that it uses local coal sources on ISRR and INRD, although it expects to shift to western coal at some time in the near future. At oral argument, IP&L noted that: "Under the Clean Air Act we can still use [ISRR] coal, but one of these days very soon with Phase II of the Clean Air Act taking effect in the Year 2000, we may have to switch to low sulphur coal."

In Decision No. 96, we partially granted IP&L's petition for clarification or reconsideration of Decision No. 89 to the extent that we directed CSX, NS, ISRR, and IP&L to attempt to negotiate a mutually satisfactory solution for any milepost 6.0 interchange problems. We asked the parties to advise us of the status of their negotiations. See Decision No. 96, slip op. at 14-15 (discussion of the IP&L issues) and 26 (ordering paragraph 8).

In Decision No. 115, we addressed the issue of whether an agreement between CSX and NS permitting interchange at Crawford Yard, rather than at milepost 6, was adequate to carry out our instructions that the parties agree on an appropriate interchange between ISRR and NS to permit the efficient delivery of coal originating on ISRR. We rejected claims by ISRR that we should find this interchange inherently unsatisfactory without giving it a chance to work. We did say that: "If NS comes to share ISRR's concerns over any potential inefficiencies associated with an ISRR-NS movement into Stout, or if, after having been given an opportunity to work, the ISRR-NS movement into Stout proves to be problematic, ISRR and NS may choose to negotiate a mutually beneficial agreement through which ISRR operates as NS' agent for movements into that plant." Slip op. at 4. We also said that "demonstrated deficiencies in the operations into Stout may be examined as part of our review in the oversight process . . . ." Id. Finally, we ordered CSX to procure the necessary trackage rights to be made available from its subsidiary, INRD, and for the parties to inform us that such rights have been procured.

In this decision, we will consider issues raised in the numerous pleadings filed in response to Decision No. 115.[3] Particularly, we will resolve the controversy among the parties concerning the issue of whether we granted additional affirmative relief to IP&L in Decision No. 115 by suggesting that NS and ISRR may wish to negotiate an agreement that would permit ISRR to perform service to the Stout plant as NS' agent. As explained below, we did not grant additional affirmative relief through this suggestion. All other requests for relief will be denied.

## POSITIONS OF THE PARTIES

In response to Decision No. 115, CSX informed us on February 18, 1999, that INRD has granted trackage rights to NS, but that the details of the agreement were not yet in place. NS responded on February 23, expressing concern that the agreement was not yet in place, and that some of the terms offered by CSX "differ from the standard in trackage rights agreements used by NS and CSX throughout this transaction."

---

[3] CSX-178; NS-76; IPL-21; CSX-180 (petition for reconsideration or clarification of Decision No. 115); NS-77; ISRR-12; IP&L-22; IP&L-23; NS letter of March 29, 1999; IP&L-24; NS letter of April 2, 1999; NS-78; CSX-182; and ISRR-13.

On March 1, 1999, CSX filed a petition for reconsideration of Decision No. 115. It seeks clarification or reconsideration of our statement that, if NS believes that the ISRR-NS movement into Stout is inefficient, it may employ ISRR as its agent to perform the service. CSX seeks reconsideration only to the extent that our decision is construed to authorize this agency relationship without a further order of the Board.

On March 22, 1999, replies to CSX's petition for reconsideration were filed by IP&L, ISRR, and NS. IP&L's reply assumes that we intended to give NS the right to substitute ISRR as its agent, a right that IP&L claims is essential to making our trackage rights remedy effective to preserve the existing competition at Stout. IP&L argues that, to provide service at Stout, NS will incur additional costs that will prevent it from offering competitive rates for this traffic. IP&L argues that NS will thus not be able to preserve the competitive presence that Conrail formerly provided at Stout. IP&L also takes issue with NS' statement that CSX and NS have negotiated an additional service alternative that would "grant the option . . . to use the switching services of INRD for the movement of coal on ISRR . . . on the same terms as those Conrail and INRD provide to ISRR today," with an RCAF(U) adjustment. See NS-77 at 3-4. RCAF(U) refers to the Rail Cost Adjustment Factor, unadjusted for productivity. IP&L argues that CSX is statutorily required to use the RCAF(A), which is adjusted to reflect productivity gains, in connection with all of its tariffs.

ISRR also opposes CSX's petition. It argues that we clearly intended to give NS an immediate right to substitute ISRR as its agent whenever, in NS' judgment, the need arises.

In contrast, NS, in its reply, states that it believes that our decision was unclear as to whether we intended to bestow upon it the right to substitute ISRR as NS' agent without CSX's consent and without a further Board order. NS states that it does not think that the Board intended that result. NS also notes that: "With respect to the pre-Transaction service available to the plant from ISRR, the terms NS has agreed to with CSX and INRD will effectively ensure that the plant will continue to have that service available on essentially the same terms in the event that interline service by ISRR and NS proves to [be] an unsatisfactory method of serving the plant in competition with CSX and INRD." NS-77, at 6.

On March 26, 1999, IP&L filed a letter responding to certain aspects of NS' reply as they concern its report on compliance with our order in Decision No. 115. IP&L objects that neither IP&L nor ISRR was privy to the discussions or agreement between CSX and NS concerning the terms for the NS-ISRR movement. IP&L argues that it should have access to all of the confidential agreements between CSX and NS concerning these matters. IP&L also continues to argue that the NS service will necessarily be inefficient, and that we should modify the conditions that we imposed in Decision No. 89 so as to permit direct service by ISRR to Stout.[4]

---

[4] On April 1, 1999, NS submitted a letter indicating its intent to reply to IP&L's pleading to (continued...)

On April 6, NS filed its reply objecting to the additional relief sought by IP&L. It argues that no additional relief is required because NS and CSX have done exactly what the Board has ordered by arranging for an appropriate interchange with ISRR and for direct NS access to Stout by way of trackage rights over INRD. It notes that NS and CSX have also reached an alternative arrangement, to be used if circumstances warrant, involving the use of switching by INRD. NS urges that the sufficiency of these arrangements cannot be tested until after Day One.

On April 7 and April 9, 1999, respectively, CSX and ISRR filed responses to NS' report about compliance with Decision No. 115. CSX states that applicants have complied with the terms of that decision. CSX also states that our decision ordered the parties, including IP&L and ISRR, to work out an agreement concerning interchange at milepost 6, but that negotiating the terms of a trackage rights agreement was a separate matter that did not require the participation of IP&L or ISRR.

ISRR continues to argue that the service that NS proposes will be inefficient, as will be the alternative service CSX and NS have negotiated using INRD switching.

## DISCUSSION AND CONCLUSIONS

In Decision No. 115, we denied, for the second time, requests for modification of the relief that we granted for the benefit of IP&L. As we stated there, "no material error, changed circumstances, or new evidence has been presented that would justify our reopening of this matter." Decision No. 115, slip op. at 4. We realize that we may have created some ambiguity with our statement that, if the ISRR-NS movement proves problematic, ISRR and NS may choose to negotiate an agency agreement that permits ISRR to serve the Stout plant directly. We did not intend this to be an additional grant of authority, but were merely explaining that, if IP&L's predictions come true, we will explore other options to make sure that a viable alternative service is available. If we had intended to modify the relief that we granted in Decision No. 89, we would have done so specifically, and would have included an ordering paragraph setting forth that change. The only relief that we ordered in Decision No. 115 was that CSX make available trackage rights over INRD, and that CSX and NS enter into an appropriate trackage rights arrangement. All other relief was specifically denied in ordering paragraph 3.

As we explained in Decision No. 115, it is too early to determine whether the new NS-ISRR service that will result from our remedial condition will work as we intended to preserve the

---

[4](...continued)
the extent that it seeks new relief. On April 1, 1999, IP&L filed a letter in which it argued that any reply would be an impermissible reply to a reply. By letter of April 2, 1999, NS responded that, because IP&L has sought new relief detrimental to NS, NS is entitled to reply. We agree with NS, and we will accept its response into the record.

competition that Conrail had provided at Stout. We do not yet know what kind of joint rate NS and ISRR will be willing to offer IP&L for this service.[5] That rate will depend on the costs and revenue demands of both of those carriers. It would seem that both NS and ISRR would have a strong incentive to make this joint service competitive, and that there are arrangements short of an agency relationship that could allow efficient service. For example, we see no reason that NS would have to use its own locomotives for this service. Rather, it would seem more efficient for NS to dispatch a crew to Crawford Yard by automobile, and then use ISRR locomotives to complete the movement to the Stout plant. At this point, however, Conrail's lines have not yet been transferred to CSX and NS, so that most of the arguments presented here about difficulties that NS and ISRR will have in providing this service are simply speculation. We will continue to oversee this situation, and we will impose additional relief as necessary to ensure that our conditions work as intended. But, as explained, the requests by IP&L and ISRR for additional relief now are premature and will be denied.[6]

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. CSX's petition for clarification is granted as set forth above.

2. All other requests for relief are denied.

---

[5] We will also deny the request by IP&L that NS and CSX reveal to it all of the details of their compensation arrangements. When we ordered NS, CSX, IP&L, and ISRR to work out an adequate interchange to permit an efficient NS-ISRR movement, we did not make IP&L and ISRR privy to separate agreements concerning compensation arrangements between NS and CSX or INRD.

[6] IP&L argues — in connection with the alternative INRD switching arrangement negotiated by NS and CSX — that subjecting those tariff rates to RCAF(U) increases would be unlawful. Because this proposal has not yet been implemented, IP&L's argument is premature, but even if it were not, the argument is frivolous. This argument was raised by The Fertilizer Institute and was rejected in Decision No. 96, slip op. at 16. As we explained there, the RCAF is not a rate limit. Rather, as CSX correctly explains, the only statutory function of the RCAF is as a safe harbor for certain rate increases to reflect inflation.

3. This decision is effective June 19, 1999.

By the Board, Chairman Morgan, Vice Chairman Clyburn, and Commissioner Burkes.

Vernon A. Williams
Secretary

STEPHEN M FONTAINE
MASSACHUSETTS CENTRAL RAILROAD CORPORATION
ONE WILBRAHAM STREET
PALMER MA 01069 US

RICHARD B. KENNELLY, JR
CONSERVATION LAW FOUNDATION
62 SUMMER STREET
BOSTON MA 02110 US

JAMES E HOWARD
90 CANAL STREET
BOSTON MA 02114 US

JOHN D CIRAME, ASSISTANT SECRETARY
COMMONWEALTH OF MASS. EXEC. OFFICE OF TRANSP
10 PARK PLAZA ROOM 3170
BOSTON MA 02116-3969 US

HON. EDWARD M KENNEDY
UNITES STATES SENATE
2400 JOHN F KENNEDY FEDERAL BLDG
BOSTON MA 02203 US

WILLIAM D ANKNER PHD
R I DEPT OF TRANSPORTATION
TWO CAPITOL HILL
PROVIDENCE RI 02903 US

JOHN R NADOLNY
14 AVIATION AVENUE
PORTSMOUTH NH 03801 US

ROBERT D ELDER
MAINE DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA ME 04333 US

KAREN E SONGHURST
STATE OF VERMONT
133 STATE STREET
MONTPELLIER VT 05633-5001 US

JAMES F SULLIVAN
CT DEPT OF TRANSPORTATION
P O BOX 317546
2800 BERLIN TURNPIKE
NEWINGTON CT 06131 US

EDWARD J RODRIGUEZ
P.O. BOX 298
67 MAIN STREET
CENTERBROOK CT 06409 US

RICHARD C CARPENTER
SOUTHWESTERN REGIONAL PLANNING AGENCY
1 SELLECK STREET SUITE 210
EAST NORWALK CT 06855 US

MICHAEL E STRICKLAND
NYK LINE (NORTH AMERICA) INC, SENIOR VICE PRE
300 LIGHTING WAY
SECAUCUS NJ 07094-1588 US

HONORABLE ROBERT G. TORRICELLI
UNITED STATES SENATE
1 RIVER FRONT PLAZA, 3RD FLOOR
NEWARK NJ 07102 US

J WILLIAM VAN DYKE
NJ TRANSPORTATION PLANNING AUTHORITY
ONE NEWARK CENTER 17TH FLOOR
NEWARK NJ 07102 US

EDWARD LLOYD
RUTGERS ENVIRONMENTAL LAW CLINIC
15 WASHINGTON STREET
NEWARK NJ 07102 US

PHILIP SIDO
UNION CAMP CORPORATION
1600 VALLEY ROAD
WAYNE NJ 07470 US

MARTIN T DURKIN ESQ
DURKIN & BOGGIA ESQS
PO BOX 378
71 MT VERNON STREET
RIDGEFIELD PARK NJ 07660 US

TIMOTHY G CHELIUS
18 N EAST AVENUE
VINELAND NJ 08360 US

LAWRENCE PEPPER, JR
GRUCCIO PEPPER
817 EAST LANDS AVE
VINELAND NJ 08360 US

JOHN F. MCHUGH
MCHUGH & SHERMAN
20 EXCHANGE PLACE 51ST FLOOR
NEW YORK NY 10005 US

ANTHONY BOTTALICO
UTU
420 LEXINGTON AVENUE ROOM 458-460
NEW YORK NY 10017 US

WALTER E ZULLIG JR
METRO-NORTH COMMUTER RAILROAD COMPANY
347 MADISON AVE
NEW YORK NY 10017-3706 US

ANTHONY P. SEMANCIK
347 MADISON AVENUE
NEW YORK NY 10017-3706 US

JAMES W HARRIS
THE METROPOLITIAN PLANNING ORGANIZATION
1 WORLD TRADE CENTER STE 82 EAST
NEW YORK NY 10048-0043 US

HUGH H. WELSH
LAW DEPT., SUITE 67E
ONE WORLD TRADE CENTER
NEW YORK NY 10048-0202 US

R. LAWRENCE MCCAFFREY, JR.
NEW YORK & ATLANTIC RAILWAY
405 LEXINGTON AVENUE 50TH FLOOR
NEW YORK NY 10174 US

SAMUEL J NASCA
UTU STATE LEGISLATIVE DIRECTOR
35 FULLER ROAD SUITE 205
ALBANY NY 12205 US

DANIEL B. WALSH
BUSINESS COUNCIL OF NEW YORK STATE, INC.
152 WASHINGTON AVENUE
ALBANY NY 12210 US

DIANE SEITZ
CENTRAL HUDSON GAS & ELECTRIC CORP
284 SOUTH AVENUE
POUGHKEEPSIE NY 12601 US

IRWIN L. DAVIS
1900 STATE TOWER BLDG.
SYRACUSE NY 13202 US

ANGELO J CHICK JR, LOCAL CHAIRMAN
P O BOX 908
48398 OLD GOOSE BAY ROAD
REDWOOD NY 13679 US

GARY EDWARDS
SOMERSET RAILROAD
7725 LAKE ROAD
BARKER NY 14012 US

SHEILA MECK HYDE
CITY HALL
342 CENTRAL AVENUE
DUNKIRK NY 14048 US

IRVING J RUBIN
P O BOX 243
YOUNGSTOWN NY 14174 US

JOHN F COLLINS
COLLINS ,COLLINS, & KANTOR PC
267 NORTH STREET
BUFFALO NY 14201 US

R W GODWIN
BROTHERHOOD OF LOCOMOTIVE ENGINEERS
810 ABBOTT ROAD SUITE 200
BUFFALO NY 14220 US

ERNEST J IERARDI
NIXON HARGRAVE DEVANS DOYLE LLP
PO BOX 1051
CLINTON SQUARE
ROCHESTER NY 14603-1051 US

H DOUGLAS MIDKIFF
GENESEE TRANSPORTATION COUNCIL
65 WEST BROAD ST STE 101
ROCHESTER NY 14614-2210 US

JEANNE WALDOCK
107 GRANT COURT
ORLEAN NY 14760 US

DAVID W. DONLEY
3361 STAFFORD ST
PITTSBURGH PA 15204-1441 US

HENRY M. WICK, JR.
WICK, STREIFF, ET AL
1450 TWO CHATHAM CENTER
PITTSBURGH PA 15219 US

JOHN A. VUONO
VUONO & GRAY
2310 GRANT BUILDING
PITTSBURGH PA 15219 US

R J HENEFELD
PPG INDUSTRIES INC
ONE PPG PLACE
PITTSBURGH PA 15272 US

M E PETRUCCELLI
PPG INDUSTRIES INC
ONE PPG PLACE
PITTSBURGH PA 15272 US

RICHARD R WILSON
1126 EIGHT AV STE 403
ALTOONA PA 16602 US

D W DUNLEVY
STATE LEGISLATIVE DIRECTOR UTU
230 STATE STREET, PA AFL-CIO BLDG 2ND FLOOR
HARRISBURG PA 17101 US

KURT W CARR
BUREAU FOR HISTORIC PRESERVATION
P O BOX 1026
HARRISBURG PA 17108-1026 US

HONORABLE THOMAS J RIDGE
GOVERNOR, COMMONWEALTH OF PENNSYLVANIA
225 MAIN CAPITOL BUILDING
HARRISBURG PA 17120 US

KRISTOPHER MICHAEL KLEMICK
RR#3 BOX 101-15
JERSEY SHORE PA 17740-9309 US

BELNAP FREEMAN
BELKNAP FREEMAN
119 HICKORY LANE
ROSEMONT PA 19010 US

D J O'CONNELL
GENERAL CHAIRPERSON UTU
410 LANCASTER AVE STE 5
HAVERFORD PA 19041 US

JOHN J GROCKI
GRA INC
115 WEST AV ONE JENKINTOWN STA
JENKINTOWN PA 19046 US

HARRY C BARBIN
BARBIN LAUFFER & O'CONNELL
608 HUNTINGDON PIKE
ROCKLEDGE PA 19046 US

G CRAIG SCHELTER
PHILADELPHIA INDUSTRIAL DEVELOPMENT CORPORATI
2600 CENTRE SQUARE WEST 500 MARKET ST
PHILADELPHIA PA 19102 US

WILLIAM R THOMPSON
CITY OF PHILADELPHIA LAW DEPT
1600 ARCH ST 10TH FLOOR
PHILADELPH PA 19103 US

JOHN J EHLINGER JR
OBERMAYER REBMANN MAXWELL & HIPPEL
1617 JOHN F. KENNEDY BLVD ONE PENN CENTER-19T
PHILADELPHIA PA 19103-1895 US

DAVID BERGER
BERGER AND MONTAGUE, P. C.
1622 LOCUST ST
PHILADELPHIA PA 19103-6305 US

JOHN J COSCIA, EXECUTIVE DIRECTOR
DELAWARE VALLEY REGIONAL PLANNING COMMISSION
111 SOUTH INDEPENDENCE MALL EAST
PHILADELPHIA PA 19106 US

JOHN K. LEARY, GENERAL MANAGER
SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUT
1234 MARKET STREET 5TH FLOOR
PHILADELPHIA PA 19107-3780 US

CHERYL ANNE COOK
SENIOR GENERAL ATTORNEY
1138 SIX PENN CENTER
PHILADELPHIA PA 19146 US

ERIC M HOCKY
GOLLATZ GRIFFIN EWING
213 WEST MINER STREET
WEST CHESTER PA 19381-0796 US

HON JOSEPH R BIDEN, JR.
UNITED STATES SENATE
844 KING STREET
WILMINGTON DE 19801 US

J E THOMAS
HERCULES INCORPORATED
1313 NORTH MARKET STREET
WILMINGTON DE 19894 US

E C WRIGHT
RAIL TRANSPORTATION PROCUREMENT MANAGER
1007 MARKET STREET DUPONT BLDG 3100
WILMINGTON DE 19898 US

FREDERICK H SCHRANCK
PO BOX 778
DOVER DE 19903 US

TERRENCE D JONES
KELLER & HECKMAN
1001 G ST NW STE 500 WEST
WASHINGTON DC 20001 US

JAMES HOWARD
COALITION OF NORTHEASTERN GOVERNORS
400 NORTH CAPITOL STREET, SUITE 382
WASHINGTON DC 20001 US

PETER A GILBERTSON
REGIONAL RRS OF AMERICA
122 C ST NW STE 850
WASHINGTON DC 20001 US

MARTIN W BERCOVICI
KELLER & HECKMAN, LLP
1001 G ST NW SUITE 500 WEST
WASHINGTON DC 20001 US

RICHARD G SLATTERY
AMTRAK
60 MASSACHUSETTS AVENUE N E
WASHINGTON DC 20002 US

DONALD F GRIFFIN
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
10 G STREET NE STE 460
WASHINGTON DC 20002 US

PAUL A CUNNINGHAM
HARKINS CUNNINGHAM
801 PENNSYLVANIA AVENUE, NW STE 600
WASHINGTON DC 20004 US

DENNIS G LYONS
ARNOLD & PORTER
555 TWELFTH STREET NW
WASHINGTON DC 20004 US

DREW A HARKER
ARNOLD & PORTER
555 TWELFTH STREET NW
WASHINGTON DC 20004 US

GEORGE W MAYO JR
HOGAN & HARTSON L L P
555 THIRTEENTH STREET NW COLUMBIA SQUARE
WASHINGTON DC 20004-1109 US

MARY GABRIELLE SPRAGUE
ARNOLD & PORTER
555 TWELTH STREET NW
WASHINGTON DC 20004-1202 US

KEVIN M SHEYS
OPPENHEIMER WOLFF & DONNELLY & BAYH LLP
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005 US

BRUNO MAESTRI
NORFOLK SOUTHERN CORPORATION
1500 K STREET SUITE 375
WASHINGTON DC 20005 US

ROSE-MICHELE WEINRYB
WEINER BRODSKY SIDMAN & KIDER
1350 NEW YORK AVENUE NW
WASHINGTON DC 20005 US

PAUL M LAURENZA
OPPENHEIMER WOLFF & DONNELLY & BAYH LLP
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005 US

DANIEL DUFF
AMERICAN PUBLIC TRANSIT ASSOCIATION
1201 NEW YORK AV NW
WASHINGTON DC 20005 US

LOUIS E GITOMER
BALL JANIK LLP
1455 F STREET NW SUITE 225
WASHINGTON DC 20005 US

L JOHN OSBORN
SONNENSCHEIN NATH & ROSENTHAL
1301 K STREET NW STE 600 EAST
WASH DC 20005 US

JOHN H BROADLEY
JENNER & BLOCK
601 13TH ST NW 12TH FL
WASHINGTON DC 20005 US

KARL MORELL
BALL JANIK LLP
1455 F STREET NW SUITE 225
WASHINGTON DC 20005 US

ALICE C SAYLOR
THE AMERICAN SHORT LINE RAILROAD ASSOCIATION
1120 G STREET, N. W., SUITE 520
WASHINGTON DC 20005 US

EDWARD WYTKIND EXECUTIVE DIRECTOR
1025 CONNECTICUT AVE NW SUITE 1005
WASHINGTON DC 20005 US

CLARK EVANS DOWNS
JONES DAY REAVIS & POGUE
1450 G STREET NW
WASHINGTON DC 20005-2088 US

WILLIAM A MULLINS
TROUTMAN SANDERS LLP
1300 I STREET NW SUITE 500 EAST
WASHINGTON DC 20005-3314 US

PAUL H LAMBOLEY
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005-3324 US

FRITZ R KAHN
1100 NEW YORK AVENUE NW SUITE 750 WEST
WASHINGTON DC 20005-3934 US

JEFFREY O MORENO
DONELAN CLEARY WOOD MASER
1100 NEW YORK AVENUE N W, SUITE 750
WASHINGTON DC 20005-3934 US

KARYN A BOOTH
DONELAN, CLEARY, WOOD & MASER, P.C.
1100 NEW YORK AVE NW SUITE 750
WASHINGTON DC 20005-3934 US

FREDERIC L WOOD
DONELAN CLEARY WOOD & MASER P C
1100 NEW YORK AVENUE NW SUITE 750
WASHINGTON DC 20005-3934 US

JOHN K MASER III
DONELAN CLEARY WOOD & MASER P C
1100 NEW YORK AVE NW SUITE 750
WASHINGTON DC 20005-3934 US

MARK H SIDMAN
WEINER BRODSKY,SIDMAN & KIDER
1350 NEW YORK AVE., NW., STE. 800
WASHINGTON DC 20005-4797 US

WILLIAM W MILLAR
AMERICAN PUBLIC TRANSIT ASSOCIATION
1201 NEW YORK AVE., NW
WASHINGTON DC 20005-6141 US

ANDREW P GOLDSTEIN
MCCARTHY SWEENEY HARKAWAY, PC
1750 PENNSYLVANIA AVE NW, STE 1105
WASHINGTON DC 20006 US

ROBERT P VOM EIGEN
HOPKINS AND SUTTER
888 16TH STREET N W STE 700
WASHINGTON DC 20006 US

ANDREW R. PLUMP
ZUCKERT, SCOUTT & RASENBERGER. LLP
888 17TH ST., NW, STE. 600
WASHINGTON DC 20006 US

SCOTT M ZIMMERMAN
ZUCKERT SCOUTT & RASENBERGER L L P
888 SEVENTEENTH STREET NW
WASHINGTON DC 20006 US

JAMES R WEISS
PRESTON GATES ELLIS ET AL
1735 NEW YORK AVENUE NW SUITE 500
WASHINGTON DC 20006 US

DANIEL J SWEENEY
MCCARTHY SWEENEY & HARKAWAY P C
1750 PENNSYLVANIA AVE NW STE 1105
WASHINGTON DC 20006 US

ERIKA Z JONES
MAYER BROWN & PLATT
1909 K STREET, NW
WASHINGTON DC 20006-1101 US

RICHARD A ALLEN
ZUCKERT SCOUT RASENBERGER
888 17TH STREET N W STE 600
WASHINGTON DC 20006-3939 US

JOHN V EDWARDS, ESQ
ZUCKERT SCOUTT ET AL
888 17TH STREET N W STE 600
WASHINGTON DC 20006-3939 US

CHARLES A SPITULNIK
HOPKINS & SUTTER
888 SIXTEENTH ST NW
WASH DC 20006-4103 US

STEVEN J KALISH
MCARTHY SWEENEY & HARKAWAY
1750 PENNSYLVANIA AVE NW
WASHINGTON DC 20006-4502 US

SHERRI LEHMAN DIRECTOR OF CONGRESSIONAL AFFA
CORN REFINERS ASSOC
1701 PA AV NW
WASH DC 20006-5805 US

ROBERT G. SZABO
V.NESS FELDMAN
1050 THO JEFFERSON STREET,NW
WASHINGTON DC 20007 US

CHRISTOPHER C O'HARA
BRICKFIELD BURCHETTE & RITTS PC
1025 THOMAS JEFFERSON ST NW EIGHTH FLOOR
WASHINGTON DC 20007 US

MICHAEL F MCBRIDE
LEBOEUF LAMB GREENE & MACRAE
1875 CONNECTICUT AVENUE NW
WASHINGTON DC 20009-5728 US

JOHN D HEFFNER
REA CROSS & AUCHINCLOSS
1707 L STREET, NW, STE 570
WASHINGTON DC 20036 US

DAVID H COBURN
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE NW
WASHINGTON DC 20036 US

HELEN M. COUSINEAU
CARLOS RODRIGUEZ & ASSOCIATES
1710 RHODE ISLAND AVENUE, NW
WASHINGTON DC 20036 US

STEPHEN H BROWN
VORYS SATER SEYMOUR AND PEASE
1828 L STREET N W
WASHINGTON DC 20036 US

CHRISTOPHER A MILLS
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036 US

RICHARD S EDELMAN
O'DONNELL SCHWARTZ & ANDERSON PC
1900 L STREET NW SUITE 707
WASHINGTON DC 20036 US

PETER A GREENE
THOMPSON HINE FLORY
1920 N STREET N W, SUITE 800
WASHINGTON DC 20036 US

TIMOTHY M WALSH
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE N W
WASHINGTON DC 20036-1795 US

DAVID K MONROE
GALLAND, KHARASCH, GREENBERT, FELLMAN & SWIR
1054 THIRTY-FIRST STREET NW, STE 200
WASHINGTON DC 20007 US

EDWARD D GREENBERG
GALLAND, KHARASCH, GREENBERT, FELLMAN & SWIR
1054 THIRTY-FIRST STREET NW
WASHINGTON DC 20007-4492 US

PAUL M DONOVAN
LAROE, WINN, MOERMAN & DONOVAN
3506 IDAHO AVE NW
WASHINGTON DC 20016 US

WILLIAM G. MAHONEY
HIGHSAW, MAHONEY & CLARKE
1050 SEVENTEENTH STREET NW SUITE 210
WASHINGTON DC 20036 US

KELVIN J DOWD
SLOVER & LOFTUS
1224 17TH STREET N W
WASHINGTON DC 20036 US

HAROLD P QUINN, JR
NATIONAL MINING ASSOCIATON
1130 17TH STREET NW
WASHINGTON DC 20036 US

KEITH G O'BRIEN
REA CROSS AND AUCHINCLOSS
1707 L STREET NW STE 570
WASHINGTON DC 20036 US

ROBERT A WIMBISH ESQ
REA CROSS & AUCHINCLOSS
1707 L STREET NW STE 570
WASHINGTON DC 20036 US

GORDON P MACDOUGALL
1025 CONNECTICUT AVE NW SUITE 410
WASHINGTON DC 20036 US

JOHN M CUTLER JR
MCCARTHY SWEENEY HARKAWAY PC
1750 PENNSYLVANIA AVE N W SUITE 1105
WASHINGTON DC 20036 US

SAMUEL M SIPE JR
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE N W
WASHINGTON DC 20036-1795 US

JOSEPH GUERRIERI, JR.
GUERRIERI, EDMOND & CLAYMAN, PC
1625 MASSACHUSETTS AVE., NW. STE 700
WASHINGTON DC 20036-2243 US

DEBRA L WILLEN
GUERRIERI EDMOND & CLAYMAN PC
1625 MASSACHUSETTS AVENUE, N.W., STE 700
WASHINGTON DC 20036-2243 US

DONALD G AVERY
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036-3003 US

WILLIAM L SLOVER
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036-3003 US

L PAT WYNNS
SUITE 210
1050 - 17TH STREET N W
WASHINGTON DC 20036-5503 US

EDWARD J FISHMAN
OPPENHEIMER WOLFF & DONNELLY
1020 NINETEENTH STREET NW SUITE 400
WASHINGTON DC 20036-6105 US

JOHN L OBERDORFER
PATTON BOGGS LLP
2550 M ST NW
WASHINGTON DC 20037-1301 US

SCOTT N STONE
PATTON BOGGS L L P
2550 M STREET NW 7TH FLOOR
WASHINGTON DC 20037-1346 US

ARVID E ROACH II
COVINGTON & BURLING
PO BOX 7566
1201 PENNSYLVANIA AVE N W
WASHINGTON DC 20044-7566 US

KEITH A KLINDWORTH
U S DEPT OF AGRICULTURE
P O BOX 96456
WASHINGTON DC 20090 US

EILEEN S STOMMES
P O BOX 96456
ROOM 4006-SOUTH BUILDING
WASHINGTON DC 20090-6456 US

JUDGE JACOB LEVENTHAL, OFFICE OF HEARINGS
FEDERAL ENERGY REGULATORY COMMISSION
888 - 1ST ST, N.E. STE 11F
WASHINGTON DC 20426 US

RICHARD E SANDERSON
OFFICE OF FEDERAL ACTIVITIES
US ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON DC 20460 US

HON. BARBARA A. MIKULSKI
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. JOSEPH BIDEN, JR.
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. JOSEPH I LIEBERMAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE RICHARD LUGAR
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON CHARLES E SCHUMER
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON DANIEL PATRICK MOYNIHAN
UNITED STATES SENATE
WASINGTON DC 20510 US

BYRON L DORGAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON BYRON L DORGAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON BYRON L DORGAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON CHARLES SCHUMER
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE BOB GRAHAM
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. CHARLES ROBB
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON WILLIAM V. ROTH JR
U S SENATE
WASHINGTON DC 20510-0001 US

HON. JOHN W. WARNER
US SENATE
WASHINGTON DC 20510-0001 US

HON CHRISTOPHER J DODD
UNITED STATES SENATE
WASH DC 20510-0702 US

HONORABLE DANIEL P. MOYNIHAN
UNITED STATE SENATE
WASHINGTON DC 20510-0903 US

HONORABLE CONNIE MACK
UNITED STATES SENATE
WASHINGTON DC 20510-0904 US

HONORABLE JOHN BREAUX
UNITED STATES SENATE
WASHINGTON DC 20510-1803 US

HONORABLE J ROBERT KERREY
UNITED STATES SENATE
WASHIGTON DC 20510-2704 US

HON MIKE DEWINE
UNITED STATES SENATE
WASHINGTON DC 20510-3503 US

HON ARLEN SPECTER
UNITED STATES SENATE
WASHINGTON DC 20510-3802 US

HON RICK SANTORUM
UNITED STATES SENATE
WASHINGTON DC 20510-3804 US

HONORABLE JOHN H. CHAFEE
UNITED STATES SENATE
WASHINGTON DC 20510-3902 US

HON JACK REED
U S SENATE
WASHINGTON DC 20510-3903 US

HONORABLE ROBERT BYRD
UNITED STATES SENATE
WASHINGTON DC 20510-6025 US

HONORABLE JOHN J LAFALCE
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE CHIP PICKERING
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JESSE L. JACKSON, JR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE LUIS GUTIERREZ
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE DANNY K DAVIS
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON RALPH REGULA
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON SHERROD BROWN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NYDIA M VELAZQUEZ
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON ED TOWNS
U. S. HOUSE OR REPRESENTATIVES
WASHINGTON DC 20515 US

HON LOUISE M SLAUGHTER
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CHRISTOPHER.SHAYS
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CHARLES RANGEL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MICHAEL MCNULTY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JAMES MALONEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CAROLYN B MALONEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NITA LOWEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MAURICE HINCHEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MICHAEL FORBES
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON ELIOT L ENGEL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON GARY ACKERMAN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON JERROLD NADLER
U S HOUSE OF REPRESENTATIVES
WASH DC 20515 US

HONORABLE ROBERT W. NEY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE BOB WEYGAND
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE TED STRICKLAND
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON DENNIS J KUCINICH
UNITED STATES HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

HON. ED BRYANT
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. STEVE LATOURETTE
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE SAXBY CHAMBLISS,
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE TILLIE K FOWLER
US HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE FRANK MASCARA
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. ROBERT MENENDEZ
U S HOUSE OF REPRESENTATIVES
WASH DC 20515 US

HON MARCY KAPTUR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON JAMES TRAFICANT JR
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON BOB WISE
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. JOHN J. DUNCAN
U S HOUSE OF REPRESENTATIVESS
WASHINGTON DC 20515 US

HONORABLE PAUL E. GILLMOR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. JAMES L. OBERSTAR
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. WILLIAM O. LIPINSKI
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE BOB CLEMENT
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. THOMAS C SAWYER
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. TOM BLILEY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE PETER J. VISCLOSKY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE MIKE DOYLE
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JOHN D. DINGELL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE BENJAMIN A. GILMAN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE SAM GEJDENSON
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. WILLIAM J. COYNE
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE MAJOR R. OWENS
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NANCY JOHNSON
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. BUD SHUSTER
ATTN: MIKE RICK
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE ROD R BLAGOJEVICH
U. S. HOUSE OF REPRESENTATIVES
WASHINGTO DC 20515-1305 US

HONORABLE JAMES A. BARCIA
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-2205 US

JAMES L OBERSTAR
RANKING DEMOCRATIC MEMBER COMMITTEE ON TRANSP
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3222 US

HON JACK QUINN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3230 US

HONORABLE RICHARD BURR
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3305 US

HONORABLE TOM DAVIS
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-4611 US

HONORABLE BOBBY L. RUSH
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-9997 US

MICHAEL P HARMONIS
DEPARTMENT OF JUSTICE
325 SEVENTH STREET, NW
WASHINGTON DC 20530 US

PAUL SAMUEL SMITH
US DEPARTMENT OF TRANSPORTATION
400 SEVENTH STREET SW, ROOM 4102 C-30
WASHINGTON DC 20590 US

JOSEPH R. POMPONIO
FEDERAL RAILROAD ADMIN.
400 7TH ST SW RCC-20
WASHINGTON DC 20590 US

JOLENE MOLITORIS, ADMN.
FEDERAL RAILROAD ADMNS.
400 7TH STREET SW
WASHINGTON DC 20590 US

DAVID G ABRAHAM
SUITE 400W
7315 WISCONSIN AVENUE
BETHESDA MD 20814 US

MITCHELL M. KRAUS
TRANSPORTATION -COMMUNICATIONS INTERNATIONAL
3 RESEARCH PLACE
ROCKVILLE MD 20850 US

JOHN M ROBINSON
9616 OLD SPRING ROAD
KENSINGTON MD 20895-3124 US

WILLIAM W WHITEHURST JR
W W WHITEHURST & ASSOCIATES INC
12421 HAPPY HOLLOW ROAD
COCKEYSVILLE MD 21030-1711 US

JOHN HOY
P O BOX 117
GLEN BURNIE MD 21060 US

ROBERT J WILL
UNITED TRANSPORTATION UNION
4134 GRAVE RUN RD
MANCHESTER MD 21102 US

JOHN F WING CHAIRMAN
CITIZENS ADVISORY COMMITTEE
601 NORTH HOWARD STREET
BALTIMOTE MD 21201 US

LINDA A JANEY J D
MARYLAND OFFICE OF PLANNING
301 WEST PRESTON STREET
BALTIMORE MD 21201-2365 US

CHARLES M CHADWICK
MARYLAND MIDLAND RAILWAY INC
P O BOX 1000
UNION BRIDGE MD 21791 US

GARRET G SMITH
MOBIL OIL CORPORATION
3225 GALLOWS RD RM 8A903
FAIRFAX VA 22037-0001 US

HENRY E. SEATON
7700 LEESBURG PIKE, STE 201
FALLS CHURCH VA 22043 US

PETER Q NYCE JR
U S DEPARTMENT OF THE ARMY
901 NORTH STUART STREET
ARLINGTON VA 22203 US

JENNIFER BRAUN
JACKSON & JESSUP
P O BOX 1240
3426 NORTH WASHINGTON BOULEVARD
ARLINGTON VA 22210 US

FRANCIS G MCKENNA
ANDERSON & PENDLETON
206 N WASHINGTON STREET SUITE 330
ALEXANDRIA VA 22314 US

ROBERT E MARTINEZ
VA SECRETARY OF TRANSPORTAITON
P. O. BOX 1475
RICHMOND VA 23218 US

GEORGE A ASPATORE
NORFOLK SOUTHERN CORP
THREE COMMEMERCIAL PLACE
NORFOLK VA 23510 US

HONORABLE JOHN WARNER
UNITED STATES SENATE
235 FEDERAL BUILDING
ABINGDON VA 24210-0887 US

TERRELL ELLIS
CAEZWV
P O BOX 176
CLAY WV 25043 US

WILLIAM T BRIGHT
P O BOX 149
200 GREENBRIER ROAD
SUMMERSVILLE WV 26651 US

SCOTT M SAYLOR
NORTH CAROLINA RAILROAD COMPANY
3200 ATLANTIC AV STE 110
RALIEGH NC 27604-1640 US

HONORABLE DAVID M BEASLEY
GOVERNOR
P. O. BOX 11369
COLUMBIA SC 29211 US

CHARLES M ROSENBERGER
CSX TRANSPORTATION
500 WATER STREET - J150
JACKSONVILLE FL 32202 US

WILLIAM P. JACKSON, JR.
JACKSON & JESSUP, P. C.
P O BOX 1240
3426 NORTH WASHINGTON BLVD
ARLINGTON VA 22210 US

GERALD W FAUTH III
G W FAUTH & ASSOCIATES INC
116 SOUTH ROYAL STREET
ALEXANDERIA VA 22314 US

KENNETH E SIEGEL
AMERICAN TRUCKING ASSOC INC
2200 MILL ROAD
ALEXANDRIA VA 22314-4677 US

HONORABLE GEORGE ALLEN
GOVERNOR, COMMONWEALTH OF VIRGINIA
STATE CAPITOL
RICHMOND VA 23219 US

L P KING JR
GENERAL CHAIRPERSON UTU
145 CAMPBELL AVE SW STE 207
ROANOKE VA 24011 US

VAUGHN R GROVES
PITTSTON COAL COMPANY
PO BOX 5100
LEBANON VA 24266 US

R K SARGENT
GENERAL CHAIRPERSON UTU
1319 CHESTNUT STREET
KENOVA WV 25530 US

FRANK N JORGENSEN
THE ELK RIVER RAILROAD INC
P O BOX 460
SUMMERSVILLE WV 26651 US

E NORRIS TOLSON
NC DEPT OF TRANSPORTATION
P O BOX 25201
1 S. WILINGTON STREET
RALEIGH NC 27611 US

PAUL R. HITCHCOCK
CSX TRANSPORTATION LAW DEPARTMENT
500 WATER STREET SC J-150
JACKSONVILLE FL 32202 US

BOB HAULTER
CSX TRANSPORTATION INC
500 WATER STREET (J215)
JACKSONVILLE FL 32202 US

FRED R BIRKHOLZ
CSX TRANSPORTATION LAW DEPT - J-150
500 WATER STREET
JACKSONVILLE FL 32202 US

ROBERT V ALLEN
CSX TRANSPORTATION
500 WATER STREET J305
JACKSONVILLE FL 32202 US

J RANDALL EVANS
500 WATER STREET (J150)
JACKSONVILLE FL 32202 US

JOHN W. HUMES, JR.
CSX TRANSPORTATION
SPEED CODE J-150
500 WATER STREET
JACKSONVILLE FL 32202 US

J L RODGERS
GENERAL CHAIRMAN UTU
480 OSCEOLA AVENUE
JACKSONVILLE FL 32250 US

J T REED
GENERAL CHAIRPERSON UTU
7785 BAYMEADOWS WAY STE 109
JACKSONVILLE FL 32256 US

PHILLIP L BELL
ERIE LACKAWANNA RAILROAD CO
PO BOX 1482
TALLAHASSEE FL 32302 US

JAMES L BELCHER
EASTMAN CHEMICAL COMPANY
PO BOX 431
KINGSPORT TN 37662 US

WILLIAM L OSTEEN
ASSOCIATE GENERAL COUNSEL TVA
400 WEST SUMMIT HILL DRIVE
KNOXVILLE TN 37902 US

J R BARBEE
GENERAL CHAIRPERSON UTU
P.O. BOX 9599
KNOXVILLE TN 37940 US

HONORABLE KIRK FORDICE, GOVERNOR
STATE OF MISSISSIPPI
P O BOX 139
JACKSON MS 39205 US

HONORABLE PAUL E. PATTON
GOVERNOR
700 CAPITOL AVENUE, STE. 100
FRANKFORT KY 40601 US

WILLIAM P HERNAN JR GENERAL CHAIRMAN
P O BOX 180
HILLIARD OH 43026 US

F R PICKELL
GENERAL CHAIRPERSON UTU
6797 NORTH HIGH ST STE 108
WORTHINGTON OH 43085 US

THOMAS M O'LEARY
OHIO RAIL DEVELOPMENT COMMISSION
50 W BROAD STREET 15TH FLOOR
COLUMBUS OH 43215 US

HONORABLE DEBORAH PRYCE
U. S. HOUSE OF REPRESENTATIVES
500 SOUTH FRONT STREET, ROOM 1130
COLUMBUS OH 43215 US

DOREEN C JOHNSON, CHIEF ANTITRUST SECTION
OHIO ATTY GENERAL OFFICE
140 EAST TOWN STREET, FIRST FLOOR
COLUMBUS OH 43215-6001 US

JAMES R JACOBS
JACOBS INDUSTRIES
2 QUARRY LANE
STONY RIDGE OH 43463 US

DAVID CHAPMAN
LAFARGE LIME OHIO INC
P O BOX 128
659 ANDERSON ROAD
WOODVILLE OH 43469-0128 US

ROBERT J COOPER
GENERAL CHAIRPERSON UTU
1238 CASS ROAD
MAUMEE OH 43537 US

ROBERT E GREENLESE
TOLEDO-LUCAS COUNTY PORT AUTHORITY
1 MARITIME PLAZA SUITE 700
TOLEDO OH 43604 US

DAVID DYSARD
TMACOG
PO BOX 9508
300 CENTRAL UNION PLAZA
TOLEDO OH 43697-9508 US

RON MARQUARDT
LOCAL UNION 1810 UMWA
R D #2
RAYLAND OH 43943 US

MAYOR VINCENT M URBIN
150 AVON BELDEN RD
AVON LAKE OH 44012 US

CHARLES S HESSE
CHARLES HESSE ASSOCIATES
7777 BAINBRIDGE ROAD
CHAGRIN FALLS OH 44023-2124 US

BARBARA O'KEEFE
VILLAGE OF WELLINGTON
115 WILLARD MEMORIAL SQ
WELLINGTON OH 44090 US

COLETTA MCNAMEE.SR
CUDELL IMPROVEMENT INC
11500 FRANKLIN BLVD STE 104
CLEVELAND OH 44102 US

ANITA R BRINDZA
THE ONE FIFTEEN HUNDRED BUILDING
11500 FRANKLIN BLVD SUITE 104
CLEVELAND OH 44102 US

C L LITTLE
UNITED TRANSPORTATION UNION
14600 DETROIT AVE
CLEVELAND OH 44107 US

CLINTON J MILLER III GENERAL COUNSEL
UNITED TRANSPORTATION UNION
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

DANIEL R ELLIOTT III
ASST GENERAL COUNSEL UNITED TRANSPORTATION UN
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

C V MONIN
BROTHERHOOD OF LOCOMOTIVE ENGINEERS
1370 ONTARIO STREET
CLEVELAND OH 44113 US

CHRISTOPHER C MCCRACKEN
ULMER & BERNE LLP
1300 EAST NINTH STREET SUITE 900
CLEVELAND OH 44114 US

DAVID ROLOFF
GOLDSTEIN & ROLOFF
526 SUPERIOR AVENUE EAST SUITE 1440
CLEVELAND OH 44114 US

INAJO DAVIS CHAPPELL
ASHTA CHEMICALS INC
1300 EAST NINETH STREET SUITE 900
CLEVELAND OH 44114-1538 US

DAVID J MATTY
CITY OF ROCKY RIVER
21012 HILLIARD ROAD
ROCKY RIVER OH 44116-3398 US

MICHAEL J GARRIGAN
BP CHEMICALS INC
4440 WARRENSVILLE CTR RD
CLEVELAND OH 44128 US

C D WINEBRENNER
GENERAL CHAIRPERSON UTU
27801 EUCLID AV RM 200
EUCLID OH 44132 US

GARY A EBERT
CITY OF BAY VILLAGE
350 DOVER CENTER ROAD
BAY VILLAGE OH 44140 US

CHARLES ZUMKEHR
ROETZEL & ANDRESS CO LPA
75 EAST MARKET STREET
AKRON OH 44308 US

SYLVIA R. CHINN-LEVY
NEFCO
969 COPLEY ROAD
AKRON OH 44320 US

CHARLES E ALLENBAUGH JR
EAST OHIO STONE COMPANY
2000 W BESSON ST
ALLIANCE OH 44601 US

RANDALL C. HUNT
KRUGLIAK, WILKINS, GRIFFITHS & DOUGHERTY CO.
P O BOX 36963
4775 MUNSON ST NW
CANTON OH 44735-6963 US

D G STRUNK JR
GENERAL CHAIRPERSON UTU
817 KILBOURNE STREET
BELLEVUE OH 44811 US

R A GRICE
GENERAL CHAIRPERSON UTU
817 KILBOURNE ST
BELLEVUE OH 44811-9431 US

BRAD F HUSTON
CYPRUS AMAX COAL SALES CORP
400 TECHNECENTER DRIVE STE 320
MILFORD OH 45150 US

ROBERT EDWARDS
EASTERN TRANSPORT AND LOGISTICS
1109 LANETTE DRIVE
CINCINNATI OH 45230 US

F RONALDS WALKER
CITIZENS GAS & COKE UTILITY
2020 N MERIDIAN STREET
INDIANAPOLIS IN 46202-1393 US

J PATRICK LATZ
HEAVY LIFT CARGO SYSTEM
PO BOX 51451
INDIANAPOLIS IN 46251-0451 US

HAMILTON L CARMOUCHE, CORPORATION COUNSEL
CITY OF GARY
401 BROADWAY 4TH FLOOR
GARY IN 46402 US

CARL FELLER
DEKALB AGRA INC
P. O. BOX 127
4743 COUNTY ROAD 28
WATERLOO IN 46793-0127 US

WILLIAM A BON, GENERAL COUNSEL
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
26555 EVERGREEN ROAD SUITE 200
SOUTHFIELD MI 48076 US

JAMES E SHEPHERD
TUSCOLA & SAGINAW BAY
PO BOX 550
OWOSSO MI 48867-0550 US

HON JOHN ENGLER
OFFICE OF THE GOVERNOR
P O BOX 30013
LANSING MI 48933 US

BYRON D OLSEN
FELHABER LARSON FENLON & VOGT PA
601 SECOND AVENUE SOUTH SUITE 4200
MINNEAPOLIS MN 55401-4302 US

RICHARD E KERTH
CHAMPION INTERNATIONAL CORPORATION
101 KNIGHTSBRIDGE DRIVE
HAMILTON OH 45020-0001 US

FAY D DUPUIS
CITY OF CINCINNATI
801 PLUM STREET
CINCINNATI OH 45202 US

THOMAS R RYDMAN PRESIDENT
INDIAN CREEK RAILROAD COMPANY
3905 W 600 NORTH
ANDERSON IN 46011 US

MICHAEL P MAXWELL JR
MCHALE, COOK & WELCH
320 N MERIDIAN ST 1100 CHAMBER OF COMMERCE BL
INDIANAPOLIS IN 46204 US

MICHAEL CONNELLY
CITY OF EAST CHICAGO
4525 INDIANAPOLIS BLVD
EAST CHICAGO IN 46312 US

HONORABLE PETER J. VISCLOSKY
U. S. HOUSE OF REPRESENTATIVES
215 WEST 35TH AVENUE
GARY IN 46408 US

CHRISTOPHER J BURGER, PRESIDENT
CENTRAL RAILROAD COMPANY OF INDIANAPOLIS
PO BOX 554
KOKOMO IN 46903-0554 US

NICOLE HARVEY
THE DOW CHEMICAL COMPANY
2020 DOW CENTER
MIDLAND MI 48674 US

LARRY B KARNES
TRANSPORTATION BUILDING
PO BOX 30050
425 WEST OTTAWA
LANSING MI 48909 US

T SCOTT BANNISTER
T SCOTT BANNISTER AND ASSOCIATES
1300 DES MOINES BLDG 405 SIXTH AVENUE
DES MOINES IA 50309 US

LEO J WASESCHA
GOLD MEDAL DIVISON - GENERAL MILLS OPERATION
P O BOX 1113
NUMBER ONE GENERAL MILLS BULEVARD
MINNEAPOLIS MN 55440 US

THOMAS K BOBIK
313 RIVER OAKS DRIVE
CALUMET CITY IL 60409 US

RICHARD A GAVRIL
16700 GENTRY LANE NO 104
TINLEY PARK IL 60477 US

CHRISTINE H. ROSSO
IL ASSISTANT ATTORNEY GENERAL
100 W RANDOLPH ST 13TH FLOOR
CHICAGO IL 60601 US

WILLIAM C SIPPEL
OPPENHEIMER WOLFF & DONNELLY
180 N STETSON AVE TWO PRUDENTIAL PLAZA 45TH F
CHICAGO IL 60601-6710 US

EDWARD C MCCARTHY
INLAND STEEL INDUSTRIES INC
30 WEST MONROE STREET
CHICAGO IL 60603 US

SANDRA J. DEARDEN
MDCO CONSULTANTS, INC.
407 SOUTH DEARBORN, SUITE 1260
CHICAGO IL 60605 US

THOMAS F MCFARLAND JR
MCFARLAND & HERMAN
20 NORTH WACKER DRIVE, SUITE 1330
CHICAGO IL 60606-3101 US

CHARLES D BOLAM
UNITED TRANSPORTATION UNION
1400-20TH STREET
GRANITE CITY IL 62040 US

MERRILL L TRAVIS
ILLINOIS DEPT OF TRANSPORTATION
2300 S DIRKSEN PARKWAY RM 302
SPRINGFIELD IL 62764 US

JOHN JAY ROSACKER
KS DEPT OF TRANSP
217 SE 4TH ST 2ND FLOOR
TOPEKA KS 66603 US

MIKE SPAHIS
FINA OIL & CHEMICAL CO.
6000 LEGACY DRIVE
PLANO, TX 75024-3601 US

GERALD J. VINCI
PRAIRIE GROUP
P. O.BOX 1123
7601 WEST 79TH STREET
BRIDGEVIEW IL 60455 US

EDWARD WASHINGTON, II
CHIEF, PUBLIC UTILITIES BUREAU, ILL ATTORNEY
100 W RANDOLPH ST - 12TH FLOOR
CHICAGO IL 60601 US

THOMAS J LITWILER
OPPENHEIMER WOLFF & DONNELLY
180 N STETSON AVE 45TH FLOOR
CHICAGO IL 60601 US

RICHARD F. FRIEDMAN, ESQ
EARL L NEAL & ASSOCIATES
111 WEST WASHINGTON STREET, STE 1700
CHICAGO IL 60602-2766 US

ROGER A SERPE
175 WEST JACKSON BOULEVARD SUITE 1460
CHICAGO IL 60604 US

SHELDON A ZABEL
SCHIFF HARDIN & WAITE
7200 SEARS TOWER
CHICAGO IL 60606 US

MYLES L TOBIN
ILLINOIS CENTRAL RAILROAD
455 NORTH CITYFRONT PLAZA DRIVE
CHICAGO IL 60611-5504 US

SCOTT A RONEY
ARCHER DANIELS MIDLAND COMPANY
P O BOX 1470
4666 FARIES PARKWAY
DECATUR IL 62525 US

IAN MUIR
BUNGE CORPORATION
P O BOX 28500
ST LOUIS MO 63146 US

HENRY T DART
PLAINTIFF MANGEMENT COMMITTEE
3748 NORTH CAUSEWAY BLVD SUITE 301
METAIRIE LA 70002 US

DENNIS A. GUTH
WEST LAKE GROUP
2801 POST OAK BLVD
HOUSTON TX 77056 US

DAVID L HALL
COMMONWEALTH CONSULTING ASSOCIATES
13103 FM 1960 WEST SUITE 204
HOUSTON TX 77065-4069 US

STEVE M COULTER
EXXON COMPANY USA
PO BOX 3272
HOUSTON TX 77253-3272 US

STEPHEN M UTHOFF
CONIGLIO & UTHOFF
60 ELM AVENUE, CONIGLIO PROFESSIONAL BLDG
LONG BEACH CA 90802-4910 US

JOHN D FITZGERALD
UTU, GENERAL CHAIRPERSON
400 E EVERGREEN BLVD STE 217
VANCOUVER WA 98660-3264 US

MICHAEL P. FERRO
MILLENNIUM PETROCHEMICALS, INC.
P O BOX 2583
1221 MCKINNEY STREET SUITE 1600
HOUSTON TX 77252-2583 US

MONTY L PARKER
CMC STEEL GROUP
P O BOX 911
SEGUIN TX 78156 US

RICHARD WELSH
NARPO
50-505 GRAND TRAVERSE
LA QUINTA CA 92253 US

Records: 359

STB FD33388 5-20-99 C 30177

30177
EB

SERVICE DATE - MAY 20, 1999

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 33388

CSX CORPORATION AND CSX TRANSPORTATION, INC.,
NORFOLK SOUTHERN CORPORATION AND
NORFOLK SOUTHERN RAILWAY COMPANY
— CONTROL AND OPERATING LEASES/AGREEMENTS —
CONRAIL INC. AND CONSOLIDATED RAIL CORPORATION

Decision No. 124

Decided: May 18, 1999

This decision addresses a petition filed February 1, 1999, by Occidental Chemical Corporation (OxyChem) for oversight and modification of a remedial condition that we previously imposed in this consolidation proceeding. On February 22, 1999, CSX Corporation and CSX Transportation, Inc. (CSX)[1] replied. On March 3, 1999, OxyChem filed a petition for leave to file a reply to the CSX response. CSX replied to that petition on March 10, 1999.[2]

## BACKGROUND

In Decision No. 89, we approved, subject to certain conditions, the acquisition of control of Conrail, and the division of its assets, by CSX and NS.[3] OxyChem seeks modification of a condition that we imposed to benefit certain Niagara Falls shippers that we based largely on evidence

---

[1] CSX Corporation and CSX Transportation, Inc., and their wholly owned subsidiaries, and also Consolidated Rail Corporation's wholly owned New York Central Lines LLC subsidiary, are referred to collectively as CSX; Norfolk Southern Corporation and Norfolk Southern Railway Company and their wholly owned subsidiaries, and also Consolidated Rail Corporation's wholly owned Pennsylvania Lines LLC subsidiary, are referred to collectively as NS; Conrail Inc. and Consolidated Rail Corporation, and also their wholly owned subsidiaries other than New York Central Lines LLC and Pennsylvania Lines LLC, are referred to collectively as Conrail or CR; and CSX, NS, and Conrail are referred to collectively as applicants.

[2] In view of CSX's lack of opposition to OxyChem's petition for leave to file, and so that we can resolve the issues raised here on a more complete factual record, we will accept OxyChem's reply.

[3] Acquisition of control of Conrail was effected by CSX and NS on August 22, 1998. CSX and NS have indicated that Conrail's assets will be divided on June 1, 1999 (Day One).

submitted by the Erie Niagara Rail Steering Committee (ENRSC), an ad hoc committee representing various interests in the "Niagara Frontier" region, including OxyChem.[4] In Decision No. 89, we explained that the NITL agreement[5] was very procompetitive in that it mitigates the market power that NS and CSX will inherit from Conrail. Slip op. at 87. Our Niagara Falls condition extends the $250 limit on reciprocal switching charges embodied in the NITL agreement[6] "to certain points in the Niagara Falls area for traffic using International Bridge and Suspension Bridge, for which Conrail recently replaced its switching charges with so-called 'line haul' charges." Slip op. at 178, ordering paragraph 37.[7] We explained that this condition "will bring the compensation under the procompetitive and beneficial terms of the NITL agreement." Slip op. at 87.

*OxyChem's Contentions.* OxyChem's concerns relate to rail service at its Niagara Falls, NY plant. This plant produces chlorine, caustic soda, and other products, and ships about 10,000 carloads annually. It is now served directly only by Conrail over a line that is to be assigned to CSX.

OxyChem contends that, until recently, Conrail permitted unrestricted reciprocal switching at Niagara Falls to and from certain shippers, including OxyChem, for the account of CSX at a rate of $390 per car. OxyChem argues that this reciprocal switching gave it access to CSX competition for traffic originating at Niagara Falls and destined to Eastern and Midwestern points open both to Conrail and to CSX.[8] OxyChem notes that Conrail canceled this switching on April 1, 1996, and

---

[4] Although OxyChem also participated as an individual party to the proceeding, the pleading that it filed in its own name did not mention the reciprocal switching cancellation issue.

[5] The NITL agreement is the settlement agreement that CSX and NS entered into with The National Industrial Transportation League (NITL). See Decision No. 89, slip op. at 248-52.

[6] Section III(B) of the NITL agreement provides that CSX or NS, as the case may be, will cause any point at which Conrail now provides reciprocal switching to be kept open to reciprocal switching for 10 years after Day One. See Decision No. 89, slip op. at 250. Section III(C) provides that, for 5 years after the Closing Date, reciprocal switch charges between CSX and NS at the points referred to in Section III(B) will not exceed $250 per car, subject to annual RCAF-U adjustment (the Rail Cost Adjustment Factor unadjusted for productivity is referred to as RCAF-U).

[7] Suspension Bridge crosses the Niagara River between Niagara Falls, ON, and Niagara Falls, NY. International Bridge crosses the Niagara River between Fort Erie, ON, and Buffalo, NY.

[8] OxyChem indicates that outbound traffic routed via CSX was switched from OxyChem's Niagara Falls plant to Buffalo by Conrail. It was then moved from Buffalo to New Castle, PA, by the Buffalo & Pittsburgh Railroad, Inc. (BPRR), to which CSX had sold certain Buffalo-area rail

(continued...)

that OxyChem's relevant contracts were amended accordingly.[9] OxyChem argues that Conrail canceled switching in anticipation of the consolidation transaction, and that OxyChem's Niagara Falls plant should thus be regarded as a 2-to-1 facility.

OxyChem further contends that, early in this proceeding, CSX acknowledged that OxyChem's Niagara Falls plant was entitled to 2-to-1 status. OxyChem relies upon a CSX letter dated May 30, 1997 (CSX's 5/30/97 Dunn letter). This letter, signed by CSX's Ronald A. Dunn and addressed to OxyChem's Robert L. Evans, reads in its entirety as follows:

> This letter serves as a revised response to your letter dated February 28, 1997 regarding the CSX/NS/CR acquisition. In acceptance of your request, Niagara Falls, NY will be treated as a 2 to 1 point under the terms of the acquisition. Access will be granted via Buffalo, NY for a $390/car charge. CSXT is glad we are able to afford OxyChem the competitive access at Niagara Falls you had in the past.
>
> With this new development, CSXT is hopeful to receive your support of the acquisition in the form of a verified statement. As I mentioned before, it is our desire to receive all support statements and letters by June 2, 1997. Thank you again and CSXT looks forward [to] growing our relationship with OxyChem well into the future.

OxyChem concedes that it did not provide a supporting letter for inclusion in the application as filed on June 23, 1997. On October 20, 1997, OxyChem did file a verified statement (OxyChem's 10/20/97 Orbegoso statement) generally supporting the application, but also asking for certain conditions to protect its interests or improve its situation.[10] Nevertheless, OxyChem claims that, acting in reliance on the representation contained in CSX's 5/30/97 Dunn letter, it did not request relief from us for the situation at Niagara Falls.

---

[8](...continued)
assets in 1988. See Decision No. 89, slip op. at 306, n.507. Traffic was then moved to destination by CSX.

[9] OxyChem indicates that, effective April 1, 1996, each relevant OxyChem contract was amended, with OxyChem's consent, to show Conrail as a party to the contract providing the portion of the line-haul movement between Niagara Falls and the interchange with BPRR at Buffalo. Conrail's division of revenue on these moves remained at $390.

[10] This statement, submitted by OxyChem's Antonio G. Orbegoso and dated October 20, 1997, is discussed in Decision No. 89, slip op. at 278.

OxyChem now contends that, in September 1998, CSX advised OxyChem that, on and after Day One, Niagara Falls will not be treated as a 2-to-1 point (except for traffic subject to the Niagara Falls condition). OxyChem claims that CSX has thereby reneged on its general representation in the application that it would provide trackage or haulage rights to allow for alternative rail service to 2-to-1 facilities,[11] and on its specific representation in the Dunn letter that Niagara Falls would be treated as a 2-to-1 point.

OxyChem asks that we begin proceedings under our general oversight condition to establish that more than one rail carrier should have a right of access to and from OxyChem's Niagara Falls plant. Specifically, it argues that we should modify Decision No. 89's ordering paragraph 37, slip op. at 178, by removing the restriction that now limits its application to traffic "using International Bridge and Suspension Bridge."

## DISCUSSION AND CONCLUSIONS

OxyChem's petition suggests several possible grounds for relief, none of which is convincing. OxyChem's basic request is that the Niagara Falls condition, which is restricted to traffic moving via the Niagara River bridges to and from points in the Niagara Falls area, should be expanded to cover all traffic moving to and from points in the Niagara Falls area for which Conrail replaced its switching charges with line-haul charges in 1996.[12] As explained below, OxyChem has not justified any relief.

As a threshold matter, we note that OxyChem's Niagara Falls condition expansion request is a very late-filed petition for reconsideration of Decision No. 89. OxyChem is asserting that we erred in restricting the benefits of the Niagara Falls condition to traffic moving via the two Niagara River bridges. Any request asserting such an error should have been filed by August 12, 1998. Although we sometimes excuse brief delays in seeking reconsideration, we note that OxyChem filed its petition almost 6 months after the 20-day deadline for filing a petition for reconsideration, and more

---

[11] Decision No. 89, slip op. at 51: "In only a handful of instances, the restructuring would, unless conditioned, result in a reduction from two to one of carriers serving a particular location. Applicants have agreed, and we will ensure, that wherever that would happen, applicants will provide one another sufficient trackage rights at reasonable rates, together with any other conditions that might be called for, to remedy the situation."

[12] We are unable to determine from the record how much solely served CSX traffic this relief would open to NS, or even how much OxyChem traffic would be so affected.

than 3 months after the issuance of our final decision disposing of the timely filed reconsideration requests.[13] OxyChem has provided no explanation for this delay.

When we impose conditions, we weigh the burden the condition imposes on the application and on the public interest against the public benefit derived from the condition. Here, applicants have assessed the various conditions we imposed and have proceeded with — indeed, they are well into — implementation of this major transaction that we approved as furthering the public interest. Under those circumstances, and given its late participation, OxyChem would have to make a strong showing of competitive or other harm in order to obtain additional relief.

**1. The Newly Presented Evidence.** OxyChem argues that the current Niagara Falls condition is inadequate to protect Niagara Falls shippers such as itself. But OxyChem has made no credible assertion of new evidence and/or changed circumstances in support of this argument. Although OxyChem claims that we committed material error,[14] it does not urge that we erred in light of the record that was available to us when this condition was crafted and imposed. Rather, as detailed below, OxyChem argues that applicants misled us by not giving us the whole story, and that OxyChem should be permitted to supplement the record now. This newly presented evidence and argument — which should have been presented much earlier — does not justify a change in our condition.

OxyChem's argument that CSX failed to inform us fully and completely regarding the situation at Niagara Falls is unpersuasive. OxyChem claims that CSX is at fault because it failed to inform us that Conrail's 1996 cancellations involved more than just traffic moving over the Niagara River bridges. It claims that this failure of disclosure by CSX caused us to impose a narrower Niagara Falls condition than would otherwise have been the case. A close examination of the relevant pleadings does not support that argument.

The Niagara Falls switching cancellation issue was one of many issues raised by ENRSC in its October 21, 1997 pleading. See ENRS-6 at 28-30. ENRSC contended there that Conrail eliminated certain reciprocal switching arrangements in the Niagara Frontier area in contemplation

---

[13] See Decision No. 96 (served October 19, 1998).

[14] OxyChem cannot assert new evidence, because OxyChem has known, for quite some time, every relevant fact, including the fact that its relevant Niagara Falls traffic is not routed via the Niagara River bridges. Nor can OxyChem assert changed circumstances; OxyChem's recital of the relevant facts makes it quite clear that circumstances have not changed since October 20, 1997, the date it filed its last pleading prior to our issuance of Decision No. 89.

of this transaction. This issue was thus addressed by applicants in their rebuttal statements,[15] in which they indicated that this cancellation was unrelated to the transaction, and merely reflected the fact that, after December 1995, there was no need for Conrail to provide switching for CSX. Applicants explained that CSX had previously served Niagara Falls shippers via trackage rights over CN[16] lines through Canada, with Conrail providing switching for CSX at Suspension Bridge to and from Niagara Falls shippers. In December 1995, CSX arranged for CN to haul CSX's traffic over CN's lines as CSX's agent. That traffic, when carried by CN, would apparently move either via Suspension Bridge or via International Bridge. Applicants noted that, since 1995, CSX had not used its trackage rights over CN. Applicants further indicated that Conrail discontinued switching for CSX traffic at Niagara Falls because "[n]o one performs switching for carriers that do not actually travel to the switch district." CSX/NS-177 at 353.

Although OxyChem is correct that applicants' rebuttal did not explain that the Niagara Falls reciprocal switching cancellation of April 1, 1996, applied both to traffic moving via the Niagara River bridges and also to other traffic, applicants' rebuttal, taken in context, was not intended to mislead the Board. Applicants were merely attempting to explain that the rationale for the cancellation was not Conrail's anticipation of this transaction,[17] and that it was not an attempt to avoid inclusion of this situation under the NITL agreement, which was not entered until December 1997. Applicants were under no obligation to discuss any other traffic.

More importantly, if ENRSC or OxyChem had regarded applicants' rebuttal submissions as misleading, incomplete, inaccurate, or otherwise contrary to their interests, they would have (and should have) said so in their briefs, or at the latest during the 20-day reconsideration period, but they did not. Although ENRSC did file a brief, and did specifically discuss the Niagara Falls switching cancellation issue (see ENRS-19 at 37), it made no suggestion that applicants' rebuttal submissions were misleading or inaccurate with regard to the scope of the Niagara Falls cancellations. ENRSC, like applicants, chose not to discuss in any detail the particular traffic that had been subject to the Niagara Falls reciprocal switching cancellation, and although OxyChem was a party, it chose not to file a brief.

---

[15] CSX/NS-176 at 65-66, and CSX-177, Vol. 2A at 350-53 (R.V.S. McGee).

[16] Canadian National Railway Company, Grand Trunk Corporation, and Grand Trunk Western Railroad Incorporated are referred to collectively as CN.

[17] Applicants' main point was that contractual arrangements leading up to an initial October 1996 merger agreement between CSX and Conrail were not made until August of that year, so that the April 1996 switching cancellations could not have been in anticipation of that agreement. We agree with that argument.

**2. The Oversight Condition.** OxyChem, noting that we imposed an oversight condition to provide a means for the imposition of additional conditions that might be necessary to address harms caused by the transaction, now argues that we should invoke our oversight authority to expand our Niagara Falls condition for its benefit.

Our oversight condition is not nearly as broad in scope as OxyChem imagines. It does not give all parties, in all circumstances, a second bite of the apple. The oversight condition was intended to permit us to determine whether the conditions that we have imposed are working as intended to ameliorate competitive or other harm, and whether any additional conditions are required to remedy such harm. Perhaps OxyChem could have gained inclusion in the procompetitive benefits of the Niagara Falls condition if it had participated earlier, or perhaps that condition, as expanded, would have been rejected as imposing too great a burden upon the applicants. At this point, however, OxyChem needs to show at least that it will be harmed by this transaction, a burden that it has not met.[18] We will not allow our oversight condition to be used as a vehicle for making late requests that should have been timely made and that do not address competitive or other harms that are the primary focus of our remedial conditions.

**3. The 2-to-1 Issue.** OxyChem also asks us to hold CSX to its obligation to provide trackage or haulage rights that would allow for alternative rail service to facilities that otherwise would be 2-to-1 points. But OxyChem's plant is not a 2-to-1 facility. This transaction simply substitutes CSX for Conrail as the sole rail carrier serving its plant. OxyChem's request rests entirely upon the assertion that the broader Niagara Falls reciprocal switching cancellation was done in anticipation of, and should be attributed to, the transaction. As already discussed, the record establishes quite clearly that this was not the case. OxyChem's anticipatory cancellation assertion is unsupported by any evidence of record.

**4. The Dunn Letter.** OxyChem also argues that CSX should be held to its specific representation in the Dunn letter that Niagara Falls would be treated as a 2-to-1 point. OxyChem relies upon a condition that we imposed in Decision No. 89 indicating that we would hold applicants to representations that they have made during the course of the proceeding. As the text of our decision makes clear, however, this only includes those representations that were made on the

---

[18] Because there seems to be some misunderstanding on this point, we clarify that our imposition of the Niagara Falls condition was not based on any finding of transaction-related competitive harm, but on other, procompetitive considerations. ENRSC had asserted that the April 1996 replacement of switching with line haul charges in the Niagara Falls area was done in anticipation of Conrail's acquisition by CSX and NS, and thus should be viewed as transaction-related competitive harm. There was no need for us to rule on that allegation in Decision No. 89, because we determined that we would order relief for certain Niagara Falls shippers to improve competition, not to preserve it.

record.[19] The Dunn letter upon which OxyChem relies was never submitted to us, and never made a part of the record. As such, we did not rely upon it in deciding whether or not to grant the application or in deciding what conditions to impose. Because the Dunn letter was not part of the record, it is not subject to our condition.

When representations are not made on the record, there is no opportunity for us, with the assistance of the parties, to iron out any ambiguities they may involve before we reach a final decision on what conditions to impose. Here, we are presented with an exchange of letters, some of which OxyChem claims it did not receive, even though applicants aver that they were mailed. Not surprisingly, the crucial Dunn letter is ambiguous. We generally prefer not to have to resolve controversies about what parties intended in their off-the-record correspondence, but we will reluctantly do so here. Ultimately, OxyChem's request must be denied because we do not believe that the Dunn letter, read in its entirety and taken in context, was regarded at the time by either OxyChem or CSX as making the commitment that OxyChem now insists it does.

The Dunn letter does state that, "[i]n acceptance of your request [i.e., a request previously made by OxyChem's Mr. Evans], Niagara Falls, NY will be treated as a 2 to 1 point under the terms of the acquisition." This might be construed as a binding commitment that OxyChem was entitled to 2-to-1 status with all that entails if the letter had ended there. But the letter immediately goes on to state that "Access will be granted via Buffalo, NY for a $390/car charge" and that "CSXT is hopeful to receive your support of the acquisition in the form of a verified statement." This additional language suggests that the 2-to-1 "representation" is not a representation, but an offer to grant "access" at $390 per car, which OxyChem could have accepted by its unconditional support of the transaction, which it did not provide.[20]

An additional CSX letter dated June 30, 1997 (CSX's 6/30/97 Dunn letter) states, in pertinent part:

> Our offer for Niagara Falls is to provide linehaul service at $390 to NS at Buffalo. It is not reciprocal switching. Our share of any through rates established would be $390. The rate will be valid for 25 years, subject to escalation at RCAF.

That second letter by Mr. Dunn indicates that his earlier letter, taken in context, should be regarded as an offer for a particular type of access at a particular rate, not a representation or a unilateral commitment to accord OxyChem 2-to-1 status. And the context makes clear that this offer had not

---

[19] Decision No. 89, slip op. at 21, n.36.

[20] OxyChem cites its 10/20/97 Orbegoso statement as the support it offered for the transaction. That statement, although it expressed general support for the transaction, also sought a variety of conditions.

yet been accepted. Although Dunn's second letter seems to resolve the ambiguity in CSX's favor, OxyChem insists that it never received it.[21]

We find another letter (OxyChem's 10/17/97 Evans letter), addressed to an ENRSC official, sufficient by itself to clarify the parties' intentions. This letter, which appears in the record as an attachment to ENRS-6 filed October 21, 1997,[22] states in pertinent part:

> Before CSX Transportation pulled out of the Niagara Falls area, I believe in 1996, and Conrail canceled the reciprocal switching charge with CSX at Niagara Falls, we had some competitive rail competition between major Class I carriers. It's time for the STB to restore rail competition for Niagara Falls, NY. Niagara Falls is only 27 rail miles from Buffalo. The STB could order that CSX provide a reasonable charge from Niagara Falls to Buffalo to be absorbed by NS, CN, [CP], and BPRR in their pricing. Those carriers should show as serving Niagara Falls under reciprocal switching arrangement so direct contracts can be negotiated with them without CSX concurrence, which would restrict pricing freedom. Another alternative would be trackage rights between Buffalo and Niagara Falls for NS or others.

The relief sought in the Evans letter is not the sort of relief that OxyChem (through ENRSC) would have been seeking at that stage of the proceeding had it actually believed that CSX had already promised that OxyChem's Niagara Falls plant would be accorded 2-to-1 status. The Evans letter says that the time has come to restore rail competition at Niagara Falls. That request is inconsistent with the notion that CSX had already promised to restore rail competition to OxyChem at Niagara Falls.

The Evans letter suggests that competition at Niagara Falls should be restored either by requiring CSX to establish reciprocal switching or by requiring CSX to grant trackage rights to one or more other carriers. OxyChem would not have sought that relief had it really believed that CSX had already committed to treating OxyChem's Niagara Falls plant as a 2-to-1 facility. OxyChem would have at least attempted to explain just why the relief it sought was justified, given CSX's commitment. The fact that OxyChem provided no such explanation, and did not even mention this

---

[21] It is well settled that letters such as this one that are mailed in the ordinary course of business are presumed to have been received.

[22] See ENRS-6, Tab C (OxyChem's 10/17/97 Evans letter is one of several items appearing in Tab C). Although OxyChem's 10/20/97 Orbegoso statement was submitted into the record by OxyChem and was referenced in Decision No. 89 (see Decision No. 89, slip op. at 278), OxyChem's 10/17/97 Evans letter was submitted into the record by ENRSC and was not referenced in Decision No. 89.

supposed commitment, severely undercuts OxyChem's interpretation of the first Dunn letter as a binding unilateral commitment.

We therefore conclude that CSX's 5/30/97 Dunn letter must be regarded as stating an offer, not a representation.[23] And because this offer was never accepted by OxyChem's provision of unconditional support for the transaction, it never became binding on CSX.

**5. Enforcement of the Existing Condition.** OxyChem requests that CSX be required to implement the Niagara Falls condition with respect to OxyChem traffic moving to and from OxyChem's Niagara Falls plant over the Niagara River bridges (traffic, OxyChem notes, that is clearly within the scope of the Niagara Falls condition as imposed in Decision No. 89). CSX is obliged to implement the Niagara Falls condition with respect to all traffic that is subject to it. If it does not do so, we will take appropriate action to enforce our condition.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. OxyChem's reply is accepted for filing.

2. OxyChem's petition for additional relief is denied.

3. This decision is effective on the date of service.

By the Board, Chairman Morgan, Vice Chairman Clyburn, and Commissioner Burkes.

Vernon A. Williams
Secretary

---

[23] OxyChem claims that its 10/17/97 Evans letter "does nothing more than reiterate the hope and expectation that OxyChem will receive the 2-to-1 treatment that CSX had already represented that it would provide," see OxyChem's 3/3/99 reply at 4. A literal reading of OxyChem's 10/17/97 Evans letter does not support that interpretation.

SERVICE LIST FOR: 20-may-1999 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATI

STEPHEN M FONTAINE
MASSACHUSETTS CENTRAL RAILROAD CORPORATION
ONE WILBRAHAM STREET
PALMER MA 01069 US

RICHARD B. KENNELLY, JR
CONSERVATION LAW FOUNDATION
62 SUMMER STREET
BOSTON MA 02110 US

JAMES E HOWARD
90 CANAL STREET
BOSTON MA 02114 US

JOHN D CIRAME, ASSISTANT SECRETARY
COMMONWEALTH OF MASS. EXEC. OFFICE OF TRANSP
10 PARK PLAZA ROOM 3170
BOSTON MA 02116-3969 US

HON. EDWARD M KENNEDY
UNITES STATES SENATE
2400 JOHN F KENNEDY FEDERAL BLDG
BOSTON MA 02203 US

WILLIAM D ANKNER PHD
R I DEPT OF TRANSPORTATION
TWO CAPITOL HILL
PROVIDENCE RI 02903 US

JOHN R NADOLNY
14 AVIATION AVENUE
PORTSMOUTH NH 03801 US

ROBERT D ELDER
MAINE DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA ME 04333 US

KAREN E SONGHURST
STATE OF VERMONT
133 STATE STREET
MONTPELLIER VT 05633-5001 US

JAMES F SULLIVAN
CT DEPT OF TRANSPORTATION
P O BOX 317546
2800 BERLIN TURNPIKE
NEWINGTON CT 06131 US

EDWARD J RODRIGUEZ
P.O. BOX 298
67 MAIN STREET
CENTERBROOK CT 06409 US

RICHARD C CARPENTER
SOUTHWESTERN REGIONAL PLANNING AGENCY
1 SELLECK STREET SUITE 210
EAST NORWALK CT 06855 US

MICHAEL E STRICKLAND
NYK LINE (NORTH AMERICA) INC, SENIOR VICE PRE
300 LIGHTING WAY
SECAUCUS NJ 07094-1588 US

HONORABLE ROBERT G. TORRICELLI
UNITED STATES SENATE
1 RIVER FRONT PLAZA, 3RD FLOOR
NEWARK NJ 07102 US

J WILLIAM VAN DYKE
NJ TRANSPORTATION PLANNING AUTHORITY
ONE NEWARK CENTER 17TH FLOOR
NEWARK NJ 07102 US

EDWARD LLOYD
RUTGERS ENVIRONMENTAL LAW CLINIC
15 WASHINGTON STREET
NEWARK NJ 07102 US

PHILIP SIDO
UNION CAMP CORPORATION
1600 VALLEY ROAD
WAYNE NJ 07470 US

MARTIN T DURKIN ESQ
DURKIN & BOGGIA ESQS
PO BOX 378
71 MT VERNON STREET
RIDGEFIELD PARK NJ 07660 US

TIMOTHY G CHELIUS
18 N EAST AVENUE
VINELAND NJ 08360 US

LAWRENCE PEPPER, JR
GRUCCIO PEPPER
817 EAST LANDS AVE
VINELAND NJ 08360 US

JOHN F. MCHUGH
MCHUGH & SHERMAN
20 EXCHANGE PLACE 51ST FLOOR
NEW YORK NY 10005 US

ANTHONY BOTTALICO
UTU
420 LEXINGTON AVENUE ROOM 458-460
NEW YORK NY 10017 US

WALTER E ZULLIG JR
METRO-NORTH COMMUTER RAILROAD COMPANY
347 MADISON AVE
NEW YORK NY 10017-3706 US

ANTHONY P. SEMANCIK
347 MADISON AVENUE
NEW YORK NY 10017-3706 US

JAMES W HARRIS
THE METROPOLITIAN PLANNING ORGANIZATION
1 WORLD TRADE CENTER STE 92 EAST
NEW YORK NY 10048-0043 US

HUGH H. WELSH
LAW DEPT., SUITE 67E
ONE WORLD TRADE CENTER
NEW YORK NY 10048-0202 US

R. LAWRENCE MCCAFFREY, JR.
NEW YORK & ATLANTIC RAILWAY
405 LEXINGTON AVENUE 50TH FLOOR
NEW YORK NY 10174 US

SAMUEL J NASCA
UTU STATE LEGISLATIVE DIRECTOR
35 FULLER ROAD SUITE 205
ALBANY NY 12205 US

DANIEL B. WALSH
BUSINESS COUNCIL OF NEW YORK STATE,INC.
152 WASHINGTON AVENUE
ALBANY NY 12210 US

DIANE SEITZ
CENTRAL HUDSON GAS & ELECTRIC CORP
284 SOUTH AVENUE
POUGHKEEPSIE NY 12601 US

IRWIN L. DAVIS
1900 STATE TOWER BLDG.
SYRACUSE NY 13202 US

ANGELO J CHICK JR, LOCAL CHAIRMAN
P O BOX 908
48398 OLD GOOSE BAY ROAD
REDWOOD NY 13679 US

GARY EDWARDS
SOMERSET RAILROAD
7725 LAKE ROAD
BARKER NY 14012 US

SHEILA MECK HYDE
CITY HALL
342 CENTRAL AVENUE
DUNKIRK NY 14048 US

IRVING J RUBIN
P O BOX 243
YOUNGSTOWN NY 14174 US

JOHN F COLLINS
COLLINS ,COLLINS, & KANTOR PC
267 NORTH STREET
BUFFALO NY 14201 US

R W GODWIN
BROTHERHOOD OF LOCOMOTIVE ENGINEERS
810 ABBOTT ROAD SUITE 200
BUFFALO NY 14220 US

ERNEST J IERARDI
NIXON HARGRAVE DEVANS DOYLE LLP
PO BOX 1051
CLINTON SQUARE
ROCHESTER NY 14603-1051 US

H DOUGLAS MIDKIFF
GENESEE TRANSPORTATION COUNCIL
65 WEST BROAD ST STE 101
ROCHESTER NY 14614-2210 US

JEANNE WALDOCK
107 GRANT COURT
ORLEAN NY 14760 US

DAVID W. DONLEY
3361 STAFFORD ST
PITTSBURGH PA 15204-1441 US

HENRY M. WICK, JR.
WICK, STREIFF, ET AL
1450 TWO CHATHAM CENTER
PITTSBURGH PA 15219 US

JOHN A. VUONO
VUONO & GRAY
2310 GRANT BUILDING
PITTSBURGH PA 15219 US

R J HENEFELD
PPG INDUSTRIES INC
ONE PPG PLACE
PITTSBURGH PA 15272 US

M E PETRUCCELLI
PPG INDUSTRIES INC
ONE PPG PLACE
PITTSBURGH PA 15272 US

RICHARD R WILSON
1126 EIGHT AV STE 403
ALTOONA PA 16602 US

D W DUNLEVY
STATE LEGISLATIVE DIRECTOR UTU
230 STATE STREET, PA AFL-CIO BLDG 2ND FLOOR
HARRISBURG PA 17101 JS

KURT W CARR
BUREAU FOR HISTORIC PRESERVATION
P O BOX 1026
HARRISBURG PA 17108-1026 US

HONORABLE THOMAS J RIDGE
GOVERNOR, COMMONWEALTH OF PENNSYLVANIA
225 MAIN CAPITOL BUILDING
HARRISBURG PA 17120 US

KRISTOPHER MICHAEL KLEMICK
RR#3 BOX 101-15
JERSEY SHORE PA 17740-9309 US

BELNAP FREEMAN
BELKNAP FREEMAN
119 HICKORY LANE
ROSEMONT PA 19010 US

D J O'CONNELL
GENERAL CHAIRPERSON UTU
410 LANCASTER AVE STE 5
HAVERFORD PA 19041 US

JOHN J GROCKI
GRA INC
115 WEST AV ONE JENKINTOWN STA
JENKINTOWN PA 19046 US

HARRY C BARBIN
BARBIN LAUFFER & O'CONNELL
608 HUNTINGDON PIKE
ROCKLEDGE PA 19046 US

G CRAIG SCHELTER
PHILADELPHIA INDUSTRIAL DEVELOPMENT CORPORATI
2600 CENTRE SQUARE WEST 500 MARKET ST
PHILADELPHIA PA 19102 US

WILLIAM R THOMPSON
CITY OF PHILADELPHIA LAW DEPT
1600 ARCH ST 10TH FLOOR
PHILADELPH PA 19103 US

JOHN J EHLINGER JR
OBERMAYER REBMANN MAXWELL & HIPPEL
1617 JOHN F. KENNEDY BLVD ONE PENN CENTER-19T
PHILADELPHIA PA 19103-1895 US

DAVID BERGER
BERGER AND MONTAGUE, P. C.
1622 LOCUST ST
PHILADELPHIA PA 19103-6305 US

JOHN J COSCIA, EXECUTIVE DIRECTOR
DELAWARE VALLEY REGIONAL PLANNING COMMISSION
111 SOUTH INDEPENDENCE MALL EAST
PHILADELPHIA PA 19106 US

JOHN K. LEARY, GENERAL MANAGER
SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTI
1234 MARKET STREET 5TH FLOOR
PHILADELPHIA PA 19107-3780 US

CHERYL ANNE COOK
SENIOR GENERAL ATTORNEY
1138 SIX PENN CENTER
PHILADELPHIA PA 19146 US

ERIC M HOCKY
GOLLATZ GRIFFIN EWING
213 WEST MINER STREET
WEST CHESTER PA 19381-0796 US

HON JOSEPH R BIDEN, JR.
UNITED STATES SENATE
844 KING STREET
WILMINGTON DE 19801 US

J E THOMAS
HERCULES INCORPORATED
1313 NORTH MARKET STREET
WILMINGTON DE 19894 US

E C WRIGHT
RAIL TRANSPORTATION PROCUREMENT MANAGER
1007 MARKET STREET DUPONT BLDG 3100
WILMINGTON DE 19898 US

FREDERICK H SCHRANCK
PO BOX 778
DOVER DE 19903 US

30918 SERVICE DATE - APRIL 18, 2000
EB

This decision will be included in the bound volumes of the STB printed reports at a later date.

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 33388

CSX CORPORATION AND CSX TRANSPORTATION, INC.,
NORFOLK SOUTHERN CORPORATION AND
NORFOLK SOUTHERN RAILWAY COMPANY
— CONTROL AND OPERATING LEASES/AGREEMENTS —
CONRAIL INC. AND CONSOLIDATED RAIL CORPORATION

Decision No. 152

Decided: April 13, 2000

Environmental Condition No. 11 of Appendix Q of Decision No. 89 (Decision No. 89, slip op. at 401-02) requires Applicants (including Consolidated Rail Corporation (CR), which administers the CSX/NS Shared Assets Areas), with the concurrence of the responsible local governments, to mitigate train wayside noise (locomotive engine and wheel/rail noise) at noise-sensitive receptor locations on certain rail line segments.[1] Environmental Condition No. 11 further provides that: "Applicants shall certify compliance with this condition within 2 years of the effective date of the Board's final decision. This condition shall not apply to those communities that have executed Negotiated Agreements with Applicants that satisfy the communities' environmental concerns."

On March 15, 2000, CSX, at the request of CR, provided us with a copy of a Negotiated Agreement between CR and Brownstown Township, MI, dated January 27, 2000, and accepted by Brownstown Township on February 1, 2000. According to CSX, this Negotiated Agreement effectuates the Board's preference for privately negotiated solutions stated in Decision No. 89, slip op. at 153. CSX requests that Environmental Condition No. 11 be amended to reflect the parties' Negotiated Agreement by deleting Brownstown Township from the list of communities on the Carleton, MI to Ecorse, MI line segment (S-020),[2] and that the Negotiated Agreement between CR and Brownstown Township be added to Environmental Condition No. 51 of Appendix Q of

---

[1] In Decision No. 89, served July 23, 1998, we approved, subject to certain conditions, including environmental mitigation conditions, the acquisition of control of Conrail Inc., and CR, and the division of their assets by CSX Corporation and CSX Transportation, Inc. (collectively, CSX), and Norfolk Southern Corporation and Norfolk Southern Railway Company (collectively, NS). CSX, NS, and CR are referred to collectively as Applicants for purposes of this decision.

[2] Environmental Condition No. 11 of Appendix Q of Decision No. 89 (Decision No. 89, slip op. at 403), references "Brownstown" on this line segment, but the correct reference should have been Brownstown Township.

Decision No. 89, under which Applicants must comply with the terms of all Negotiated Agreements developed with states, local communities, and other entities regarding environmental issues associated with this transaction. See Decision No. 89, slip op. at 420-21. Brownstown Township concurs with the request.

In view of the Negotiated Agreement between CR and Brownstown Township, we will: (1) add the Negotiated Agreement to Environmental Condition No. 51 of Appendix Q of Decision No. 89 in a new Subsection called "Shared,"[3] and (2) amend Environmental Condition No. 11 of Appendix Q of Decision No. 89 to delete Brownstown Township because the noise mitigation for that community has been superseded by the CR/Brownstown Township Negotiated Agreement.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.

2. In accordance with the Negotiated Agreement between CR and Brownstown Township, MI, executed on February 1, 2000, the following is added to the new "Shared" Subsection of Environmental Condition No. 51 of Appendix Q of Decision No. 89:

**1. Brownstown Township, Michigan, dated February 1, 2000.**

3. In addition, Environmental Condition No. 11 of Appendix Q of Decision No. 89 is amended to delete the noise mitigation applicable to Brownstown Township, MI, because it has been superseded by the Negotiated Agreement.

---

[3] Environmental Condition No. 11 of Appendix Q of Decision No. 89 (Decision No. 89, slip op. at 403), has Subsections for CSX lines, NS lines, and "Shared" lines, which refers to the Shared Asset Areas. The line segment at issue here is a "Shared" line. Because this is the first Negotiated Agreement we have received pertaining to a "Shared" line segment, we are adding a new Subsection in Environmental Condition No. 51 for this category of agreements.

4. This decision is effective on the date of service.

By the Board, Chairman Morgan, Vice Chairman Burkes, and Commissioner Clyburn.

Vernon A. Williams
Secretary

SERVICE LIST FOR: 12-apr-2000 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATI

STEPHEN M FONTAINE
MASSACHUSETTS CENTRAL RAILROAD CORPORATION
ONE WILBRAHAM STREET
PALMER MA 01069 US

JAMES E HOWARD
90 CANAL STREET
BOSTON MA 02114 US

JOHN D CIRAME, ASSISTANT SECRETARY
COMMONWEALTH OF MASS. EXEC. OFFICE OF TRANSPT
10 PARK PLAZA ROOM 3170
BOSTON MA 02116-3969 US

HON. EDWARD M KENNEDY
UNITES STATES SENATE
2400 JOHN F KENNEDY FEDERAL BLDG
BOSTON MA 02203 US

WILLIAM D ANKNER PHD
R I DEPT OF TRANSPORTATION
TWO CAPITOL HILL
PROVIDENCE RI 02903 US

JOHN R NADOLNY
14 AVIATION AVENUE
PORTSMOUTH NH 03801 US

ROBERT D ELDER
MAINE DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA ME 04333 US

KAREN E SONGHURST
STATE OF VERMONT
133 STATE STREET
MONTPELLIER VT 05633-5001 US

JAMES F SULLIVAN
CT DEPT OF TRANSPORTATION
P O BOX 317546
2800 BERLIN TURNPIKE
NEWINGTON CT 06131 US

EDWARD J RODRIGUEZ
P O BOX 687
8 DAVIS ROAD WEST
OLD LYME CT 06371 US

RICHARD C CARPENTER
SOUTHWESTERN REGIONAL PLANNING AGENCY
1 SELLECK STREET SUITE 210
EAST NORWALK CT 06855 US

MICHAEL E STRICKLAND
NYK LINE (NORTH AMERICA) INC, SENIOR VICE PRE
300 LIGHTING WAY
SECAUCUS NJ 07094-1588 US

J WILLIAM VAN DYKE
NJ TRANSPORTATION PLANNING AUTHORITY
ONE NEWARK CENTER 17TH FLOOR
NEWARK NJ 07102 US

EDWARD LLOYD
RUTGERS ENVIRONMENTAL LAW CLINIC
15 WASHINGTON STREET
NEWARK NJ 07102 US

HONORABLE ROBERT G. TORRICELLI
UNITED STATES SENATE
1 RIVER FRONT PLAZA, 3RD FLOOR
NEWARK NJ 07102 US

PHILIP SIDO
UNION CAMP CORPORATION
1600 VALLEY ROAD
WAYNE NJ 07470 US

MARTIN T DURKIN ESQ
DURKIN & BOGGIA ESQS
PO BOX 378
71 MT VERNON STREET
RIDGEFIELD PARK NJ 07660 US

CRAIG CURRY
CONSOLIDATED RAIL CORPORATION
1000 HOWARD BOULEVARD
MOUNT LAUREL NJ 08054 US

TIMOTHY G CHELIUS
18 N EAST AVENUE
VINELAND NJ 08360 US

LAWRENCE PEPPER, JR
GRUCCIO PEPPER
817 EAST LANDS AVE
VINELAND NJ 08360 US

JOHN F. MCHUGH
MCHUGH & SHERMAN
20 EXCHANGE PLACE 51ST FLOOR
NEW YORK NY 10005 US

ANTHONY BOTTALICO
UTU
420 LEXINGTON AVENUE ROOM 458-460
NEW YORK NY 10017 US

WALTER E ZULLIG JR
METRO-NORTH COMMUTER RAILROAD COMPANY
347 MADISON AVE
NEW YORK NY 10017-3706 US

ANTHONY P. SEMANCIK
347 MADISON AVENUE
NEW YORK NY 10017-3706 US

JAMES W HARRIS
THE METROPOLITIAN PLANNING ORGANIZATION
1 WORLD TRADE CENTER STE 82 EAST
NEW YORK NY 10048-0043 US

HUGH H. WELSH
LAW DEPT., SUITE 67E
ONE WORLD TRADE CENTER
NEW YORK NY 10048-0202 US

R. LAWRENCE MCCAFFREY, JR.
NEW YORK & ATLANTIC RAILWAY
405 LEXINGTON AVENUE 50TH FLOOR
NEW YORK NY 10174 US

SAMUEL J NASCA
UTU STATE LEGISLATIVE DIRECTOR
35 FULLER ROAD SUITE 205
ALBANY NY 12205 US

DANIEL B. WALSH
BUSINESS COUNCIL OF NEW YORK STATE,INC.
152 WASHINGTON AVENUE
ALBANY NY 12210 US

DIANE SEITZ
CENTRAL HUDSON GAS & ELECTRIC CORP
284 SOUTH AVENUE
POUGHKEEPSIE NY 12601 US

IRWIN L. DAVIS
1900 STATE TOWER BLDG.
SYRACUSE NY 13202 US

ANGELO J CHICK JR, LOCAL CHAIRMAN
P O BOX 908
48398 OLD GOOSE BAY ROAD
REDWOOD NY 13679 US

GARY EDWARDS
SOMERSET RAILROAD
7725 LAKE ROAD
BARKER NY 14012 US

SHEILA MECK HYDE
CITY HALL
342 CENTRAL AVENUE
DUNKIRK NY 14048 US

IRVING J RUBIN
P O BOX 243
YOUNGSTOWN NY 14174 US

JOHN F COLLINS
COLLINS ,COLLINS, & KANTOR PC
267 NORTH STREET
BUFFALO NY 14201 US

R W GODWIN
BROTHERHOOD OF LOCOMOTIVE ENGINEERS
810 ABBOTT ROAD SUITE 200
BUFFALO NY 14220 US

ERNEST J IERARDI
NIXON HARGRAVE DEVANS DOYLE LLP
PO BOX 1051
CLINTON SQUARE
ROCHESTER NY 14603-1051 US

H DOUGLAS MIDKIFF
GENESEE TRANSPORTATION COUNCIL
65 WEST BROAD ST STE 101
ROCHESTER NY 14614-2210 US

JEANNE WALDOCK
107 GRANT COURT
ORLEAN NY 14760 US

DAVID W. DONLEY
3361 STAFFORD ST
PITTSBURGH PA 15204-1441 US

JOHN A VUONO
VUONO & GRAY
2310 GRANT BUILDING
PITTSBURGH PA 15219 US

HENRY M. WICK, JR.
WICK STREIFF ET AL
1450 TWO CHATHAM CENTER
PITTSBURGH PA 15219-3427 US

R J HENEFELD
PPG INDUSTRIES INC
ONE PPG PLACE
PITTSBURGH PA 15272 US

M E PETRUCCELLI
PPG INDUSTRIES INC
ONE PPG PLACE
PITTSBURGH PA 15272 US

RICHARD R WILSON
1126 EIGHT AV STE 403
ALTOONA PA 16602 US

D W DUNLEVY
STATE LEGISLATIVE DIRECTOR UTU
230 STATE STREET PA AFL-CIO BLDG 2ND FLOOR
HARRISBURG PA 17101 US

KURT W CARR
BUREAU FOR HISTORIC PRESERVATION
P O BOX 1026
HARRISBURG PA 17108-1026 US

HONORABLE THOMAS J RIDGE
GOVERNOR, COMMONWEALTH OF PENNSYLVANIA
225 MAIN CAPITOL BUILDING
HARRISBURG PA 17120 US

KRISTOPHER MICHAEL KLEMICK
RR#3 BOX 101-15
JERSEY SHORE PA 17740-9309 US

BELNAP FREEMAN
BELKNAP FREEMAN
119 HICKORY LANE
ROSEMONT PA 19010 US

D J O'CONNELL
GENERAL CHAIRPERSON UTU
410 LANCASTER AVE STE 5
HAVERFORD PA 19041 US

JOHN J GROCKI
GRA INC
115 WEST AV ONE JENKINTOWN STA
JENKINTOWN PA 19046 US

HARRY C BARBIN
BARBIN LAUFFER & O'CONNELL
608 HUNTINGDON PIKE
ROCKLEDGE PA 19046 US

JONATHAN M BRODER
CONSOLIDATED RAIL CORP
PO BOX 41416
2001 MARKET STREET 16-A
PHILADELPHIA PA 19101-1416 US

G CRAIG SCHELTER
PHILADELPHIA INDUSTRIAL DEVELOPMENT CORPORATI
2600 CENTRE SQUARE WEST 500 MARKET ST
PHILADELPHIA PA 19102 US

JOHN J EHLINGER JR
OBERMAYER REBMANN MAXWELL & HIPPEL
1617 JOHN F. KENNEDY BLVD ONE PENN CENTER-19T
PHILADELPHIA PA 19103-1895 US

DAVID BERGER
BERGER AND MONTAGUE, P. C.
1622 LOCUST ST
PHILADELPHIA PA 19103-6305 US

JOHN J COSCIA, EXECUTIVE DIRECTOR
DELAWARE VALLEY REGIONAL PLANNING COMMISSION
111 SOUTH INDEPENDENCE MALL EAST
PHILADELPHIA PA 19106 US

JOHN K. LEARY, GENERAL MANAGER
SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTH
1234 MARKET STREET 5TH FLOOR
PHILADELPHIA PA 19107-3780 US

ERIC M HOCKY
GOLLATZ GRIFFIN EWING
213 WEST MINER STREET
WEST CHESTER PA 19381-0796 US

HON JOSEPH R BIDEN, JR.
UNITED STATES SENATE
844 KING STREET
WILMINGTON DE 19801 US

J E THOMAS
HERCULES INCORPORATED
1313 NORTH MARKET STREET
WILMINGTON DE 19894 US

E C WRIGHT
RAIL TRANSPORTATION PROCUREMENT MANAGER
1007 MARKET STREET DUPONT BLDG 3100
WILMINGTON DE 19898 US

FREDERICK H SCHRANCK
PO BOX 778
DOVER DE 19903 US

TERRENCE D JONES
KELLER & HECKMAN
1001 G ST NW STE 500 WEST
WASHINGTON DC 20001 US

JAMES HOWARD
COALITION OF NORTHEASTERN GOVERNORS
400 NORTH CAPITOL STREET, SUITE 382
WASHINGTON DC 20001 US

MARTIN W BERCOVICI
KELLER & HECKMAN, LLP
1001 G ST NW SUITE 500 WEST
WASHINGTON DC 20001 US

PETER A GILBERTSON
REGIONAL RRS OF AMERICA
122 C ST NW STE 850
WASHINGTON DC 20001 US

RICHARD G SLATTERY
AMTRAK
60 MASSACHUSETTS AVENUE N E
WASHINGTON DC 20002 US

DONALD F GRIFFIN
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
10 G STREET NE STE 460
WASHINGTON DC 20002 US

DREW A HARKER
ARNOLD & PORTER
555 TWELFTH STREET NW
WASHINGTON DC 20004 US

DENNIS G LYONS
ARNOLD & PORTER
555 TWELFTH STREET NW
WASHINGTON DC 20004 US

PAUL REISTRUP
CSX TRANSPORTATION INC
1331 PENNSYLVANIA NW STE 500
WASH DC 20004 US

ERIC VON SALZEN
HOGAN & HARTSON
555 THIRTEENTH STREET N W
WASHINGTON DC 20004-1109 US

GEORGE W MAYO JR
HOGAN & HARTSON L L P
555 THIRTEENTH STREET NW COLUMBIA SQUARE
WASHINGTON DC 20004-1109 US

MARY GABRIELLE SPRAGUE
ARNOLD & PORTER
555 TWELTH STREET NW
WASHINGTON DC 20004-1202 US

KEVIN M SHEYS
OPPENHEIMER WOLFF & DONNELLY & BAYH LLP
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005 US

EDWARD WYTKIND EXECUTIVE DIRECTOR
1025 CONNECTICUT AVE NW SUITE 1005
WASHINGTON DC 20005 US

JOHN H BROADLEY
JENNER & BLOCK
601 13TH ST NW STE 1200 SOUTH
WASHINGTON DC 20005 US

L JOHN OSBORN
SONNENSCHEIN NATH & ROSENTHAL
1301 K STREET NW STE 600 EAST
WASH DC 20005 US

KARL MORELL
BALL JANIK LLP
1455 F STREET NW SUITE 225
WASHINGTON DC 20005 US

ALICE C SAYLOR
AMERICAN SHORT LINE RAILROAD ASSOCIATION
1120 G STREET NW SUITE 520
WASHINGTON DC 20005 US

BRUNO MAESTRI
NORFOLK SOUTHERN CORPORATION
1500 K STREET SUITE 375
WASHINGTON DC 20005 US

LOUIS E GITOMER
BALL JANIK LLP
1455 F STREET NW SUITE 225
WASHINGTON DC 20005 US

DANIEL DUFF
AMERICAN PUBLIC TRANSIT ASSOCIATION
1201 NEW YORK AV NW
WASHINGTON DC 20005 US

ROSE-MICHELE WEINRYB
WEINER BRODSKY SIDMAN & KIDER
1350 NEW YORK AVENUE NW
WASHINGTON DC 20005 US

PAUL M LAURENZA
OPPENHEIMER WOLFF & DONNELLY & BAYH LLP
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005 US

CLARK EVANS DOWNS
JONES DAY REAVIS & POGUE
1450 G STREET NW
WASHINGTON DC 20005-2088 US

WILLIAM A MULLINS
TROUTMAN SANDERS LLP
1300 I STREET NW SUITE 500 EAST
WASHINGTON DC 20005-3314 US

PAUL H LAMBOLEY
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005-3324 US

JEFFREY O MORENO
DONELAN CLEARY WOOD MASER
1100 NEW YORK AVENUE N W, SUITE 750
WASHINGTON DC 20005-3934 US

FREDERIC L WOOD
DONELAN CLEARY WOOD & MASER P C
1100 NEW YORK AVENUE NW SUITE 750
WASHINGTON DC 20005-3934 US

KARYN A BOOTH
DONELAN, CLEARY, WOOD & MASER, P.C.
1100 NEW YORK AVE NW SUITE 750
WASHINGTON DC 20005-3934 US

MARK H SIDMAN
WEINER BRODSKY,SIDMAN & KIDER
1350 NEW YORK AVE., NW., STE. 800
WASHINGTON DC 20005-4797 US

WILLIAM W MILLAR
AMERICAN PUBLIC TRANSIT ASSOCIATION
1201 NEW YORK AVE., NW
WASHINGTON DC 20005-6141 US

ANDREW P GOLDSTEIN
MCCARTHY SWEENEY HARKAWAY, PC
1750 PENNSYLVANIA AVE NW, STE 1105
WASHINGTON DC 20006 US

DANIEL J SWEENEY
MCCARTHY SWEENEY & HARKAWAY P C
1750 PENNSYLVANIA AVE NW STE 1105
WASHINGTON DC 20006 US

JAMES R WEISS
PRESTON GATES ELLIS ET AL
1735 NEW YORK AVENUE NW SUITE 500
WASHINGTON DC 20006 US

SCOTT M ZIMMERMAN
ZUCKERT SCOUTT & RASENBERGER L L P
888 SEVENTEENTH STREET NW
WASHINGTON DC 20006 US

CONSTANCE A SADLER
SIDLEY & AUSTIN
1722 EYE STREET NW
WASHINGTON DC 20006 US

ROBERT P VOM EIGEN
HOPKINS AND SUTTER
888 16TH STREET N W STE 700
WASHINGTON DC 20006 US

ANDREW R. PLUMP
ZUCKERT, SCOUTT & RASENBERGER. LLP
888 17TH ST., NW, STE. 600
WASHINGTON DC 20006 US

ERIKA Z JONES
MAYER BROWN & PLATT
1909 K STREET, NW
WASHINGTON DC 20006-1101 US

RICHARD A ALLEN
ZUCKERT SCOUT RASENBERGER
888 17TH STREET N W STE 600
WASHINGTON DC 20006-3939 US

JOHN V EDWARDS, ESQ
ZUCKERT SCOUTT ET AL
888 17TH STREET N W STE 600
WASHINGTON DC 20006-3939 US

CHARLES A SPITULNIK
HOPKINS & SUTTER
888 SIXTEENTH ST NW
WASH DC 20006-4103 US

STEVEN J KALISH
MCARTHY SWEENEY & HARKAWAY
1750 PENNSYLVANIA AVE NW
WASHINGTON DC 20006-4502 US

SHERRI LEHMAN DIRECTOR OF CONGRESSIONAL AFFAI
CORN REFINERS ASSOC
1701 PA AV NW
WASH DC 20006-5805 US

CHRISTOPHER C O'HARA
BRICKFIELD BURCHETTE & RITTS PC
1025 THOMAS JEFFERSON ST NW EIGHTH FLOOR
WASHINGTON DC 20007 US

PAUL M DONOVAN
LAROE WINN MOERMAN & DONOVAN
3900 HIGHWOOD COURT NW
WASHINGTON DC 20007 US

DAVID K MONROE
GALLAND KHARASCH GREENBERT FELLMAN & SWIRSKY
1054 THIRTY FIRST STREET NW STE 200
WASHINGTON DC 20007 US

ROBERT G SZABO
1050 THOMAS JEFFERSON STREET NW SIXTH FLOOR
WASHINGTON DC 20007 US

EDWARD D GREENBERG
GALLAND, KHARASCH, GREENBERT, FELLMAN & SWIRS
1054 THIRTY-FIRST STREET NW
WASHINGTON DC 20007-4492 US

MICHAEL F MCBRIDE
LEBOEUF LAMB GREENE & MACRAE
1875 CONNECTICUT AVENUE NW
WASHINGTON DC 20009-5728 US

STEPHEN H BROWN
VORYS SATER SEYMOUR AND PEASE
1828 L STREET N W
WASHINGTON DC 20036 US

PAUL D COLEMAN
HOPPEL MAYER & COLEMAN
1000 CONNECTICUT AVENUE NW SUITE 400
WASHINGTON DC 20036 US

HELEN M. COUSINEAU
CARLOS RODRIGUEZ & ASSOCIATES
1710 RHODE ISLAND AVENUE, NW
WASHINGTON DC 20036 US

HAROLD P QUINN, JR
NATIONAL MINING ASSOCIATON
1130 17TH STREET NW
WASHINGTON DC 20036 US

JOHN D HEFFNER
REA CROSS & AUCHINCLOSS
1707 L STREET, NW, STE 570
WASHINGTON DC 20036 US

JOHN M CUTLER JR
MCCARTHY SWEENEY HARKAWAY PC
1750 PENNSYLVANIA AVE N W SUITE 1105
WASHINGTON DC 20036 US

ROBERT A WIMBISH ESQ
REA CROSS & AUCHINCLOSS
1707 L STREET NW STE 570
WASHINGTON DC 20036 US

KEITH G O'BRIEN
REA CROSS AND AUCHINCLOSS
1707 L STREET NW STE 570
WASHINGTON DC 20036 US

CHRISTOPHER A MILLS
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036 US

WILLIAM G. MAHONEY
HIGHSAW, MAHONEY & CLARKE
1050 SEVENTEENTH STREET NW SUITE 210
WASHINGTON DC 20036 US

RICHARD S EDELMAN
O'DONNELL SCHWARTZ & ANDERSON PC
1900 L STREET NW SUITE 707
WASHINGTON DC 20036 US

KELVIN J DOWD
SLOVER & LOFTUS
1224 17TH STREET N W
WASHINGTON DC 20036 US

DAVID H COBURN
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE NW
WASHINGTON DC 20036 US

GORDON P MACDOUGALL
1025 CONNECTICUT AVE NW SUITE 410
WASHINGTON DC 20036 US

PETER A GREENE
THOMPSON HINE FLORY
1920 N STREET N W, SUITE 800
WASHINGTON DC 20036 US

FRITZ R KAHN
1920 N STREET NW 8TH FLOOR
WASHINGTON DC 20036-1601 US

TIMOTHY M WALSH
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE N W
WASHINGTON DC 20036-1795 US

SAMUEL M SIPE JR
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE N W
WASHINGTON DC 20036-1795 US

JOSEPH GUERRIERI, JR.
GUERRIERI, EDMOND & CLAYMAN, PC
1625 MASSACHUSETTS AVE., NW. STE 700
WASHINGTON DC 20036-2243 US

DEBRA L WILLEN
GUERRIERI EDMOND & CLAYMAN PC
1625 MASSACHUSETTS AVENUE, N.W., STE 700
WASHINGTON DC 20036-2243 US

DONALD G AVERY
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036-3003 US

L PAT WYNNS
SUITE 210
1050 - 17TH STREET N W
WASHINGTON DC 20036-5503 US

JOHN L OBERDORFER
PATTON BOGGS LLP
2550 M ST NW
WASHINGTON DC 20037-1301 US

SCOTT N STONE
PATTON BOGGS L L P
2550 M STREET NW 7TH FLOOR
WASHINGTON DC 20037-1346 US

J MICHAEL HEMMER
COVINGTON & BURLING
P O BOX 7566
1201 PENNSYLVANIA AVENUE NW
WASHINGTON DC 20044 US

KEITH A KLINDWORTH
U S DEPT OF AGRICULTURE
P O BOX 96456
WASHINGTON DC 20090 US

MICHAEL V DUNN
USDA
PO BOX 96456 RM 4006-SOUTH BLDG
WASH DC 20090-6456 US

EILEEN S STOMMES
U S DEPARTMENT OF AGRICULTURE
P O BOX 96456 ROOM 4006-SOUTH BUILDING
WASHINGTON DC 20090-6456 US

JUDGE JACOB LEVENTHAL, OFFICE OF HEARINGS
FEDERAL ENERGY REGULATORY COMMISSION
888 - 1ST ST, N.E. STE 11F
WASHINGTON DC 20426 US

RICHARD E SANDERSON
OFFICE OF FEDERAL ACTIVITIES
US ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON DC 20460 US

HON CHARLES SCHUMER
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON DANIEL PATRICK MOYNIHAN
UNITED STATES SENATE
WASINGTON DC 20510 US

HON JOHN BREAUX
UNITED STATER SENATE
WASHINGTON DC 20510 US

HON CHARLES E SCHUMER
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON BYRON L DORGAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. BARBARA A. MIKULSKI
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. CHARLES ROBB
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. JOSEPH I LIEBERMAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE BOB GRAHAM
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE RICHARD LUGAR
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. JOSEPH BIDEN, JR.
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON WILLIAM V. ROTH JR
U S SENATE
WASHINGTON DC 20510-0001 US

HON. JOHN W. WARNER
US SENATE
WASHINGTON DC 20510-0001 US

HON CHRISTOPHER J DODD
UNITED STATES SENATE
WASH DC 20510-0702 US

HONORABLE DANIEL P. MOYNIHAN
UNITED STATE SENATE
WASHINGTON DC 20510-0903 US

HONORABLE CONNIE MACK
UNITED STATES SENATE
WASHINGTON DC 20510-0904 US

HONORABLE J ROBERT KERREY
UNITED STATES SENATE
WASHIGTON DC 20510-2704 US

HON MIKE DEWINE
UNITED STATES SENATE
WASHINGTON DC 20510-3503 US

HON ARLEN SPECTER
UNITED STATES SENATE
WASHINGTON DC 20510-3802 US

HON RICK SANTORUM
UNITED STATES SENATE
WASHINGTON DC 20510-3804 US

HONORABLE JOHN H. CHAFEE
UNITED STATES SENATE
WASHINGTON DC 20510-3902 US

HON JACK REED
U S SENATE
WASHINGTON DC 20510-3903 US

HONORABLE ROBERT BYRD
UNITED STATES SENATE
WASHINGTON DC 20510-6025 US

HONORABLE JOHN J LAFALCE
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. WILLIAM J. COYNE
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. TOM BLILEY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. WILLIAM O. LIPINSKI
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE PAUL E. GILLMOR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. JAMES L. OBERSTAR
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE MIKE DOYLE
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JOHN D. DINGELL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE BENJAMIN A. GILMAN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. JOHN J. DUNCAN
U S HOUSE OF REPRESENTATIVESS
WASHINGTON DC 20515 US

HONORABLE BOB CLEMENT
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE PETER J. VISCLOSKY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE SAM GEJDENSON
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE MAJOR R. OWENS
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. BUD SHUSTER
ATTN: MIKE RICK
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NANCY JOHNSON
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON JAMES TRAFICANT JR
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. ROBERT MENENDEZ
U S HOUSE OF REPRESENTATIVES
WASH DC 20515 US

HON MARCY KAPTUR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE FRANK MASCARA
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON GARY ACKERMAN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON JERROLD NADLER
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE ROBERT W. NEY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE BOB WEYGAND
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE TED STRICKLAND
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON DENNIS J KUCINICH
UNITED STATES HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

HON. ED BRYANT
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. STEVE LATOURETTE
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NYDIA M VELAZQUEZ
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON ED TOWNS
U. S. HOUSE OR REPRESENTATIVES
WASHINGTON DC 20515 US

HON LOUISE M SLAUGHTER
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CHRISTOPHER SHAYS
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CHARLES RANGEL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MICHAEL MCNULTY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JAMES MALONEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CAROLYN B MALONEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NITA LOWEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MAURICE HINCHEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MICHAEL FORBES
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON ELIOT L ENGEL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE CHIP PICKERING
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JESSE L. JACKSON, JR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE LUIS GUTIERREZ
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE DANNY K DAVIS
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON RALPH REGULA
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON SHERROD BROWN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE SAXBY CHAMBLISS,
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE TILLIE K FOWLER
US HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

HON BOB WISE
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON THOMAS C SAWYER
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE ROD R BLAGOJEVICH
U. S. HOUSE OF REPRESENTATIVES
WASHINGTO DC 20515-1305 US

HON JULIA CARSON
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-1410 US

HONORABLE JAMES A. BARCIA
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-2205 US

HON JACK QUINN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3230 US

HONORABLE RICHARD BURR
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3305 US

HONORABLE TOM DAVIS
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-4611 US

HONORABLE BOBBY L. RUSH
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-9997 US

MICHAEL P HARMONIS
DEPARTMENT OF JUSTICE
325 SEVENTH STREET, NW
WASHINGTON DC 20530 US

PAUL SAMUEL SMITH
US DEPARTMENT OF TRANSPORTATION
400 SEVENTH STREET SW, ROOM 4102 C-30
WASHINGTON DC 20590 US

JOLENE MOLITORIS, ADMN.
FEDERAL RAILROAD ADMNS.
400 7TH STREET SW
WASHINGTON DC 20590 US

JOSEPH R POMPONIO
FEDERAL RAILROAD ADMIN
1120 VERMONT AVE NW RCC-20
WASHINGTON DC 20590 US

DAVID G ABRAHAM
SUITE 400W
7315 WISCONSIN AVENUE
BETHESDA MD 20814 US

MITCHELL M KRAUS
TRANSPORTATION COMMUNICATIONS INTERNATIONAL U
3 RESEARCH PLACE
ROCKVILLE MD 20850-3279 US

JOHN M ROBINSON
9616 OLD SPRING ROAD
KENSINGTON MD 20895-3124 US

WILLIAM W WHITEHURST JR
W W WHITEHURST & ASSOCIATES INC
12421 HAPPY HOLLOW ROAD
COCKEYSVILLE MD 21030-1711 US

JOHN HOY
P O BOX 117
GLEN BURNIE MD 21060 US

ROBERT J WILL
UNITED TRANSPORTATION UNION
4134 GRAVE RUN RD
MANCHESTER MD 21102 US

JOHN F WING CHAIRMAN
CITIZENS ADVISORY COMMITTEE
601 NORTH HOWARD STREET
BALTIMOTE MD 21201 US

LINDA A JANEY J D
MARYLAND OFFICE OF PLANNING
301 WEST PRESTON STREET
BALTIMORE MD 21201-2365 US

DON E SANCHEZ
CHESAPEAKE SPECIALTY PRODUCTS INC
5055 NORTH POINT BOULEVARD
BALTIMORE MD 21219 US

CHARLES M CHADWICK
MARYLAND MIDLAND RAILWAY INC
P O BOX 1000
UNION BRIDGE MD 21791 US

GARRET G SMITH
MOBIL OIL CORPORATION
3225 GALLOWS RD RM 8A903
FAIRFAX VA 22037-0001 US

HENRY E. SEATON
7700 LEESBURG PIKE, STE 201
FALLS CHURCH VA 22043 US

PETER Q NYCE JR
U S DEPARTMENT OF THE ARMY
901 NORTH STUART STREET
ARLINGTON VA 22203 US

THOMAS E SCHICK
CHEMICAL MANUF ASSOC
1300 WILSON BOULEVARD
ARLINGTON VA 22209 US

WILLIAM P. JACKSON, JR.
JACKSON & JESSUP, P. C.
P O BOX 1240
3426 NORTH WASHINGTON BLVD
ARLINGTON VA 22210 US

JENNIFER BRAUN
JACKSON & JESSUP
P O BOX 1240
3426 NORTH WASHINGTON BOULEVARD
ARLINGTON VA 22210 US

FRANCIS G MCKENNA
ANDERSON & PENDLETON
206 N WASHINGTON STREET SUITE 330
ALEXANDRIA VA 22314 US

KENNETH E SIEGEL
AMERICAN TRUCKING ASSOC INC
2200 MILL ROAD
ALEXANDRIA VA 22314-4677 US

ROBERT E MARTINEZ
VA SECRETARY OF TRANSPORTAITON
P. O. BOX 1475
RICHMOND VA 23218 US

HONORABLE GEORGE ALLEN
GOVERNOR, COMMONWEALTH OF VIRGINIA
STATE CAPITOL
RICHMOND VA 23219 US

JOHN W SNOW
CHAIRMAN PRESIDENT AND CHIEF EXECTIVE OFFICER
P O BOX 85629
RICHMOND VA 23285-5629 US

DAVID A SHELTON
NORFOLK SOUTHERN
THREE COMMERCIAL PLACE
NORFOLK VA 23510 US

GEORGE A ASPATORE
NORFOLK SOUTHERN CORP
THREE COMMEMERCIAL PLACE
NORFOLK VA 23510 US

JAMES A HIXON
SENIOR VICE PRESIDDENT EMPLOYEE RELATIONS NOR
THREE COMMERCIAL PLACE
NORFFFOLK VA 23510-2191 US

L P KING JR
GENERAL CHAIRPERSON UTU
145 CAMPBELL AVE SW STE 207
ROANOKE VA 24011 US

HONORABLE JOHN WARNER
UNITED STATES SENATE
235 FEDERAL BUILDING
ABINGDON VA 24210-0887 US

VAUGHN R GROVES
PITTSTON COAL COMPANY
PO BOX 5100
LEBANON VA 24266 US

TERRELL ELLIS
CAEZWV
P O BOX 176
CLAY WV 25043 US

R K SARGENT
GENERAL CHAIRPERSON UTU
1319 CHESTNUT STREET
KENOVA WV 25530 US

WILLIAM T BRIGHT
P O BOX 149
200 GREENBRIER ROAD
SUMMERSVILLE WV 26651 US

FRANK N JORGENSEN
THE ELK RIVER RAILROAD INC
P O BOX 460
SUMMERSVILLE WV 26651 US

SCOTT M SAYLOR
NORTH CAROLINA RAILROAD COMPANY
3200 ATLANTIC AV STE 110
RALIEGH NC 27604-1640 US

E NORRIS TOLSON
NC DEPT OF TRANSPORTATION
P O BOX 25201
1 S. WILINGTON STREET
RALEIGH NC 27611 US

J R BARBEE
GENERAL CHAIRPERSON UTU
441 N LOUISIANA AVE STE Q
ASHEVILLE NC 28806-3791 US

HONORABLE DAVID M BEASLEY
GOVERNOR
P. O. BOX 11369
COLUMBIA SC 29211 US

J RANDALL EVANS
500 WATER STREET (J150)
JACKSONVILLE FL 32202 US

FRED R BIRKHOLZ
CSX TRANSPORTATION LAW DEPT - J-150
500 WATER STREET
JACKSONVILLE FL 32202 US

ROBERT V ALLEN
CSX TRANSPORTATION
500 WATER STREET J305
JACKSONVILLE FL 32202 US

R J HAULTER
500 WATER STREET (J215)
JACKSONVILLE FL 32202 US

DANFORD L PRICE
500 WATER STREET
JACKSONVILLE FL 32202 US

BOB HAULTER
CSX TRANSPORTATION INC
500 WATER STREET (J215)
JACKSONVILLE FL 32202 US

PAUL R. HITCHCOCK
CSX TRANSPORTATION LAW DEPARTMENT
500 WATER STREET SC J-150
JACKSONVILLE FL 32202 US

JOHN W. HUMES, JR.
CSX TRANSPORTATION
SPEED CODE J-150
500 WATER STREET
JACKSONVILLE FL 32202 US

CHARLES M ROSENBERGER
CSX TRANSPORTATION
500 WATER STREET - J150
JACKSONVILLE FL 32202 US

J L RODGERS
GENERAL CHAIRMAN UTU
480 OSCEOLA AVENUE
JACKSONVILLE FL 32250 US

J T REED
GENERAL CHAIRPERSON UTU
7785 BAYMEADOWS WAY STE 109
JACKSONVILLE FL 32256 US

PHILLIP L BELL
ERIE LACKAWANNA RAILROAD CO
PO BOX 1482
TALLAHASSEE FL 32302 US

JAMES L BELCHER
EASTMAN CHEMICAL COMPANY
PO BOX 431
KINGSPORT TN 37662 US

WILLIAM L OSTEEN
ASSOCIATE GENERAL COUNSEL TVA
400 WEST SUMMIT HILL DRIVE
KNOXVILLE TN 37902 US

HONORABLE KIRK FORDICE, GOVERNOR
STATE OF MISSISSIPPI
P O BOX 139
JACKSON MS 39205 US

HONORABLE PAUL E. PATTON
GOVERNOR
700 CAPITOL AVENUE, STE. 100
FRANKFORT KY 40601 US

F R PICKELL
GENERAL CHAIRPERSON UTU
6797 NORTH HIGH ST STE 108
WORTHINGTON OH 43085 US

THOMAS M O'LEARY
OHIO RAIL DEVELOPMENT COMMISSION
50 W BROAD STREET 15TH FLOOR
COLUMBUS OH 43215 US

HONORABLE DEBORAH PRYCE
U. S. HOUSE OF REPRESENTATIVES
500 SOUTH FRONT STREET, ROOM 1130
COLUMBUS OH 43215 US

DOREEN C JOHNSON, CHIEF ANTITRUST SECTION
OHIO ATTY GENERAL OFFICE
140 EAST TOWN STREET, FIRST FLOOR
COLUMBUS OH 43215-6001 US

JAMES R JACOBS
JACOBS INDUSTRIES
2 QUARRY LANE
STONY RIDGE OH 43463 US

DAVID CHAPMAN
LAFARGE LIME OHIO INC
P O BOX 128
659 ANDERSON ROAD
WOODVILLE OH 43469-0128 US

ROBERT J COOPER
GENERAL CHAIRPERSON UTU
1238 CASS ROAD
MAUMEE OH 43537 US

ROBERT E GREENLESE
TOLEDO-LUCAS COUNTY PORT AUTHORITY
1 MARITIME PLAZA SUITE 700
TOLEDO OH 43604 US

ROBERT E MURRAY
OHIO VALLEY COAL CO
56854 PLEASANT RIDGE ROAD
ALLEDONIA OH 43902 US

RON MARQUARDT
LOCAL UNION 1810 UMWA
R D #2
RAYLAND OH 43943 US

CLARENCE TURNQUIST
INTERNATIONAL LONGSHOREMEN S ASSOCIATION
C/O 2125 TRYON ROAD
ASHTABULA OH 44004 US

MAYOR VINCENT M URBIN
150 AVON BELDEN RD
AVON LAKE OH 44012 US

CHARLES S HESSE
CHARLES HESSE ASSOCIATES
7777 BAINBRIDGE ROAD
CHAGRIN FALLS OH 44023-2124 US

BARBARA O'KEEFE
VILLAGE OF WELLINGTON
115 WILLARD MEMORIAL SQ
WELLINGTON OH 44090 US

COLETTA MCNAMEE SR
CUDELL IMPROVEMENT INC
11500 FRANKLIN BLVD STE 104
CLEVELAND OH 44102 US

ANITA R BRINDZA
THE ONE FIFTEEN HUNDRED BUILDING
11500 FRANKLIN BLVD SUITE 104
CLEVELAND OH 44102 US

DANIEL R ELLIOTT III
ASST GENERAL COUNSEL UNITED TRANSPORTATION UN
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

C L LITTLE
INTERNATIONAL PRESIDENT UTU
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

CLINTON J MILLER III GENERAL COUNSEL
UNITED TRANSPORTATION UNION
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

CLARENCE MONIN INTERNATIONAL PRES
BROTHERHOOD OF LOCOMTIVE ENGINEERS MEZZANINE
1370 ONTARIO STREET
CLEVELAND OH 44113 US

CHRISTOPHER C MCCRACKEN
ULMER & BERNE LLP
1300 EAST NINTH STREET SUITE 900
CLEVELAND OH 44114 US

DAVID ROLOFF
GOLDSTEIN & ROLOFF
526 SUPERIOR AVENUE EAST SUITE 1440
CLEVELAND OH 44114 US

INAJO DAVIS CHAPPELL
ASHTA CHEMICALS INC
1300 EAST NINETH STREET SUITE 900
CLEVELAND OH 44114-1538 US

DAVID J MATTY
CITY OF ROCKY RIVER
21012 HILLIARD ROAD
ROCKY RIVER OH 44116-3398 US

C D WINEBRENNER
GENERAL CHAIRPERSON UTU
27801 EUCLID AVENUE RM 200
EUCLID OH 44132 US

GARY A EBERT
CITY OF BAY VILLAGE
350 DOVER CENTER ROAD
BAY VILLAGE OH 44140 US

CHARLES ZUMKEHR
ROETZEL & ANDRESS CO LPA
75 EAST MARKET STREET
AKRON OH 44308 US

SYLVIA R. CHINN-LEVY
NEFCO
969 COPLEY ROAD
AKRON OH 44320 US

CHARLES E ALLENBAUGH JR
EAST OHIO STONE COMPANY
2000 W BESSON ST
ALLIANCE OH 44601 US

RANDALL C. HUNT
KRUGLIAK, WILKINS, GRIFFITHS & DOUGHERTY CO.
P O BOX 36963
4775 MUNSON ST NW
CANTON OH 44735-6963 US

D G STRUNK JR
GENERAL CHAIRPERSON UTU
817 KILBOURNE STREET
BELLEVUE OH 44811 US

R A GRICE
GENERAL CHAIRPERSON UTU
817 KILBOURNE ST
BELLEVUE OH 44811-9431 US

RICHARD E KERTH
CHAMPION INTERNATIONAL CORPORATION
101 KNIGHTSBRIDGE DRIVE
HAMILTON OH 45020-0001 US

FAY D DUPUIS
CITY OF CINCINNATI
801 PLUM STREET
CINCINNATI OH 45202 US

ROBERT EDWARDS
EASTERN TRANSPORT AND LOGISTICS
1109 LANETTE DRIVE
CINCINNATI OH 45230 US

THOMAS R RYDMAN PRESIDENT
INDIAN CREEK RAILROAD COMPANY
3905 W 600 NORTH
ANDERSON IN 46011 US

F RONALDS WALKER
CITIZENS GAS & COKE UTILITY
2020 N MERIDIAN STREET
INDIANAPOLIS IN 46202-1393 US

MICHAEL P MAXWELL JR
MCHALE, COOK & WELCH
320 N MERIDIAN ST 1100 CHAMBER OF COMMERCE BL
INDIANAPOLIS IN 46204 US

J PATRICK LATZ
HEAVY LIFT CARGO SYSTEM
PO BOX 51451
INDIANAPOLIS IN 46251-0451 US

MICHAEL CONNELLY
CITY OF EAST CHICAGO
4525 INDIANAPOLIS BLVD
EAST CHICAGO IN 46312 US

HAMILTON L CARMOUCHE, CORPORATION COUNSEL
CITY OF GARY
401 BROADWAY 4TH FLOOR
GARY IN 46402 US

HONORABLE PETER J. VISCLOSKY
U. S. HOUSE OF REPRESENTATIVES
215 WEST 35TH AVENUE
GARY IN 46408 US

CARL FELLER
DEKALB AGRA INC
P. O. BOX 127
4743 COUNTY ROAD 28
WATERLOO IN 46793-0127 US

CHRISTOPHER J BURGER, PRESIDENT
CENTRAL RAILROAD COMPANY OF INDIANAPOLIS
PO BOX 554
KOKOMO IN 46903-0554 US

WILLIAM A BON, GENERAL COUNSEL
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
26555 EVERGREEN ROAD SUITE 200
SOUTHFIELD MI 48076 US

NICOLE HARVEY
THE DOW CHEMICAL COMPANY
2020 DOW CENTER
MIDLAND MI 48674 US

JAMES E SHEPHERD
TUSCOLA & SAGINAW BAY
PO BOX 550
OWOSSO MI 48867-0550 US

LARRY B KARNES
TRANSPORTATION BUILDING
PO BOX 30050
425 WEST OTTAWA
LANSING MI 48909 US

HON JOHN ENGLER
OFFICE OF THE GOVERNOR
P O BOX 30013
LANSING MI 48933 US

T SCOTT BANNISTER
T SCOTT BANNISTER AND ASSOCIATES
1300 DES MOINES BLDG 405 SIXTH AVENUE
DES MOINES IA 50309 US

BYRON D OLSEN
FELHABER LARSON FENLON & VOGT PA
601 SECOND AVENUE SOUTH SUITE 4200
MINNEAPOLIS MN 55401-4302 US

LEO J WASESCHA
GOLD MEDAL DIVISON - GENERAL MILLS OPERATION
P O BOX 1113
NUMBER ONE GENERAL MILLS BULEVARD
MINNEAPOLIS MN 55440 US

GERALD J. VINCI
PRAIRIE GROUP
P. O.BOX 1123
7601 WEST 79TH STREET
BRIDGEVIEW IL 60455 US

RICHARD A GAVRIL
16700 GENTRY LANE NO 104
TINLEY PARK IL 60477 US

EDWARD WASHINGTON, II
CHIEF, PUBLIC UTILITIES BUREAU, ILL ATTORNEY
100 W RANDOLPH ST - 12TH FLOOR
CHICAGO IL 60601 US

THOMAS J LITWILER
OPPENHEIMER WOLFF & DONNELLY
180 N STETSON AVE 45TH FLOOR
CHICAGO IL 60601 US

CHRISTINE H. ROSSO
IL ASSISTANT ATTORNEY GENERAL
100 W RANDOLPH ST 13TH FLOOR
CHICAGO IL 60601 US

WILLIAM C SIPPEL
OPPENHEIMER WOLFF & DONNELLY
180 N STETSON AVE TWO PRUDENTIAL PLAZA 45TH F
CHICAGO IL 60601-6710 US

RICHARD F. FRIEDMAN, ESQ
EARL L NEAL & ASSOCIATES
111 WEST WASHINGTON STREET, STE 1700
CHICAGO IL 60602-2766 US

EDWARD C MCCARTHY
INLAND STEEL INDUSTRIES INC
30 WEST MONROE STREET
CHICAGO IL 60603 US

ROGER A SERPE
175 WEST JACKSON BOULEVARD SUITE 1460
CHICAGO IL 60604 US

SHELDON A ZABEL
SCHIFF HARDIN & WAITE
7200 SEARS TOWER
CHICAGO IL 60606 US

THOMAS F MCFARLAND JR
MCFARLAND & HERMAN
20 NORTH WACKER DRIVE, SUITE 1330
CHICAGO IL 60606-3101 US

MYLES L TOBIN
ILLINOIS CENTRAL RAILROAD
455 NORTH CITYFRONT PLAZA DRIVE
CHICAGO IL 60611-5504 US

CHARLES D BOLAM
UNITED TRANSPORTATION UNION
1400-20TH STREET
GRANITE CITY IL 62040 US

SCOTT A RONEY
ARCHER DANIELS MIDLAND COMPANY
P O BOX 1470
4666 FARIES PARKWAY
DECATUR IL 62525 US

MERRILL L TRAVIS
ILLINOIS DEPT OF TRANSPORTATION
2300 S DIRKSEN PARKWAY RM 302
SPRINGFIELD IL 62764 US

IAN MUIR
BUNGE CORPORATION
P O BOX 28500
ST LOUIS MO 63146 US

JOHN JAY ROSACKER
KS DEPT OF TRANSP
217 SE 4TH ST 2ND FLOOR
TOPEKA KS 66603 US

MR GEORGE VAN HAVER
2340 SOUTH 35TH STREET
OMAHA NE 68105 US

HENRY T DART
PLAINTIFF MANGEMENT COMMITTEE
609 EAST GIBSON STREET
COVINGTON LA 70433 US

MIKE SPAHIS
FINA OIL & CHEMICAL CO
6000 LEGACY DRIVE
PLANO TX 75024-3601 US

DENNIS A. GUTH
WEST LAKE GROUP
2801 POST OAK BLVD
HOUSTON TX 77056 US

DAVID L HALL
COMMONWEALTH CONSULTING ASSOCIATES
13103 FM 1960 WEST SUITE 204
HOUSTON TX 77065-4069 US

MICHAEL P. FERRO
MILLENNIUM PETROCHEMICALS, INC.
P O BOX 2583
1221 MCKINNEY STREET SUITE 1600
HOUSTON TX 77252-2583 US

STEVE M COULTER
EXXON COMPANY USA
PO BOX 3272
HOUSTON TX 77253-3272 US

MONTY L PARKER SR
CMC STEEL GROUP
P O BOX 911
SEGUIN TX 78156-0911 US

BRAD F HUSTON
CYPRUS AMAX COAL SALES CORP
9100 E MINERAL CIR
MILFORD CO 80112-3401 US

STEPHEN M UTHOFF
CONIGLIO & UTHOFF
60 ELM AVENUE, CONIGLIO PROFESSIONAL BLDG
LONG BEACH CA 90802-4910 US

RICHARD WELSH
NARPO
50-505 GRAND TRAVERSE
LA QUINTA CA 92253 US

JOHN D FITZGERALD
UTU, GENERAL CHAIRPERSON
400 E EVERGREEN BLVD STE 217
VANCOUVER WA 98660-3264 US

Records: 361

30917

SERVICE DATE - APRIL 18, 2000

EB

This decision will be included in the bound volumes of the STB printed reports at a later date.

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 33388

CSX CORPORATION AND CSX TRANSPORTATION, INC.,
NORFOLK SOUTHERN CORPORATION AND
NORFOLK SOUTHERN RAILWAY COMPANY
— CONTROL AND OPERATING LEASES/AGREEMENTS —
CONRAIL INC. AND CONSOLIDATED RAIL CORPORATION

Decision No. 151

Decided: April 13, 2000

Environmental Condition No. 11 of Appendix Q of Decision No. 89[1] (Decision No. 89, slip op. at 401-02), requires Applicants, with the concurrence of the responsible local governments, to mitigate train wayside noise (locomotive engine and wheel/rail noise) at noise-sensitive receptor locations on certain rail line segments. Environmental Condition No. 11 further provides that: "Applicants shall certify compliance with this condition within 2 years of the effective date of the Board's final decision. This condition shall not apply to those communities that have executed Negotiated Agreements with Applicants that satisfy the communities' environmental concerns."

On March 15, 2000, CSX provided us with a copy of a Negotiated Agreement between CSX and the Township of Washington, Belle Vernon, PA, dated February 24, 2000, and accepted by the Township of Washington on February 29, 2000. According to CSX, this Negotiated Agreement effectuates the Board's preference for privately negotiated solutions stated in Decision No. 89, slip op. at 153. CSX requests that Environmental Condition No. 11 be amended to reflect the parties' Negotiated Agreement by deleting the Township of Washington receptors from those identified on

[1] In Decision No. 89, served July 23, 1998, we approved, subject to certain conditions, including environmental mitigation conditions, the acquisition of control of Conrail Inc., and Consolidated Rail Corporation (collectively, Conrail) and the division of Conrail's assets by CSX Corporation and CSX Transportation, Inc. (collectively, CSX), and Norfolk Southern Corporation and Norfolk Southern Railway Company (collectively, NS). CSX and NS are referred to as Applicants.

the Sinns, PA to Brownsville, PA line segment (C-085),[2] and that the Negotiated Agreement between CSX and the Township of Washington be added to the CSX Subsection of Environmental Condition No. 51 of Appendix Q in Decision No. 89, which requires CSX to comply with the terms of all Negotiated Agreements developed with states, local communities, and other entities regarding environmental issues associated with the Conrail transaction. See Decision No. 89, slip op. at 420-21. The Township of Washington concurs with the request.

In view of the Negotiated Agreement between CSX and the Township of Washington, we will: (1) add the Negotiated Agreement to Environmental Condition No. 51 of Appendix Q of Decision No. 89, and (2) amend Environmental Condition No. 11 of Appendix Q of Decision No. 89 to delete the Township of Washington receptors from those identified on the Sinns, PA to Brownsville, PA line segment because the noise mitigation for that community has been superseded by the CSX/Township of Washington Negotiated Agreement.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.

2. In accordance with the Negotiated Agreement between CSX and the Township of Washington, Belle Vernon, PA, executed on February 29, 2000, the following is added to the CSX Subsection of Environmental Condition No. 51 of Appendix Q of Decision No. 89:

> **30. Township of Washington, Belle Vernon, Pennsylvania, dated February 29, 2000.**

3. In addition, Environmental Condition No. 11 of Appendix Q of Decision No. 89 is amended to delete the receptors that meet wayside noise mitigation criteria applicable to the Township of Washington from those identified on the Sinns, PA to Brownsville, PA line segment because such receptors/noise mitigation have been superseded by the Negotiated Agreement.

---

[2] Environmental Condition No. 11 does not specifically reference the Township of Washington. However, one identified receptor located south of the Borough of Belle Vernon, PA, is actually in this township and not in the Borough of Belle Vernon. Accordingly, CSX negotiated a separate agreement with the Township of Washington. The remaining receptors are located within the Borough of Belle Vernon and are addressed by a separate agreement between CSX and the Borough of Belle Vernon. See Decision No. 146, served April 13, 2000.

4. This decision is effective on the date of service.

By the Board, Chairman Morgan, Vice Chairman Burkes, and Commissioner Clyburn.

Vernon A. Williams
Secretary

SERVICE LIST FOR: 12-apr-2000 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATI

STEPHEN M FONTAINE
MASSACHUSETTS CENTRAL RAILROAD CORPORATION
ONE WILBRAHAM STREET
PALMER MA 01069 US

JAMES E HOWARD
90 CANAL STREET
BOSTON MA 02114 US

JOHN D CIRAME, ASSISTANT SECRETARY
COMMONWEALTH OF MASS. EXEC. OFFICE OF TRANSPT
10 PARK PLAZA ROOM 3170
BOSTON MA 02116-3969 US

HON. EDWARD M KENNEDY
UNITES STATES SENATE
2400 JOHN F KENNEDY FEDERAL BLDG
BOSTON MA 02203 US

WILLIAM D ANKNER PHD
R I DEPT OF TRANSPORTATION
TWO CAPITOL HILL
PROVIDENCE RI 02903 US

JOHN R NADOLNY
14 AVIATION AVENUE
PORTSMOUTH NH 03801 US

ROBERT D ELDER
MAINE DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA ME 04333 US

KAREN E SONGHURST
STATE OF VERMONT
133 STATE STREET
MONTPELLIER VT 05633-5001 US

JAMES F SULLIVAN
CT DEPT OF TRANSPORTATION
P O BOX 317546
2800 BERLIN TURNPIKE
NEWINGTON CT 06131 US

EDWARD J RODRIGUEZ
P O BOX 687
8 DAVIS ROAD WEST
OLD LYME CT 06371 US

RICHARD C CARPENTER
SOUTHWESTERN REGIONAL PLANNING AGENCY
1 SELLECK STREET SUITE 210
EAST NORWALK CT 06855 US

MICHAEL E STRICKLAND
NYK LINE (NORTH AMERICA) INC, SENIOR VICE PRE
300 LIGHTING WAY
SECAUCUS NJ 07094-1588 US

J WILLIAM VAN DYKE
NJ TRANSPORTATION PLANNING AUTHORITY
ONE NEWARK CENTER 17TH FLOOR
NEWARK NJ 07102 US

EDWARD LLOYD
RUTGERS ENVIRONMENTAL LAW CLINIC
15 WASHINGTON STREET
NEWARK NJ 07102 US

HONORABLE ROBERT G. TORRICELLI
UNITED STATES SENATE
1 RIVER FRONT PLAZA, 3RD FLOOR
NEWARK NJ 07102 US

PHILIP SIDO
UNION CAMP CORPORATION
1600 VALLEY ROAD
WAYNE NJ 07470 US

MARTIN T DURKIN ESQ
DURKIN & BOGGIA ESQS
PO BOX 378
71 MT VERNON STREET
RIDGEFIELD PARK NJ 07660 US

CRAIG CURRY
CONSOLIDATED RAIL CORPORATION
1000 HOWARD BOULEVARD
MOUNT LAUREL NJ 08054 US

TIMOTHY G CHELIUS
18 N EAST AVENUE
VINELAND NJ 08360 US

LAWRENCE PEPPER, JR
GRUCCIO PEPPER
817 EAST LANDS AVE
VINELAND NJ 08360 US

JOHN F. MCHUGH
MCHUGH & SHERMAN
20 EXCHANGE PLACE 51ST FLOOR
NEW YORK NY 10005 US

ANTHONY BOTTALICO
UTU
420 LEXINGTON AVENUE ROOM 458-460
NEW YORK NY 10017 US

WALTER E ZULLIG JR
METRO-NORTH COMMUTER RAILROAD COMPANY
347 MADISON AVE
NEW YORK NY 10017-3706 US

ANTHONY P. SEMANCIK
347 MADISON AVENUE
NEW YORK NY 10017-3706 US

JAMES W HARRIS
THE METROPOLITIAN PLANNING ORGANIZATION
1 WORLD TRADE CENTER STE 82 EAST
NEW YORK NY 10048-0043 US

HUGH H. WELSH
LAW DEPT., SUITE 67E
ONE WORLD TRADE CENTER
NEW YORK NY 10048-0202 US

R. LAWRENCE MCCAFFREY, JR.
NEW YORK & ATLANTIC RAILWAY
405 LEXINGTON AVENUE 50TH FLOOR
NEW YORK NY 10174 US

SAMUEL J NASCA
UTU STATE LEGISLATIVE DIRECTOR
35 FULLER ROAD SUITE 205
ALBANY NY 12205 US

DANIEL B. WALSH
BUSINESS COUNCIL OF NEW YORK STATE,INC.
152 WASHINGTON AVENUE
ALBANY NY 12210 US

DIANE SEITZ
CENTRAL HUDSON GAS & ELECTRIC CORP
284 SOUTH AVENUE
POUGHKEEPSIE NY 12601 US

IRWIN L. DAVIS
1900 STATE TOWER BLDG.
SYRACUSE NY 13202 US

ANGELO J CHICK JR, LOCAL CHAIRMAN
P O BOX 908
48398 OLD GOOSE BAY ROAD
REDWOOD NY 13679 US

GARY EDWARDS
SOMERSET RAILROAD
7725 LAKE ROAD
BARKER NY 14012 US

SHEILA MECK HYDE
CITY HALL
342 CENTRAL AVENUE
DUNKIRK NY 14048 US

IRVING J RUBIN
P O BOX 243
YOUNGSTOWN NY 14174 US

JOHN F COLLINS
COLLINS ,COLLINS, & KANTOR PC
267 NORTH STREET
BUFFALO NY 14201 US

R W GODWIN
BROTHERHOOD OF LOCOMOTIVE ENGINEERS
810 ABBOTT ROAD SUITE 200
BUFFALO NY 14220 US

ERNEST J IERARDI
NIXON HARGRAVE DEVANS DOYLE LLP
PO BOX 1051
CLINTON SQUARE
ROCHESTER NY 14603-1051 US

H DOUGLAS MIDKIFF
GENESEE TRANSPORTATION COUNCIL
65 WEST BROAD ST STE 101
ROCHESTER NY 14614-2210 US

JEANNE WALDOCK
107 GRANT COURT
ORLEAN NY 14760 US

DAVID W. DONLEY
3361 STAFFORD ST
PITTSBURGH PA 15204-1441 US

JOHN A VUONO
VUONO & GRAY
2310 GRANT BUILDING
PITTSBURGH PA 15219 US

HENRY M. WICK, JR.
WICK STREIFF ET AL
1450 TWO CHATHAM CENTER
PITTSBURGH PA 15219-3427 US

R J HENEFELD
PPG INDUSTRIES INC
ONE PPG PLACE
PITTSBURGH PA 15272 US

M E PETRUCCELLI
RPG INDUSTRIES INC
ONE PPG PLACE
PITTSBURGH PA 15272 US

D W DUNLEVY
STATE LEGISLATIVE DIRECTOR UTU
230 STATE STREET PA AFL-CIO BLDG 2ND FLOOR
HARRISBURG PA 17101 US

HONORABLE THOMAS J RIDGE
GOVERNOR, COMMONWEALTH OF PENNSYLVANIA
225 MAIN CAPITOL BUILDING
HARRISBURG PA 17120 US

BELNAP FREEMAN
BELKNAP FREEMAN
119 HICKORY LANE
ROSEMONT PA 19010 US

JOHN J GROCKI
GRA INC
115 WEST AV ONE JENKINTOWN STA
JENKINTOWN PA 19046 US

JONATHAN M BRODER
CONSOLIDATED RAIL CORP
PO BOX 41416
2001 MARKET STREET 16-A
PHILADELPHIA PA 19101-1416 US

JOHN J EHLINGER JR
OBERMAYER REBMANN MAXWELL & HIPPEL
1617 JOHN F. KENNEDY BLVD ONE PENN CENTER-19T
PHILADELPHIA PA 19103-1895 US

JOHN J COSCIA, EXECUTIVE DIRECTOR
DELAWARE VALLEY REGIONAL PLANNING COMMISSION
111 SOUTH INDEPENDENCE MALL EAST
PHILADELPHIA PA 19106 US

ERIC M HOCKY
GOLLATZ GRIFFIN EWING
213 WEST MINER STREET
WEST CHESTER PA 19381-0796 US

J E THOMAS
HERCULES INCORPORATED
1313 NORTH MARKET STREET
WILMINGTON DE 19894 US

FREDERICK H SCHRANCK
PO BOX 778
DOVER DE 19903 US

RICHARD R WILSON
1126 EIGHT AV STE 403
ALTOONA PA 16602 US

KURT W CARR
BUREAU FOR HISTORIC PRESERVATION
P O BOX 1026
HARRISBURG PA 17108-1026 US

KRISTOPHER MICHAEL KLEMICK
RR#3 BOX 101-15
JERSEY SHORE PA 17740-9309 US

D J O'CONNELL
GENERAL CHAIRPERSON UTU
410 LANCASTER AVE STE 5
HAVERFORD PA 19041 US

HARRY C BARBIN
BARBIN LAUFFER & O'CONNELL
608 HUNTINGDON PIKE
ROCKLEDGE PA 19046 US

G CRAIG SCHELTER
PHILADELPHIA INDUSTRIAL DEVELOPMENT CORPORATI
2600 CENTRE SQUARE WEST 500 MARKET ST
PHILADELPHIA PA 19102 US

DAVID BERGER
BERGER AND MONTAGUE, P. C.
1622 LOCUST ST
PHILADELPHIA PA 19103-6305 US

JOHN K. LEARY, GENERAL MANAGER
SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTH
1234 MARKET STREET 5TH FLOOR
PHILADELPHIA PA 19107-3780 US

HON JOSEPH R BIDEN, JR.
UNITED STATES SENATE
844 KING STREET
WILMINGTON DE 19801 US

E C WRIGHT
RAIL TRANSPORTATION PROCUREMENT MANAGER
1007 MARKET STREET DUPONT BLDG 3100
WILMINGTON DE 19898 US

TERRENCE D JONES
KELLER & HECKMAN
1001 G ST NW STE 500 WEST
WASHINGTON DC 20001 US

JAMES HOWARD
COALITION OF NORTHEASTERN GOVERNORS
400 NORTH CAPITOL STREET, SUITE 382
WASHINGTON DC 20001 US

MARTIN W BERCOVICI
KELLER & HECKMAN, LLP
1001 G ST NW SUITE 500 WEST
WASHINGTON DC 20001 US

PETER A GILBERTSON
REGIONAL RRS OF AMERICA
122 C ST NW STE 850
WASHINGTON DC 20001 US

RICHARD G SLATTERY
AMTRAK
60 MASSACHUSETTS AVENUE N E
WASHINGTON DC 20002 US

DONALD F GRIFFIN
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
10 G STREET NE STE 460
WASHINGTON DC 20002 US

DREW A HARKER
ARNOLD & PORTER
555 TWELFTH STREET NW
WASHINGTON DC 20004 US

DENNIS G LYONS
ARNOLD & PORTER
555 TWELFTH STREET NW
WASHINGTON DC 20004 US

PAUL REISTRUP
CSX TRANSPORTATION INC
1331 PENNSYLVANIA NW STE 500
WASH DC 20004 US

ERIC VON SALZEN
HOGAN & HARTSON
555 THIRTEENTH STREET N W
WASHINGTON DC 20004-1109 US

GEORGE W MAYO JR
HOGAN & HARTSON L L P
555 THIRTEENTH STREET NW COLUMBIA SQUARE
WASHINGTON DC 20004-1109 US

MARY GABRIELLE SPRAGUE
ARNOLD & PORTER
555 TWELTH STREET NW
WASHINGTON DC 20004-1202 US

KEVIN M SHEYS
OPPENHEIMER WOLFF & DONNELLY & BAYH LLP
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005 US

EDWARD WYTKIND EXECUTIVE DIRECTOR
1025 CONNECTICUT AVE NW SUITE 1005
WASHINGTON DC 20005 US

JOHN H BROADLEY
JENNER & BLOCK
601 13TH ST NW STE 1200 SOUTH
WASHINGTON DC 20005 US

L JOHN OSBORN
SONNENSCHEIN NATH & ROSENTHAL
1301 K STREET NW STE 600 EAST
WASH DC 20005 US

KARL MORELL
BALL JANIK LLP
1455 F STREET NW SUITE 225
WASHINGTON DC 20005 US

ALICE C SAYLOR
AMERICAN SHORT LINE RAILROAD ASSOCIATION
1120 G STREET NW SUITE 520
WASHINGTON DC 20005 US

BRUNO MAESTRI
NORFOLK SOUTHERN CORPORATION
1500 K STREET SUITE 375
WASHINGTON DC 20005 US

LOUIS E GITOMER
BALL JANIK LLP
1455 F STREET NW SUITE 225
WASHINGTON DC 20005 US

DANIEL DUFF
AMERICAN PUBLIC TRANSIT ASSOCIATION
1201 NEW YORK AV NW
WASHINGTON DC 20005 US

ROSE-MICHELE WEINRYB
WEINER BRODSKY SIDMAN & KIDER
1350 NEW YORK AVENUE NW
WASHINGTON DC 20005 US

PAUL M LAURENZA
OPPENHEIMER WOLFF & DONNELLY & BAYH LLP
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005 US

CLARK EVANS DOWNS
JONES DAY REAVIS & POGUE
1450 G STREET NW
WASHINGTON DC 20005-2088 US

PAUL H LAMBOLEY
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005-3324 US

FREDERIC L WOOD
DONELAN CLEARY WOOD & MASER P C
1100 NEW YORK AVENUE NW SUITE 750
WASHINGTON DC 20005-3934 US

MARK H SIDMAN
WEINER BRODSKY,SIDMAN & KIDER
1350 NEW YORK AVE., NW., STE. 800
WASHINGTON DC 20005-4797 US

ANDREW P GOLDSTEIN
MCCARTHY SWEENEY HARKAWAY, PC
1750 PENNSYLVANIA AVE NW, STE 1105
WASHINGTON DC 20006 US

JAMES R WEISS
PRESTON GATES ELLIS ET AL
1735 NEW YORK AVENUE NW SUITE 500
WASHINGTON DC 20006 US

CONSTANCE A SADLER
SIDLEY & AUSTIN
1722 EYE STREET NW
WASHINGTON DC 20006 US

ANDREW R. PLUMP
ZUCKERT, SCOUTT & RASENBERGER. LLP
888 17TH ST., NW, STE. 600
WASHINGTON DC 20006 US

RICHARD A ALLEN
ZUCKERT SCOUT RASENBERGER
888 17TH STREET N W STE 600
WASHINGTON DC 20006-3939 US

CHARLES A SPITULNIK
HOPKINS & SUTTER
888 SIXTEENTH ST NW
WASH DC 20006-4103 US

SHERRI LEHMAN DIRECTOR OF CONGRESSIONAL AFFAI
CORN REFINERS ASSOC
1701 PA AV NW
WASH DC 20006-5805 US

WILLIAM A MULLINS
TROUTMAN SANDERS LLP
1300 I STREET NW SUITE 500 EAST
WASHINGTON DC 20005-3314 US

JEFFREY O MORENO
DONELAN CLEARY WOOD MASER
1100 NEW YORK AVENUE N W, SUITE 750
WASHINGTON DC 20005-3934 US

KARYN A BOOTH
DONELAN, CLEARY, WOOD & MASER, P.C.
1100 NEW YORK AVE NW SUITE 750
WASHINGTON DC 20005-3934 US

WILLIAM W MILLAR
AMERICAN PUBLIC TRANSIT ASSOCIATION
1201 NEW YORK AVE., NW
WASHINGTON DC 20005-6141 US

DANIEL J SWEENEY
MCCARTHY SWEENEY & HARKAWAY P C
1750 PENNSYLVANIA AVE NW STE 1105
WASHINGTON DC 20006 US

SCOTT M ZIMMERMAN
ZUCKERT SCOUTT & RASENBERGER L L P
888 SEVENTEENTH STREET NW
WASHINGTON DC 20006 US

ROBERT P VOM EIGEN
HOPKINS AND SUTTER
888 16TH STREET N W STE 700
WASHINGTON DC 20006 US

ERIKA Z JONES
MAYER BROWN & PLATT
1909 K STREET, NW
WASHINGTON DC 20006-1101 US

JOHN V EDWARDS, ESQ
ZUCKERT SCOUTT ET AL
888 17TH STREET N W STE 600
WASHINGTON DC 20006-3939 US

STEVEN J KALISH
MCARTHY SWEENEY & HARKAWAY
1750 PENNSYLVANIA AVE NW
WASHINGTON DC 20006-4502 US

CHRISTOPHER C O'HARA
BRICKFIELD BURCHETTE & RITTS PC
1025 THOMAS JEFFERSON ST NW EIGHTH FLOOR
WASHINGTON DC 20007 US

PAUL M DONOVAN
LAROE WINN MOERMAN & DONOVAN
3900 HIGHWOOD COURT NW
WASHINGTON DC 20007 US

ROBERT G SZABO
1050 THOMAS JEFFERSON STREET NW SIXTH FLOOR
WASHINGTON DC 20007 US

MICHAEL F MCBRIDE
LEBOEUF LAMB GREENE & MACRAE
1875 CONNECTICUT AVENUE NW
WASHINGTON DC 20009-5728 US

PAUL D COLEMAN
HOPPEL MAYER & COLEMAN
1000 CONNECTICUT AVENUE NW SUITE 400
WASHINGTON DC 20036 US

HAROLD P QUINN, JR
NATIONAL MINING ASSOCIATON
1130 17TH STREET NW
WASHINGTON DC 20036 US

JOHN M CUTLER JR
MCCARTHY SWEENEY HARKAWAY PC
1750 PENNSYLVANIA AVE N W SUITE 1105
WASHINGTON DC 20036 US

KEITH G O'BRIEN
REA CROSS AND AUCHINCLOSS
1707 L STREET NW STE 570
WASHINGTON DC 20036 US

WILLIAM G. MAHONEY
HIGHSAW, MAHONEY & CLARKE
1050 SEVENTEENTH STREET NW SUITE 210
WASHINGTON DC 20036 US

KELVIN J DOWD
SLOVER & LOFTUS
1224 17TH STREET N W
WASHINGTON DC 20036 US

GORDON P MACDOUGALL
1025 CONNECTICUT AVE NW SUITE 410
WASHINGTON DC 20036 US

FRITZ R KAHN
1920 N STREET NW 8TH FLOOR
WASHINGTON DC 20036-1601 US

DAVID K MONROE
GALLAND KHARASCH GREENBERT FELLMAN & SWIRSKY
1054 THIRTY FIRST STREET NW STE 200
WASHINGTON DC 20007 US

EDWARD D GRLENBERG
GALLAND, KHARASCH, GREENBERT, FELLMAN & SWIRS
1054 THIRTY-FIRST STREET NW
WASHINGTON DC 20007-4492 US

STEPHEN H BROWN
VORYS SATER SEYMOUR AND PEASE
1828 L STREET N W
WASHINGTON DC 20036 US

HELEN M. COUSINEAU
CARLOS RODRIGUEZ & ASSOCIATES
1710 RHODE ISLAND AVENUE, NW
WASHINGTON DC 20036 US

JOHN D HEFFNER
REA CROSS & AUCHINCLOSS
1707 L STREET, NW, STE 570
WASHINGTON DC 20036 US

ROBERT A WIMBISH ESQ
REA CROSS & AUCHINCLOSS
1707 L STREET NW STE 570
WASHINGTON DC 20036 US

CHRISTOPHER A MILLS
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036 US

RICHARD S EDELMAN
O'DONNELL SCHWARTZ & ANDERSON PC
1900 L STREET NW SUITE 707
WASHINGTON DC 20036 US

DAVID H COBURN
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE NW
WASHINGTON DC 20036 US

PETER A GREENE
THOMPSON HINE FLORY
1920 N STREET N W, SUITE 800
WASHINGTON DC 20036 US

TIMOTHY M WALSH
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE N W
WASHINGTON DC 20036-1795 US

SAMUEL M SIPE JR
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE N W
WASHINGTON DC 20036-1795 US

JOSEPH GUERRIERI, JR.
GUERRIERI, EDMOND & CLAYMAN, PC
1625 MASSACHUSETTS AVE., NW. STE 700
WASHINGTON DC 20036-2243 US

DEBRA L WILLEN
GUERRIERI EDMOND & CLAYMAN PC
1625 MASSACHUSETTS AVENUE, N.W., STE 700
WASHINGTON DC 20036-2243 US

DONALD G AVERY
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036-3003 US

L PAT WYNNS
SUITE 210
1050 - 17TH STREET N W
WASHINGTON DC 20036-5503 US

JOHN L OBERDORFER
PATTON BOGGS LLP
2550 M ST NW
WASHINGTON DC 20037-1301 US

SCOTT N STONE
PATTON BOGGS L L P
2550 M STREET NW 7TH FLOOR
WASHINGTON DC 20037-1346 US

J MICHAEL HEMMER
COVINGTON & BURLING
P O BOX 7566
1201 PENNSYLVANIA AVENUE NW
WASHINGTON DC 20044 US

KEITH A KLINDWORTH
U S DEPT OF AGRICULTURE
P O BOX 96456
WASHINGTON DC 20090 US

MICHAEL V DUNN
USDA
PO BOX 96456 RM 4006-SOUTH BLDG
WASH DC 20090-6456 US

EILEEN S STOMMES
U S DEPARTMENT OF AGRICULTURE
P O BOX 96456 ROOM 4006-SOUTH BUILDING
WASHINGTON DC 20090-6456 US

JUDGE JACOB LEVENTHAL, OFFICE OF HEARINGS
FEDERAL ENERGY REGULATORY COMMISSION
888 - 1ST ST, N.E. STE 11F
WASHINGTON DC 20426 US

RICHARD E SANDERSON
OFFICE OF FEDERAL ACTIVITIES
US ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON DC 20460 US

HON CHARLES SCHUMER
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON DANIEL PATRICK MOYNIHAN
UNITED STATES SENATE
WASINGTON DC 20510 US

HON JOHN BREAUX
UNITED STATER SENATE
WASHINGTON DC 20510 US

HON CHARLES E SCHUMER
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON BYRON L DORGAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. BARBARA A. MIKULSKI
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. CHARLES ROBB
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. JOSEPH I LIEBERMAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE BOB GRAHAM
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE RICHARD LUGAR
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. JOSEPH BIDEN, JR.
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON WILLIAM V. ROTH JR
U S SENATE
WASHINGTON DC 20510-0001 US

HON. JOHN W. WARNER
US SENATE
WASHINGTON DC 20510-0001 US

HON CHRISTOPHER J DODD
UNITED STATES SENATE
WASH DC 20510-0702 US

HONORABLE DANIEL P. MOYNIHAN
UNITED STATE SENATE
WASHINGTON DC 20510-0903 US

HONORABLE CONNIE MACK
UNITED STATES SENATE
WASHINGTON DC 20510-0904 US

HONORABLE J ROBERT KERREY
UNITED STATES SENATE
WASHIGTON DC 20510-2704 US

HON MIKE DEWINE
UNITED STATES SENATE
WASHINGTON DC 20510-3503 US

HON ARLEN SPECTER
UNITED STATES SENATE
WASHINGTON DC 20510-3802 US

HON RICK SANTORUM
UNITED STATES SENATE
WASHINGTON DC 20510-3804 US

HONORABLE JOHN H. CHAFEE
UNITED STATES SENATE
WASHINGTON DC 20510-3902 US

HON JACK REED
U S SENATE
WASHINGTON DC 20510-3903 US

HONORABLE ROBERT BYRD
UNITED STATES SENATE
WASHINGTON DC 20510-6025 US

HONORABLE JOHN J LAFALCE
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. WILLIAM J. COYNE
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. TOM BLILEY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. WILLIAM O. LIPINSKI
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE PAUL E. GILLMOR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. JAMES L. OBERSTAR
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE MIKE DOYLE
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JOHN D. DINGELL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE BENJAMIN A. GILMAN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. JOHN J. DUNCAN
U S HOUSE OF REPRESENTATIVESS
WASHINGTON DC 20515 US

HONORABLE BOB CLEMENT
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE PETER J. VISCLOSKY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE SAM GEJDENSON
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE MAJOR R. OWENS
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. BUD SHUSTER
ATTN: MIKE RICK
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NANCY JOHNSON
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON JAMES TRAFICANT JR
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. ROBERT MENENDEZ
U S HOUSE OF REPRESENTATIVES
WASH DC 20515 US

HON MARCY KAPTUR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE FRANK MASCARA
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON GARY ACKERMAN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON JERROLD NADLER
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE ROBERT W. NEY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE BOB WEYGAND
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE TED STRICKLAND
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON DENNIS J KUCINICH
UNITED STATES HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

HON. ED BRYANT
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. STEVE LATOURETTE
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NYDIA M VELAZQUEZ
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON ED TOWNS
U. S. HOUSE OR REPRESENTATIVES
WASHINGTON DC 20515 US

HON LOUISE M SLAUGHTER
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CHRISTOPHER SHAYS
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CHARLES RANGEL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MICHAEL MCNULTY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JAMES MALONEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CAROLYN B MALONEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NITA LOWEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MAURICE HINCHEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MICHAEL FORBES
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON ELIOT L ENGEL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE CHIP [illegible]ERING
U S HOUSE OF RE[illegible]ESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JESSE L. JACKSON, JR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE LUIS GUTIERREZ
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE DANNY K DAVIS
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON RALPH REGULA
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON SHERROD BROWN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE SAXBY CHAMBLISS,
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE TILLIE K FOWLER
US HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

HON BOB WISE
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON THOMAS C SAWYER
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE ROD R BLAGOJEVICH
U. S. HOUSE OF REPRESENTATIVES
WASHINGTO DC 20515-1305 US

HON JULIA CARSON
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-1410 US

HONORABLE JAMES A. BARCIA
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-2205 US

HON JACK QUINN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3230 US

HONORABLE RICHARD BURR
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3305 US

HONORABLE TOM DAVIS
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-4611 US

HONORABLE BOBBY L. RUSH
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-9997 US

MICHAEL P HARMONIS
DEPARTMENT OF JUSTICE
325 SEVENTH STREET, NW
WASHINGTON DC 20530 US

PAUL SAMUEL SMITH
US DEPARTMENT OF TRANSPORTATION
400 SEVENTH STREET SW, ROOM 4102 C-30
WASHINGTON DC 20590 US

JOLENE MOLITORIS, ADMN.
FEDERAL RAILROAD ADMNS.
400 7TH STREET SW
WASHINGTON DC 20590 US

JOSEPH R POMPONIO
FEDERAL RAILROAD ADMIN
1120 VERMONT AVE NW RCC-20
WASHINGTON DC 20590 US

DAVID G ABRAHAM
SUITE 400W
7315 WISCONSIN AVENUE
BETHESDA MD 20814 US

MITCHELL M KRAUS
TRANSPORTATION COMMUNICATIONS INTERNATIONAL U
3 RESEARCH PLACE
ROCKVILLE MD 20850-3279 US

JOHN M ROBINSON
9616 OLD SPRING ROAD
KENSINGTON MD 20895-3124 US

WILLIAM W WHITEHURST JR
W W WHITEHURST & ASSOCIATES INC
12421 HAPPY HOLLOW ROAD
COCKEYSVILLE MD 21030-1711 US

JOHN HOY
P O BOX 117
GLEN BURNIE MD 21060 US

ROBERT J WILL
UNITED TRANSPORTATION UNION
4134 GRAVE RUN RD
MANCHESTER MD 21102 US

JOHN F WING CHAIRMAN
CITIZENS ADVISORY COMMITTEE
601 NORTH HOWARD STREET
BALTIMOTE MD 21201 US

LINDA A JANEY J D
MARYLAND OFFICE OF PLANNING
301 WEST PRESTON STREET
BALTIMORE MD 21201-2365 US

DON E SANCHEZ
CHESAPEAKE SPECIALTY PRODUCTS INC
5055 NORTH POINT BOULEVARD
BALTIMORE MD 21219 US

CHARLES M CHADWICK
MARYLAND MIDLAND RAILWAY INC
P O BOX 1000
UNION BRIDGE MD 21791 US

GARRET G SMITH
MOBIL OIL CORPORATION
3225 GALLOWS RD RM 8A903
FAIRFAX VA 22037-0001 US

HENRY E. SEATON
7700 LEESBURG PIKE, STE 201
FALLS CHURCH VA 22043 US

PETER Q NYCE JR
U S DEPARTMENT OF THE ARMY
901 NORTH STUART STREET
ARLINGTON VA 22203 US

THOMAS E SCHICK
CHEMICAL MANUF ASSOC
1300 WILSON BOULEVARD
ARLINGTON VA 22209 US

JENNIFER BRAUN
JACKSON & JESSUP
P O BOX 1240
3426 NORTH WASHINGTON BOULEVARD
ARLINGTON VA 22210 US

KENNETH E SIEGEL
AMERICAN TRUCKING ASSOC INC
2200 MILL ROAD
ALEXANDRIA VA 22314-4677 US

HONORABLE GEORGE ALLEN
GOVERNOR, COMMONWEALTH OF VIRGINIA
STATE CAPITOL
RICHMOND VA 23219 US

DAVID A SHELTON
NORFOLK SOUTHERN
THREE COMMERCIAL PLACE
NORFOLK VA 23510 US

JAMES A HIXON
SENIOR VICE PRESIDDENT EMPLOYEE RELATIONS NOR
THREE COMMERCIAL PLACE
NORFFFOLK VA 23510-2191 US

HONORABLE JOHN WARNER
UNITED STATES SENATE
235 FEDERAL BUILDING
ABINGDON VA 24210-0887 US

TERRELL ELLIS
CAEZWV
P O BOX 176
CLAY WV 25043 US

WILLIAM T BRIGHT
P O BOX 149
200 GREENBRIER ROAD
SUMMERSVILLE WV 26651 US

SCOTT M SAYLOR
NORTH CAROLINA RAILROAD COMPANY
3200 ATLANTIC AV STE 110
RALIEGH NC 27604-1640 US

J R BARBEE
GENERAL CHAIRPERSON UTU
441 N LOUISIANA AVE STE Q
ASHEVILLE NC 28806-3791 US

WILLIAM P. JACKSON, JR.
JACKSON & JESSUP, P. C.
P O BOX 1240
3426 NORTH WASHINGTON BLVD
ARLINGTON VA 22210 US

FRANCIS G MCKENNA
ANDERSON & PENDLETON
206 N WASHINGTON STREET SUITE 330
ALEXANDRIA VA 22314 US

ROBERT E MARTINEZ
VA SECRETARY OF TRANSPORTAITON
P. O. BOX 1475
RICHMOND VA 23218 US

JOHN W SNOW
CHAIRMAN PRESIDENT AND CHIEF EXECTIVE OFFICER
P O BOX 85629
RICHMOND VA 23285-5629 US

GEORGE A ASPATORE
NORFOLK SOUTHERN CORP
THREE COMMEMERCIAL PLACE
NORFOLK VA 23510 US

L P KING JR
GENERAL CHAIRPERSON UTU
145 CAMPBELL AVE SW STE 207
ROANOKE VA 24011 US

VAUGHN R GROVES
PITTSTON COAL COMPANY
PO BOX 5100
LEBANON VA 24266 US

R K SARGENT
GENERAL CHAIRPERSON UTU
1319 CHESTNUT STREET
KENOVA WV 25530 US

FRANK N JORGENSEN
THE ELK RIVER RAILROAD INC
P O BOX 460
SUMMERSVILLE WV 26651 US

E NORRIS TOLSON
NC DEPT OF TRANSPORTATION
P O BOX 25201
1 S. WILINGTON STREET
RALEIGH NC 27611 US

HONORABLE DAVID M BEASLEY
GOVERNOR
P. O. BOX 11369
COLUMBIA SC 29211 US

J RANDALL EVANS
500 WATER STREET (J150)
JACKSONVILLE FL 32202 US

FRED R BIRKHOLZ
CSX TRANSPORTATION LAW DEPT - J-150
500 WATER STREET
JACKSONVILLE FL 32202 US

ROBERT V ALLEN
CSX TRANSPORTATION
500 WATER STREET J305
JACKSONVILLE FL 32202 US

R J HAULTER
500 WATER STREET (J215)
JACKSONVILLE FL 32202 US

DANFORD L PRICE
500 WATER STREET
JACKSONVILLE FL 32202 US

BOB HAULTER
CSX TRANSPORTATION INC
500 WATER STREET (J215)
JACKSONVILLE FL 32202 US

PAUL R. HITCHCOCK
CSX TRANSPORTATION LAW DEPARTMENT
500 WATER STREET SC J-150
JACKSONVILLE FL 32202 US

JOHN W. HUMES, JR.
CSX TRANSPORTATION
SPEED CODE J-150
500 WATER STREET
JACKSONVILLE FL 32202 US

CHARLES M ROSENBERGER
CSX TRANSPORTATION
500 WATER STREET - J150
JACKSONVILLE FL 32202 US

J L RODGERS
GENERAL CHAIRMAN UTU
480 OSCEOLA AVENUE
JACKSONVILLE FL 32250 US

J T REED
GENERAL CHAIRPERSON UTU
7785 BAYMEADOWS WAY STE 109
JACKSONVILLE FL 32256 US

PHILLIP L BELL
ERIE LACKAWANNA RAILROAD CO
PO BOX 1482
TALLAHASSEE FL 32302 US

JAMES L BELCHER
EASTMAN CHEMICAL COMPANY
PO BOX 431
KINGSPORT TN 37662 US

WILLIAM L OSTEEN
ASSOCIATE GENERAL COUNSEL TVA
400 WEST SUMMIT HILL DRIVE
KNOXVILLE TN 37902 US

HONORABLE KIRK FORDICE, GOVERNOR
STATE OF MISSISSIPPI
P O BOX 139
JACKSON MS 39205 US

HONORABLE PAUL E. PATTON
GOVERNOR
700 CAPITOL AVENUE, STE. 100
FRANKFORT KY 40601 US

F R PICKELL
GENERAL CHAIRPERSON UTU
6797 NORTH HIGH ST STE 108
WORTHINGTON OH 43085 US

THOMAS M O'LEARY
OHIO RAIL DEVELOPMENT COMMISSION
50 W BROAD STREET 15TH FLOOR
COLUMBUS OH 43215 US

HONORABLE DEBORAH PRYCE
U. S. HOUSE OF REPRESENTATIVES
500 SOUTH FRONT STREET, ROOM 1130
COLUMBUS OH 43215 US

DOREEN C JOHNSON, CHIEF ANTITRUST SECTION
OHIO ATTY GENERAL OFFICE
140 EAST TOWN STREET, FIRST FLOOR
COLUMBUS OH 43215-6001 US

JAMES R JACOBS
JACOBS INDUSTRIES
2 QUARRY LANE
STONY RIDGE OH 43463 US

DAVID CHAPMAN
LAFARGE LIME OHIO INC
P O BOX 128
659 ANDERSON ROAD
WOODVILLE OH 43469-0128 US

ROBERT J COOPER
GENERAL CHAIRPERSON UTU
1238 CASS ROAD
MAUMEE OH 43537 US

ROBERT E GREENLESE
TOLEDO-LUCAS COUNTY PORT AUTHORITY
1 MARITIME PLAZA SUITE 700
TOLEDO OH 43604 US

ROBERT E MURRAY
OHIO VALLEY COAL CO
56854 PLEASANT RIDGE ROAD
ALLEDONIA OH 43902 US

RON MARQUARDT
LOCAL UNION 1810 UMWA
R D #2
RAYLAND OH 43943 US

CLARENCE TURNQUIST
INTERNATIONAL LONGSHOREMEN S ASSOCIATION
C/O 2125 TRYON ROAD
ASHTABULA OH 44004 US

MAYOR VINCENT M URBIN
150 AVON BELDEN RD
AVON LAKE OH 44012 US

CHARLES S HESSE
CHARLES HESSE ASSOCIATES
7777 BAINBRIDGE ROAD
CHAGRIN FALLS OH 44023-2124 US

BARBARA O'KEEFE
VILLAGE OF WELLINGTON
115 WILLARD MEMORIAL SQ
WELLINGTON OH 44090 US

COLETTA MCNAMEE SR
CUDELL IMPROVEMENT INC
11500 FRANKLIN BLVD STE 104
CLEVELAND OH 44102 US

ANITA R BRINDZA
THE ONE FIFTEEN HUNDRED BUILDING
11500 FRANKLIN BLVD SUITE 104
CLEVELAND OH 44102 US

DANIEL R ELLIOTT III
ASST GENERAL COUNSEL UNITED TRANSPORTATION UN
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

C L LITTLE
INTERNATIONAL PRESIDENT UTU
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

CLINTON J MILLER III GENERAL COUNSEL
UNITED TRANSPORTATION UNION
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

CLARENCE MONIN INTERNATIONAL PRES
BROTHERHOOD OF LOCOMTIVE ENGINEERS MEZZANINE
1370 ONTARIO STREET
CLEVELAND OH 44113 US

CHRISTOPHER C MCCRACKEN
ULMER & BERNE LLP
1300 EAST NINTH STREET SUITE 900
CLEVELAND OH 44114 US

DAVID ROLOFF
GOLDSTEIN & ROLOFF
526 SUPERIOR AVENUE EAST SUITE 1440
CLEVELAND OH 44114 US

INAJO DAVIS CHAPPELL
ASHTA CHEMICALS INC
1300 EAST NINETH STREET SUITE 900
CLEVELAND OH 44114-1538 US

DAVID J MATTY
CITY OF ROCKY RIVER
21012 HILLIARD ROAD
ROCKY RIVER OH 44116-3398 US

C D WINEBRENNER
GENERAL CHAIRPERSON UTU
27801 EUCLID AVENUE RM 200
EUCLID OH 44132 US

GARY A EBERT
CITY OF BAY VILLAGE
350 DOVER CENTER ROAD
BAY VILLAGE OH 44140 US

CHARLES ZUMKEHR
ROETZEL & ANDRESS CO LPA
75 EAST MARKET STREET
AKRON OH 44308 US

SYLVIA R. CHINN-LEVY
NEFCO
969 COPLEY ROAD
AKRON OH 44320 US

CHARLES E ALLENBAUGH JR
EAST OHIO STONE COMPANY
2000 W BESSON ST
ALLIANCE OH 44601 US

RANDALL C. HUNT
KRUGLIAK, WILKINS, GRIFFITHS & DOUGHERTY CO.
P O BOX 36963
4775 MUNSON ST NW
CANTON OH 44735-6963 US

D G STRUNK JR
GENERAL CHAIRPERSON UTU
817 KILBOURNE STREET
BELLEVUE OH 44811 US

R A GRICE
GENERAL CHAIRPERSON UTU
817 KILBOURNE ST
BELLEVUE OH 44811-9431 US

RICHARD E KERTH
CHAMPION INTERNATIONAL CORPORATION
101 KNIGHTSBRIDGE DRIVE
HAMILTON OH 45020-0001 US

FAY D DUPUIS
CITY OF CINCINNATI
801 PLUM STREET
CINCINNATI OH 45202 US

ROBERT EDWARDS
EASTERN TRANSPORT AND LOGISTICS
1109 LANETTE DRIVE
CINCINNATI OH 45230 US

THOMAS R RYDMAN PRESIDENT
INDIAN CREEK RAILROAD COMPANY
3905 W 600 NORTH
ANDERSON IN 46011 US

F RONALDS WALKER
CITIZENS GAS & COKE UTILITY
2020 N MERIDIAN STREET
INDIANAPOLIS IN 46202-1393 US

MICHAEL P MAXWELL JR
MCHALE, COOK & WELCH
320 N MERIDIAN ST 1100 CHAMBER OF COMMERCE BL
INDIANAPOLIS IN 46204 US

J PATRICK LATZ
HEAVY LIFT CARGO SYSTEM
PO BOX 51451
INDIANAPOLIS IN 46251-0451 US

MICHAEL CONNELLY
CITY OF EAST CHICAGO
4525 INDIANAPOLIS BLVD
EAST CHICAGO IN 46312 US

HAMILTON L CARMOUCHE, CORPORATION COUNSEL
CITY OF GARY
401 BROADWAY 4TH FLOOR
GARY IN 46402 US

HONORABLE PETER J. VISCLOSKY
U. S. HOUSE OF REPRESENTATIVES
215 WEST 35TH AVENUE
GARY IN 46408 US

CARL FELLER
DEKALB AGRA INC
P. O. BOX 127
4743 COUNTY ROAD 28
WATERLOO IN 46793-0127 US

CHRISTOPHER J BURGER, PRESIDENT
CENTRAL RAILROAD COMPANY OF INDIANAPOLIS
PO BOX 554
KOKOMO IN 46903-0554 US

WILLIAM A BON, GENERAL COUNSEL
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
26555 EVERGREEN ROAD SUITE 200
SOUTHFIELD MI 48076 US

NICOLE HARVEY
THE DOW CHEMICAL COMPANY
2020 DOW CENTER
MIDLAND MI 48674 US

JAMES E SHEPHERD
TUSCOLA & SAGINAW BAY
PO BOX 550
OWOSSO MI 48867-0550 US

LARRY B KARNES
TRANSPORTATION BUILDING
PO BOX 30050
425 WEST OTTAWA
LANSING MI 48909 US

HON JOHN ENGLER
OFFICE OF THE GOVERNOR
P O BOX 30013
LANSING MI 48933 US

T SCOTT BANNISTER
T SCOTT BANNISTER AND ASSOCIATES
1300 DES MOINES BLDG 405 SIXTH AVENUE
DES MOINES IA 50309 US

BYRON D OLSEN
FELHABER LARSON FENLON & VOGT PA
601 SECOND AVENUE SOUTH SUITE 4200
MINNEAPOLIS MN 55401-4302 US

LEO J WASESCHA
GOLD MEDAL DIVISON - GENERAL MILLS OPERATION
P O BOX 1113
NUMBER ONE GENERAL MILLS BULEVARD
MINNEAPOLIS MN 55440 US

GERALD J. VINCI
PRAIRIE GROUP
P. O.BOX 1123
7601 WEST 79TH STREET
BRIDGEVIEW IL 60455 US

RICHARD A GAVRIL
16700 GENTRY LANE NO 104
TINLEY PARK IL 60477 US

EDWARD WASHINGTON, II
CHIEF, PUBLIC UTILITIES BUREAU, ILL ATTORNEY
100 W RANDOLPH ST - 12TH FLOOR
CHICAGO IL 60601 US

THOMAS J LITWILER
OPPENHEIMER WOLFF & DONNELLY
180 N STETSON AVE 45TH FLOOR
CHICAGO IL 60601 US

CHRISTINE H. ROSSO
IL ASSISTANT ATTORNEY GENERAL
100 W RANDOLPH ST 13TH FLOOR
CHICAGO IL 60601 US

WILLIAM C SIPPEL
OPPENHEIMER WOLFF & DONNELLY
180 N STETSON AVE TWO PRUDENTIAL PLAZA 45TH F
CHICAGO IL 60601-6710 US

RICHARD F. FRIEDMAN, ESQ
EARL L NEAL & ASSOCIATES
111 WEST WASHINGTON STREET, STE 1700
CHICAGO IL 60602-2766 US

EDWARD C MCCARTHY
INLAND STEEL INDUSTRIES INC
30 WEST MONROE STREET
CHICAGO IL 60603 US

ROGER A SERPE
175 WEST JACKSON BOULEVARD SUITE 1460
CHICAGO IL 60604 US

SHELDON A ZABEL
SCHIFF HARDIN & WAITE
7200 SEARS TOWER
CHICAGO IL 60606 US

THOMAS F MCFARLAND JR
MCFARLAND & HERMAN
20 NORTH WACKER DRIVE, SUITE 1330
CHICAGO IL 60606-3101 US

MYLES L TOBIN
ILLINOIS CENTRAL RAILROAD
455 NORTH CITYFRONT PLAZA DRIVE
CHICAGO IL 60611-5504 US

CHARLES D BOLAM
UNITED TRANSPORTATION UNION
1400-20TH STREET
GRANITE CITY IL 62040 US

SCOTT A RONEY
ARCHER DANIELS MIDLAND COMPANY
P O BOX 1470
4666 FARIES PARKWAY
DECATUR IL 62525 US

MERRILL L TRAVIS
ILLINOIS DEPT OF TRANSPORTATION
2300 S DIRKSEN PARKWAY RM 302
SPRINGFIELD IL 62764 US

IAN MUIR
BUNGE CORPORATION
P O BOX 28500
ST LOUIS MO 63146 US

JOHN JAY ROSACKER
KS DEPT OF TRANSP
217 SE 4TH ST 2ND FLOOR
TOPEKA KS 66603 US

MR GEORGE VAN HAVER
2340 SOUTH 35TH STREET
OMAHA NE 68105 US

HENRY T DART
PLAINTIFF MANGEMENT COMMITTEE
609 EAST GIBSON STREET
COVINGTON LA 70433 US

MIKE SPAHIS
FINA OIL & CHEMICAL CO
6000 LEGACY DRIVE
PLANO TX 75024-3601 US

DENNIS A. GUTH
WEST LAKE GROUP
2801 POST OAK BLVD
HOUSTON TX 77056 US

DAVID L HALL
COMMONWEALTH CONSULTING ASSOCIATES
13103 FM 1960 WEST SUITE 204
HOUSTON TX 77065-4069 US

MICHAEL P. FERRO
MILLENNIUM PETROCHEMICALS, INC.
P O BOX 2583
1221 MCKINNEY STREET SUITE 1600
HOUSTON TX 77252-2583 US

STEVE M COULTER
EXXON COMPANY USA
PO BOX 3272
HOUSTON TX 77253-3272 US

MONTY L PARKER SR
CMC STEEL GROUP
P O BOX 911
SEGUIN TX 78156-0911 US

BRAD F HUSTON
CYPRUS AMAX COAL SALES CORP
9100 E MINERAL CIR
MILFORD CO 80112-3401 US

STEPHEN M UTHOFF
CONIGLIO & UTHOFF
60 ELM AVENUE, CONIGLIO PROFESSIONAL BLDG
LONG BEACH CA 90802-4910 US

RICHARD WELSH
NARPO
50-505 GRAND TRAVERSE
LA QUINTA CA 92253 US

JOHN D FITZGERALD
UTU, GENERAL CHAIRPERSON
400 E EVERGREEN BLVD STE 217
VANCOUVER WA 98660-3264 US

Records: 361

30910
EB

SERVICE DATE - APRIL 18, 2000

This decision will be included in the bound volumes of the STB printed reports at a later date.

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 33388

CSX CORPORATION AND CSX TRANSPORTATION, INC.,
NORFOLK SOUTHERN CORPORATION AND
NORFOLK SOUTHERN RAILWAY COMPANY
— CONTROL AND OPERATING LEASES/AGREEMENTS —
CONRAIL INC. AND CONSOLIDATED RAIL CORPORATION

Decision No. 150

Decided: April 13, 2000

Environmental Condition No. 11 of Appendix Q of Decision No. 89[1] (Decision No. 89, slip op. at 401-02), requires Applicants, with the concurrence of the responsible local governments, to mitigate train wayside noise (locomotive engine and wheel/rail noise) at noise-sensitive receptor locations on certain rail line segments. Environmental Condition No. 11 further provides that: "Applicants shall certify compliance with this condition within 2 years of the effective date of the Board's final decision. This condition shall not apply to those communities that have executed Negotiated Agreements with Applicants that satisfy the communities' environmental concerns."

On March 6, 2000, CSX provided us with a copy of a Negotiated Agreement between CSX and the Village of Lagrange,[2] OH, dated February 16, 2000, and accepted by the Village of Lagrange on February 21, 2000. According to CSX, this Negotiated Agreement effectuates the Board's preference for privately negotiated solutions stated in Decision No. 89, slip op. at 153. CSX requests that Environmental Condition No. 11 be amended to reflect the parties' Negotiated Agreement by deleting the Village of Lagrange from the list of communities on the Berea, OH to Greenwich, OH line segment (C-061), and that the Negotiated Agreement between CSX and the Village of Lagrange be added to the CSX Subsection of Environmental Condition No. 51 of Appendix Q in Decision No. 89, which requires CSX to comply with the terms of all Negotiated

[1] In Decision No. 89, served July 23, 1998, we approved, subject to certain conditions, including environmental mitigation conditions, the acquisition of control of Conrail Inc., and Consolidated Rail Corporation (collectively, Conrail) and the division of Conrail's assets by CSX Corporation and CSX Transportation, Inc. (collectively, CSX), and Norfolk Southern Corporation and Norfolk Southern Railway Company (collectively, NS). CSX and NS are referred to as Applicants.

[2] In the March 6, 2000 letter, CSX referred to the Village of "LaGrange." The correct reference for the name of the Village is "Lagrange" as shown in Environmental Condition No. 11 of Appendix Q of Decision No. 89 (Decision No. 89, slip op. at 402).

Agreements developed with states, local communities, and other entities regarding environmental issues associated with the Conrail transaction. See Decision No. 89, slip op. at 420-21. The Village of Lagrange concurs with the request.

In view of the Negotiated Agreement between CSX and the Village of Lagrange, we will: (1) add the Negotiated Agreement to Environmental Condition No. 51 of Appendix Q of Decision No. 89, and (2) amend Environmental Condition No. 11 of Appendix Q of Decision No. 89 to delete the Village of Lagrange because the noise mitigation for that community has been superseded by the CSX/Village of Lagrange Negotiated Agreement.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.

2. In accordance with the Negotiated Agreement between CSX and the Village of Lagrange, OH, executed on February 21, 2000, the following is added to the CSX Subsection of Environmental Condition No. 51 of Appendix Q of Decision No. 89:

**29. Village of Lagrange, Ohio, dated February 21, 2000.**

3. In addition, Environmental Condition No. 11 of Appendix Q of Decision No. 89 is amended to delete the noise mitigation applicable to the Village of Lagrange, OH, because it has been superseded by the Negotiated Agreement.

4. This decision is effective on the date of service.

By the Board, Chairman Morgan, Vice Chairman Burkes, and Commissioner Clyburn.

Vernon A. Williams
Secretary

SERVICE LIST FOR: 12-apr-2000 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATI

STEPHEN M FONTAINE
MASSACHUSETTS CENTRAL RAILROAD CORPORATION
ONE WILBRAHAM STREET
PALMER MA 01069 US

JAMES E HOWARD
90 CANAL STREET
BOSTON MA 02114 US

JOHN D CIRAME, ASSISTANT SECRETARY
COMMONWEALTH OF MASS. EXEC. OFFICE OF TRANSPT
10 PARK PLAZA ROOM 3170
BOSTON MA 02116-3969 US

HON. EDWARD M KENNEDY
UNITES STATES SENATE
2400 JOHN F KENNEDY FEDERAL BLDG
BOSTON MA 02203 US

WILLIAM D ANKNER PHD
R I DEPT OF TRANSPORTATION
TWO CAPITOL HILL
PROVIDENCE RI 02903 US

JOHN R NADOLNY
14 AVIATION AVENUE
PORTSMOUTH NH 03801 US

ROBERT D ELDER
MAINE DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA ME 04333 US

KAREN E SONGHURST
STATE OF VERMONT
133 STATE STREET
MONTPELLIER VT 05633-5001 US

JAMES F SULLIVAN
CT DEPT OF TRANSPORTATION
P O BOX 317546
2800 BERLIN TURNPIKE
NEWINGTON CT 06131 US

EDWARD J RODRIGUEZ
P O BOX 687
8 DAVIS ROAD WEST
OLD LYME CT 06371 US

RICHARD C CARPENTER
SOUTHWESTERN REGIONAL PLANNING AGENCY
1 SELLECK STREET SUITE 210
EAST NORWALK CT 06855 US

MICHAEL E STRICKLAND
NYK LINE (NORTH AMERICA) INC, SENIOR VICE PRE
300 LIGHTING WAY
SECAUCUS NJ 07094-1588 US

J WILLIAM VAN DYKE
NJ TRANSPORTATION PLANNING AUTHORITY
ONE NEWARK CENTER 17TH FLOOR
NEWARK NJ 07102 US

EDWARD LLOYD
RUTGERS ENVIRONMENTAL LAW CLINIC
15 WASHINGTON STREET
NEWARK NJ 07102 US

HONORABLE ROBERT G. TORRICELLI
UNITED STATES SENATE
1 RIVER FRONT PLAZA, 3RD FLOOR
NEWARK NJ 07102 US

PHILIP SIDO
UNION CAMP CORPORATION
1600 VALLEY ROAD
WAYNE NJ 07470 US

MARTIN T DURKIN ESQ
DURKIN & BOGGIA ESQS
PO BOX 378
71 MT VERNON STREET
RIDGEFIELD PARK NJ 07660 US

CRAIG CURRY
CONSOLIDATED RAIL CORPORATION
1000 HOWARD BOULEVARD
MOUNT LAUREL NJ 08054 US

TIMOTHY G CHELIUS
18 N EAST AVENUE
VINELAND NJ 08360 US

LAWRENCE PEPPER, JR
GRUCCIO PEPPER
817 EAST LANDS AVE
VINELAND NJ 08360 US

JOHN F. MCHUGH
MCHUGH & SHERMAN
20 EXCHANGE PLACE 51ST FLOOR
NEW YORK NY 10005 US

ANTHONY BOTTALICO
UTU
420 LEXINGTON AVENUE ROOM 458-460
NEW YORK NY 10017 US

WALTER E ZULLIG JR
METRO-NORTH COMMUTER RAILROAD COMPANY
347 MADISON AVE
NEW YORK NY 10017-3706 US

ANTHONY P. SEMANCIK
347 MADISON AVENUE
NEW YORK NY 10017-3706 US

JAMES W HARRIS
THE METROPOLITIAN PLANNING ORGANIZATION
1 WORLD TRADE CENTER STE 82 EAST
NEW YORK NY 10048-0043 US

HUGH H. WELSH
LAW DEPT., SUITE 67E
ONE WORLD TRADE CENTER
NEW YORK NY 10048-0202 US

R. LAWRENCE MCCAFFREY, JR.
NEW YORK & ATLANTIC RAILWAY
405 LEXINGTON AVENUE 50TH FLOOR
NEW YORK NY 10174 US

SAMUEL J NASCA
UTU STATE LEGISLATIVE DIRECTOR
35 FULLER ROAD SUITE 205
ALBANY NY 12205 US

DANIEL B. WALSH
BUSINESS COUNCIL OF NEW YORK STATE,INC.
152 WASHINGTON AVENUE
ALBANY NY 12210 US

DIANE SEITZ
CENTRAL HUDSON GAS & ELECTRIC CORP
284 SOUTH AVENUE
POUGHKEEPSIE NY 12601 US

IRWIN L. DAVIS
1900 STATE TOWER BLDG.
SYRACUSE NY 13202 US

ANGELO J CHICK JR, LOCAL CHAIRMAN
P O BOX 908
48398 OLD GOOSE BAY ROAD
REDWOOD NY 13679 US

GARY EDWARDS
SOMERSET RAILROAD
7725 LAKE ROAD
BARKER NY 14012 US

SHEILA MECK HYDE
CITY HALL
342 CENTRAL AVENUE
DUNKIRK NY 14048 US

IRVING J RUBIN
P O BOX 243
YOUNGSTOWN NY 14174 US

JOHN F COLLINS
COLLINS ,COLLINS, & KANTOR PC
267 NORTH STREET
BUFFALO NY 14201 US

R W GODWIN
BROTHERHOOD OF LOCOMOTIVE ENGINEERS
810 ABBOTT ROAD SUITE 200
BUFFALO NY 14220 US

ERNEST J IERARDI
NIXON HARGRAVE DEVANS DOYLE LLP
PO BOX 1051
CLINTON SQUARE
ROCHESTER NY 14603-1051 US

H DOUGLAS MIDKIFF
GENESEE TRANSPORTATION COUNCIL
65 WEST BROAD ST STE 101
ROCHESTER NY 14614-2210 US

JEANNE WALDOCK
107 GRANT COURT
ORLEAN NY 14760 US

DAVID W. DONLEY
3361 STAFFORD ST
PITTSBURGH PA 15204-1441 US

JOHN A VUONO
VUONO & GRAY
2310 GRANT BUILDING
PITTSBURGH PA 15219 US

HENRY M. WICK, JR.
WICK STREIFF ET AL
1450 TWO CHATHAM CENTER
PITTSBURGH PA 15219-3427 US

R J HENEFELD
PPG INDUSTRIES INC
ONE PPG PLACE
PITTSBURGH PA 15272 US

M E PETRUCCELLI
PPG INDUSTRIES INC
ONE PPG PLACE
PITTSBURGH PA 15272 US

RICHARD R WILSON
1126 EIGHT AV STE 403
ALTOONA PA 16602 US

D W DUNLEVY
STATE LEGISLATIVE DIRECTOR UTU
230 STATE STREET PA AFL-CIO BLDG 2ND FLOOR
HARRISBURG PA 17101 US

KURT W CARR
BUREAU FOR HISTORIC PRESERVATION
P O BOX 1026
HARRISBURG PA 17108-1026 US

HONORABLE THOMAS J RIDGE
GOVERNOR, COMMONWEALTH OF PENNSYLVANIA
225 MAIN CAPITOL BUILDING
HARRISBURG PA 17120 US

KRISTOPHER MICHAEL KLEMICK
RR#3 BOX 101-15
JERSEY SHORE PA 17740-9309 US

BELNAP FREEMAN
BELKNAP FREEMAN
119 HICKORY LANE
ROSEMONT PA 19010 US

D J O'CONNELL
GENERAL CHAIRPERSON UTU
410 LANCASTER AVE STE 5
HAVERFORD PA 19041 US

JOHN J GROCKI
GRA INC
115 WEST AV ONE JENKINTOWN STA
JENKINTOWN PA 19046 US

HARRY C BARBIN
BARBIN LAUFFER & O'CONNELL
608 HUNTINGDON PIKE
ROCKLEDGE PA 19046 US

JONATHAN M BRODER
CONSOLIDATED RAIL CORP
PO BOX 41416
2001 MARKET STREET 16-A
PHILADELPHIA PA 19101-1416 US

G CRAIG SCHELTER
PHILADELPHIA INDUSTRIAL DEVELOPMENT CORPORATI
2600 CENTRE SQUARE WEST 500 MARKET ST
PHILADELPHIA PA 19102 US

JOHN J EHLINGER JR
OBERMAYER REBMANN MAXWELL & HIPPEL
1617 JOHN F. KENNEDY BLVD ONE PENN CENTER-19T
PHILADELPHIA PA 19103-1895 US

DAVID BERGER
BERGER AND MONTAGUE, P. C.
1622 LOCUST ST
PHILADELPHIA PA 19103-6305 US

JOHN J COSCIA, EXECUTIVE DIRECTOR
DELAWARE VALLEY REGIONAL PLANNING COMMISSION
111 SOUTH INDEPENDENCE MALL EAST
PHILADELPHIA PA 19106 US

JOHN K. LEARY, GENERAL MANAGER
SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTH
1234 MARKET STREET 5TH FLOOR
PHILADELPHIA PA 19107-3780 US

ERIC M HOCKY
GOLLATZ GRIFFIN EWING
213 WEST MINER STREET
WEST CHESTER PA 19381-0796 US

HON JOSEPH R BIDEN, JR.
UNITED STATES SENATE
844 KING STREET
WILMINGTON DE 19801 US

J E THOMAS
HERCULES INCORPORATED
1313 NORTH MARKET STREET
WILMINGTON DE 19894 US

E C WRIGHT
RAIL TRANSPORTATION PROCUREMENT MANAGER
1007 MARKET STREET DUPONT BLDG 3100
WILMINGTON DE 19898 US

FREDERICK H SCHRANCK
PO BOX 778
DOVER DE 19903 US

TERRENCE D JONES
KELLER & HECKMAN
1001 G ST NW STE 500 WEST
WASHINGTON DC 20001 US

JAMES HOWARD
COALITION OF NORTHEASTERN GOVERNORS
400 NORTH CAPITOL STREET, SUITE 382
WASHINGTON DC 20001 US

MARTIN W BERCOVICI
KELLER & HECKMAN, LLP
1001 G ST NW SUITE 500 WEST
WASHINGTON DC 20001 US

PETER A GILBERTSON
REGIONAL RRS OF AMERICA
122 C ST NW STE 850
WASHINGTON DC 20001 US

RICHARD G SLATTERY
AMTRAK
60 MASSACHUSETTS AVENUE N E
WASHINGTON DC 20002 US

DONALD F GRIFFIN
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
10 G STREET NE STE 460
WASHINGTON DC 20002 US

DREW A HARKER
ARNOLD & PORTER
555 TWELFTH STREET NW
WASHINGTON DC 20004 US

DENNIS G LYONS
ARNOLD & PORTER
555 TWELFTH STREET NW
WASHINGTON DC 20004 US

PAUL REISTRUP
CSX TRANSPORTATION INC
1331 PENNSYLVANIA NW STE 500
WASH DC 20004 US

ERIC VON SALZEN
HOGAN & HARTSON
555 THIRTEENTH STREET N W
WASHINGTON DC 20004-1109 US

GEORGE W MAYO JR
HOGAN & HARTSON L L P
555 THIRTEENTH STREET NW COLUMBIA SQUARE
WASHINGTON DC 20004-1109 US

MARY GABRIELLE SPRAGUE
ARNOLD & PORTER
555 TWELTH STREET NW
WASHINGTON DC 20004-1202 US

KEVIN M SHEYS
OPPENHEIMER WOLFF & DONNELLY & BAYH LLP
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005 US

EDWARD WYTKIND EXECUTIVE DIRECTOR
1025 CONNECTICUT AVE NW SUITE 1005
WASHINGTON DC 20005 US

JOHN H BROADLEY
JENNER & BLOCK
601 13TH ST NW STE 1200 SOUTH
WASHINGTON DC 20005 US

L JOHN OSBORN
SONNENSCHEIN NATH & ROSENTHAL
1301 K STREET NW STE 600 EAST
WASH DC 20005 US

KARL MORELL
BALL JANIK LLP
1455 F STREET NW SUITE 225
WASHINGTON DC 20005 US

ALICE C SAYLOR
AMERICAN SHORT LINE RAILROAD ASSOCIATION
1120 G STREET NW SUITE 520
WASHINGTON DC 20005 US

BRUNO MAESTRI
NORFOLK SOUTHERN CORPORATION
1500 K STREET SUITE 375
WASHINGTON DC 20005 US

LOUIS E GITOMER
BALL JANIK LLP
1455 F STREET NW SUITE 225
WASHINGTON DC 20005 US

DANIEL DUFF
AMERICAN PUBLIC TRANSIT ASSOCIATION
1201 NEW YORK AV NW
WASHINGTON DC 20005 US

ROSE-MICHELE WEINRYB
WEINER BRODSKY SIDMAN & KIDER
1350 NEW YORK AVENUE NW
WASHINGTON DC 20005 US

PAUL M LAURENZA
OPPENHEIMER WOLFF & DONNELLY & BAYH LLP
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005 US

CLARK EVANS DOWNS
JONES DAY REAVIS & POGUE
1450 G STREET NW
WASHINGTON DC 20005-2088 US

PAUL H LAMBOLEY
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005-3324 US

FREDERIC L WOOD
DONELAN CLEARY WOOD & MASER P C
1100 NEW YORK AVENUE NW SUITE 750
WASHINGTON DC 20005-3934 US

MARK H SIDMAN
WEINER BRODSKY,SIDMAN & KIDER
1350 NEW YORK AVE., NW., STE. 800
WASHINGTON DC 20005-4797 US

ANDREW P GOLDSTEIN
MCCARTHY SWEENEY HARKAWAY, PC
1750 PENNSYLVANIA AVE NW, STE 1105
WASHINGTON DC 20006 US

JAMES R WEISS
PRESTON GATES ELLIS ET AL
1735 NEW YORK AVENUE NW SUITE 500
WASHINGTON DC 20006 US

CONSTANCE A SADLER
SIDLEY & AUSTIN
1722 EYE STREET NW
WASHINGTON DC 20006 US

ANDREW R. PLUMP
ZUCKERT, SCOUTT & RASENBERGER. LLP
888 17TH ST., NW, STE. 600
WASHINGTON DC 20006 US

RICHARD A ALLEN
ZUCKERT SCOUT RASENBERGER
888 17TH STREET N W STE 600
WASHINGTON DC 20006-3939 US

CHARLES A SPITULNIK
HOPKINS & SUTTER
888 SIXTEENTH ST NW
WASH DC 20006-4103 US

SHERRI LEHMAN DIRECTOR OF CONGRESSIONAL AFFAI
CORN REFINERS ASSOC
1701 PA AV NW
WASH DC 20006-5805 US

WILLIAM A MULLINS
TROUTMAN SANDERS LLP
1300 I STREET NW SUITE 500 EAST
WASHINGTON DC 20005-3314 US

JEFFREY O MORENO
DONELAN CLEARY WOOD MASER
1100 NEW YORK AVENUE N W, SUITE 750
WASHINGTON DC 20005-3934 US

KARYN A BOOTH
DONELAN, CLEARY, WOOD & MASER, P.C.
1100 NEW YORK AVE NW SUITE 750
WASHINGTON DC 20005-3934 US

WILLIAM W MILLAR
AMERICAN PUBLIC TRANSIT ASSOCIATION
1201 NEW YORK AVE., NW
WASHINGTON DC 20005-6141 US

DANIEL J SWEENEY
MCCARTHY SWEENEY & HARKAWAY P C
1750 PENNSYLVANIA AVE NW STE 1105
WASHINGTON DC 20006 US

SCOTT M ZIMMERMAN
ZUCKERT SCOUTT & RASENBERGER L L P
888 SEVENTEENTH STREET NW
WASHINGTON DC 20006 US

ROBERT P VOM EIGEN
HOPKINS AND SUTTER
888 16TH STREET N W STE 700
WASHINGTON DC 20006 US

ERIKA Z JONES
MAYER BROWN & PLATT
1909 K STREET, NW
WASHINGTON DC 20006-1101 US

JOHN V EDWARDS, ESQ
ZUCKERT SCOUTT ET AL
888 17TH STREET N W STE 600
WASHINGTON DC 20006-3939 US

STEVEN J KALISH
MCARTHY SWEENEY & HARKAWAY
1750 PENNSYLVANIA AVE NW
WASHINGTON DC 20006-4502 US

CHRISTOPHER C O'HARA
BRICKFIELD BURCHETTE & RITTS PC
1025 THOMAS JEFFERSON ST NW EIGHTH FLOOR
WASHINGTON DC 20007 US

PAUL M DONOVAN
LAROE WINN MOERMAN & DONOVAN
3900 HIGHWOOD COURT NW
WASHINGTON DC 20007 US

DAVID K MONROE
GALLAND KHARASCH GREENBERT FELLMAN & SWIRSKY
1054 THIRTY FIRST STREET NW STE 200
WASHINGTON DC 20007 US

ROBERT G SZABO
1050 THOMAS JEFFERSON STREET NW SIXTH FLOOR
WASHINGTON DC 20007 US

EDWARD D GREENBERG
GALLAND, KHARASCH, GREENBERT, FELLMAN & SWIRS
1054 THIRTY-FIRST STREET NW
WASHINGTON DC 20007-4492 US

MICHAEL F MCBRIDE
LEBOEUF LAMB GREENE & MACRAE
1875 CONNECTICUT AVENUE NW
WASHINGTON DC 20009-5728 US

STEPHEN H BROWN
VORYS SATER SEYMOUR AND PEASE
1828 L STREET N W
WASHINGTON DC 20036 US

PAUL D COLEMAN
HOPPEL MAYER & COLEMAN
1000 CONNECTICUT AVENUE NW SUITE 400
WASHINGTON DC 20036 US

HELEN M. COUSINEAU
CARLOS RODRIGUEZ & ASSOCIATES
1710 RHODE ISLAND AVENUE, NW
WASHINGTON DC 20036 US

HAROLD P QUINN, JR
NATIONAL MINING ASSOCIATON
1130 17TH STREET NW
WASHINGTON DC 20036 US

JOHN D HEFFNER
REA CROSS & AUCHINCLOSS
1707 L STREET, NW, STE 570
WASHINGTON DC 20036 US

JOHN M CUTLER JR
MCCARTHY SWEENEY HARKAWAY PC
1750 PENNSYLVANIA AVE N W SUITE 1105
WASHINGTON DC 20036 US

ROBERT A WIMBISH ESQ
REA CROSS & AUCHINCLOSS
1707 L STREET NW STE 570
WASHINGTON DC 20036 US

KEITH G O'BRIEN
REA CROSS AND AUCHINCLOSS
1707 L STREET NW STE 570
WASHINGTON DC 20036 US

CHRISTOPHER A MILLS
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036 US

WILLIAM G. MAHONEY
HIGHSAW, MAHONEY & CLARKE
1050 SEVENTEENTH STREET NW SUITE 210
WASHINGTON DC 20036 US

RICHARD S EDELMAN
O'DONNELL SCHWARTZ & ANDERSON PC
1900 L STREET NW SUITE 707
WASHINGTON DC 20036 US

KELVIN J DOWD
SLOVER & LOFTUS
1224 17TH STREET N W
WASHINGTON DC 20036 US

DAVID H COBURN
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE NW
WASHINGTON DC 20036 US

GORDON P MACDOUGALL
1025 CONNECTICUT AVE NW SUITE 410
WASHINGTON DC 20036 US

PETER A GREENE
THOMPSON HINE FLORY
1920 N STREET N W, SUITE 800
WASHINGTON DC 20036 US

FRITZ R KAHN
1920 N STREET NW 8TH FLOOR
WASHINGTON DC 20036-1601 US

TIMOTHY M WALSH
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE N W
WASHINGTON DC 20036-1795 US

SAMUEL M SIPE JR
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE N W
WASHINGTON DC 20036-1795 US

JOSEPH GUERRIERI, JR.
GUERRIERI, EDMOND & CLAYMAN, PC
1625 MASSACHUSETTS AVE., NW. STE 700
WASHINGTON DC 20036-2243 US

DEBRA L WILLEN
GUERRIERI EDMOND & CLAYMAN PC
1625 MASSACHUSETTS AVENUE, N.W., STE 700
WASHINGTON DC 20036-2243 US

DONALD G AVERY
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036-3003 US

L PAT WYNNS
SUITE 210
1050 - 17TH STREET N W
WASHINGTON DC 20036-5503 US

JOHN L OBERDORFER
PATTON BOGGS LLP
2550 M ST NW
WASHINGTON DC 20037-1301 US

SCOTT N STONE
PATTON BOGGS L L P
2550 M STREET NW 7TH FLOOR
WASHINGTON DC 20037-1346 US

J MICHAEL HEMMER
COVINGTON & BURLING
P O BOX 7566
1201 PENNSYLVANIA AVENUE NW
WASHINGTON DC 20044 US

KEITH A KLINDWORTH
U S DEPT OF AGRICULTURE
P O BOX 96456
WASHINGTON DC 20090 US

MICHAEL V DUNN
USDA
PO BOX 96456 RM 4006-SOUTH BLDG
WASH DC 20090-6456 US

EILEEN S STOMMES
U S DEPARTMENT OF AGRICULTURE
P O BOX 96456 ROOM 4006-SOUTH BUILDING
WASHINGTON DC 20090-6456 US

JUDGE JACOB LEVENTHAL, OFFICE OF HEARINGS
FEDERAL ENERGY REGULATORY COMMISSION
888 - 1ST ST, N.E. STE 11F
WASHINGTON DC 20426 US

RICHARD E SANDERSON
OFFICE OF FEDERAL ACTIVITIES
US ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON DC 20460 US

HON CHARLES SCHUMER
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON DANIEL PATRICK MOYNIHAN
UNITED STATES SENATE
WASINGTON DC 20510 US

HON JOHN BREAUX
UNITED STATER SENATE
WASHINGTON DC 20510 US

HON CHARLES E SCHUMER
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON BYRON L DORGAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. BARBARA A. MIKULSKI
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. CHARLES ROBB
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. JOSEPH I LIEBERMAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE BOB GRAHAM
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE RICHARD LUGAR
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. JOSEPH BIDEN, JR.
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON WILLIAM V. ROTH JR
U S SENATE
WASHINGTON DC 20510-0001 US

HON. JOHN W. WARNER
US SENATE
WASHINGTON DC 20510-0001 US

HON CHRISTOPHER J DODD
UNITED STATES SENATE
WASH DC 20510-0702 US

HONORABLE DANIEL P. MOYNIHAN
UNITED STATE SENATE
WASHINGTON DC 20510-0903 US

HONORABLE CONNIE MACK
UNITED STATES SENATE
WASHINGTON DC 20510-0904 US

HONORABLE J ROBERT KERREY
UNITED STATES SENATE
WASHIGTON DC 20510-2704 US

HON MIKE DEWINE
UNITED STATES SENATE
WASHINGTON DC 20510-3503 US

HON ARLEN SPECTER
UNITED STATES SENATE
WASHINGTON DC 20510-3802 US

HON RICK SANTORUM
UNITED STATES SENATE
WASHINGTON DC 20510-3804 US

HONORABLE JOHN H. CHAFEE
UNITED STATES SENATE
WASHINGTON DC 20510-3902 US

HON JACK REED
U S SENATE
WASHINGTON DC 20510-3903 US

HONORABLE ROBERT BYRD
UNITED STATES SENATE
WASHINGTON DC 20510-6025 US

HONORABLE JOHN J LAFALCE
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. WILLIAM J. COYNE
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. TOM BLILEY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. WILLIAM O. LIPINSKI
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE PAUL E. GILLMOR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. JAMES L. OBERSTAR
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE MIKE DOYLE
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JOHN D. DINGELL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE BENJAMIN A. GILMAN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. JOHN J. DUNCAN
U S HOUSE OF REPRESENTATIVESS
WASHINGTON DC 20515 US

HONORABLE BOB CLEMENT
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE PETER J. VISCLOSKY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE SAM GEJDENSON
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE MAJOR R. OWENS
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. BUD SHUSTER
ATTN: MIKE RICK
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NANCY JOHNSON
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON JAMES TRAFICANT JR
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. ROBERT MENENDEZ
U S HOUSE OF REPRESENTATIVES
WASH DC 20515 US

HON MARCY KAPTUR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE FRANK MASCARA
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON GARY ACKERMAN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON JERROLD NADLER
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE ROBERT W. NEY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE BOB WEYGAND
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE TED STRICKLAND
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON DENNIS J KUCINICH
UNITED STATES HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

HON. ED BRYANT
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. STEVE LATOURETTE
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NYDIA M VELAZQUEZ
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON ED TOWNS
U. S. HOUSE OR REPRESENTATIVES
WASHINGTON DC 20515 US

HON LOUISE M SLAUGHTER
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CHRISTOPHER SHAYS
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CHARLES RANGEL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MICHAEL MCNULTY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JAMES MALONEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CAROLYN B MALONEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NITA LOWEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MAURICE HINCHEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MICHAEL FORBES
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON ELIOT L ENGEL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE CHIP PICKERING
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JESSE L. JACKSON, JR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE LUIS GUTIERREZ
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE DANNY K DAVIS
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON RALPH REGULA
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON SHERROD BROWN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE SAXBY CHAMBLISS,
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE TILLIE K FOWLER
US HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

HON BOB WISE
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON THOMAS C SAWYER
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE ROD R BLAGOJEVICH
U. S. HOUSE OF REPRESENTATIVES
WASHINGTO DC 20515-1305 US

HON JULIA CARSON
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-1410 US

HONORABLE JAMES A. BARCIA
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-2205 US

HON JACK QUINN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3230 US

HONORABLE RICHARD BURR
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3305 US

HONORABLE TOM DAVIS
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-4611 US

HONORABLE BOBBY L. RUSH
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-9997 US

MICHAEL P HARMONIS
DEPARTMENT OF JUSTICE
325 SEVENTH STREET, NW
WASHINGTON DC 20530 US

PAUL SAMUEL SMITH
US DEPARTMENT OF TRANSPORTATION
400 SEVENTH STREET SW, ROOM 4102 C-30
WASHINGTON DC 20590 US

JOLENE MOLITORIS, ADMN.
FEDERAL RAILROAD ADMNS.
400 7TH STREET SW
WASHINGTON DC 20590 US

JOSEPH R POMPONIO
FEDERAL RAILROAD ADMIN
1120 VERMONT AVE NW RCC-20
WASHINGTON DC 20590 US

DAVID G ABRAHAM
SUITE 400W
7315 WISCONSIN AVENUE
BETHESDA MD 20814 US

MITCHELL M KRAUS
TRANSPORTATION COMMUNICATIONS INTERNATIONAL U
3 RESEARCH PLACE
ROCKVILLE MD 20850-3279 US

JOHN M ROBINSON
9616 OLD SPRING ROAD
KENSINGTON MD 20895-3124 US

WILLIAM W WHITEHURST JR
W W WHITEHURST & ASSOCIATES INC
12421 HAPPY HOLLOW ROAD
COCKEYSVILLE MD 21030-1711 US

JOHN HOY
P O BOX 117
GLEN BURNIE MD 21060 US

ROBERT J WILL
UNITED TRANSPORTATION UNION
4134 GRAVE RUN RD
MANCHESTER MD 21102 US

JOHN F WING CHAIRMAN
CITIZENS ADVISORY COMMITTEE
601 NORTH HOWARD STREET
BALTIMOTE MD 21201 US

LINDA A JANEY J D
MARYLAND OFFICE OF PLANNING
301 WEST PRESTON STREET
BALTIMORE MD 21201-2365 US

DON E SANCHEZ
CHESAPEAKE SPECIALTY PRODUCTS INC
5055 NORTH POINT BOULEVARD
BALTIMORE MD 21219 US

CHARLES M CHADWICK
MARYLAND MIDLAND RAILWAY INC
P O BOX 1000
UNION BRIDGE MD 21791 US

GARRET G SMITH
MOBIL OIL CORPORATION
3225 GALLOWS RD RM 8A903
FAIRFAX VA 22037-0001 US

HENRY E. SEATON
7700 LEESBURG PIKE, STE 201
FALLS CHURCH VA 22043 US

PETER Q NYCE JR
U S DEPARTMENT OF THE ARMY
901 NORTH STUART STREET
ARLINGTON VA 22203 US

THOMAS E SCHICK
CHEMICAL MANUF ASSOC
1300 WILSON BOULEVARD
ARLINGTON VA 22209 US

WILLIAM P. JACKSON, JR.
JACKSON & JESSUP, P. C.
P O BOX 1240
3426 NORTH WASHINGTON BLVD
ARLINGTON VA 22210 US

JENNIFER BRAUN
JACKSON & JESSUP
P O BOX 1240
3426 NORTH WASHINGTON BOULEVARD
ARLINGTON VA 22210 US

FRANCIS G MCKENNA
ANDERSON & PENDLETON
206 N WASHINGTON STREET SUITE 330
ALEXANDRIA VA 22314 US

KENNETH E SIEGEL
AMERICAN TRUCKING ASSOC INC
2200 MILL ROAD
ALEXANDRIA VA 22314-4677 US

ROBERT E MARTINEZ
VA SECRETARY OF TRANSPORTAITON
P. O. BOX 1475
RICHMOND VA 23218 US

HONORABLE GEORGE ALLEN
GOVERNOR, COMMONWEALTH OF VIRGINIA
STATE CAPITOL
RICHMOND VA 23219 US

JOHN W SNOW
CHAIRMAN PRESIDENT AND CHIEF EXECTIVE OFFICER
P O BOX 85629
RICHMOND VA 23285-5629 US

DAVID A SHELTON
NORFOLK SOUTHERN
THREE COMMERCIAL PLACE
NORFOLK VA 23510 US

GEORGE A ASPATORE
NORFOLK SOUTHERN CORP
THREE COMMEMERCIAL PLACE
NORFOLK VA 23510 US

JAMES A HIXON
SENIOR VICE PRESIDDENT EMPLOYEE RELATIONS NOR
THREE COMMERCIAL PLACE
NORFFFOLK VA 23510-2191 US

L P KING JR
GENERAL CHAIRPERSON UTU
145 CAMPBELL AVE SW STE 207
ROANOKE VA 24011 US

HONORABLE JOHN WARNER
UNITED STATES SENATE
235 FEDERAL BUILDING
ABINGDON VA 24210-0887 US

VAUGHN R GROVES
PITTSTON COAL COMPANY
PO BOX 5100
LEBANON VA 24266 US

TERRELL ELLIS
CAEZWV
P O BOX 176
CLAY WV 25043 US

R K SARGENT
GENERAL CHAIRPERSON UTU
1319 CHESTNUT STREET
KENOVA WV 25530 US

WILLIAM T BRIGHT
P O BOX 149
200 GREENBRIER ROAD
SUMMERSVILLE WV 26651 US

FRANK N JORGENSEN
THE ELK RIVER RAILROAD INC
P O BOX 460
SUMMERSVILLE WV 26651 US

SCOTT M SAYLOR
NORTH CAROLINA RAILROAD COMPANY
3200 ATLANTIC AV STE 110
RALIEGH NC 27604-1640 US

E NORRIS TOLSON
NC DEPT OF TRANSPORTATION
P O BOX 25201
1 S. WILINGTON STREET
RALEIGH NC 27611 US

J R BARBEE
GENERAL CHAIRPERSON UTU
441 N LOUISIANA AVE STE Q
ASHEVILLE NC 28806-3791 US

HONORABLE DAVID M BEASLEY
GOVERNOR
P. O. BOX 11369
COLUMBIA SC 29211 US

J RANDALL EVANS
500 WATER STREET (J150)
JACKSONVILLE FL 32202 US

FRED R BIRKHOLZ
CSX TRANSPORTATION LAW DEPT - J-150
500 WATER STREET
JACKSONVILLE FL 32202 US

ROBERT V ALLEN
CSX TRANSPORTATION
500 WATER STREET J305
JACKSONVILLE FL 32202 US

R J HAULTER
500 WATER STREET (J215)
JACKSONVILLE FL 32202 US

DANFORD L PRICE
500 WATER STREET
JACKSONVILLE FL 32202 US

BOB HAULTER
CSX TRANSPORTATION INC
500 WATER STREET (J215)
JACKSONVILLE FL 32202 US

PAUL R. HITCHCOCK
CSX TRANSPORTATION LAW DEPARTMENT
500 WATER STREET SC J-150
JACKSONVILLE FL 32202 US

JOHN W. HUMES, JR.
CSX TRANSPORTATION
SPEED CODE J-150
500 WATER STREET
JACKSONVILLE FL 32202 US

CHARLES M ROSENBERGER
CSX TRANSPORTATION
500 WATER STREET - J150
JACKSONVILLE FL 32202 US

J L RODGERS
GENERAL CHAIRMAN UTU
480 OSCEOLA AVENUE
JACKSONVILLE FL 32250 US

J T REED
GENERAL CHAIRPERSON UTU
7785 BAYMEADOWS WAY STE 109
JACKSONVILLE FL 32256 US

PHILLIP L BELL
ERIE LACKAWANNA RAILROAD CO
PO BOX 1482
TALLAHASSEE FL 32302 US

JAMES L BELCHER
EASTMAN CHEMICAL COMPANY
PO BOX 431
KINGSPORT TN 37662 US

WILLIAM L OSTEEN
ASSOCIATE GENERAL COUNSEL TVA
400 WEST SUMMIT HILL DRIVE
KNOXVILLE TN 37902 US

HONORABLE KIRK FORDICE, GOVERNOR
STATE OF MISSISSIPPI
P O BOX 139
JACKSON MS 39205 US

HONORABLE PAUL E. PATTON
GOVERNOR
700 CAPITOL AVENUE, STE. 100
FRANKFORT KY 40601 US

F R PICKELL
GENERAL CHAIRPERSON UTU
6797 NORTH HIGH ST STE 108
WORTHINGTON OH 43085 US

THOMAS M O'LEARY
OHIO RAIL DEVELOPMENT COMMISSION
50 W BROAD STREET 15TH FLOOR
COLUMBUS OH 43215 US

HONORABLE DEBORAH PRYCE
U. S. HOUSE OF REPRESENTATIVES
500 SOUTH FRONT STREET, ROOM 1130
COLUMBUS OH 43215 US

DOREEN C JOHNSON, CHIEF ANTITRUST SECTION
OHIO ATTY GENERAL OFFICE
140 EAST TOWN STREET, FIRST FLOOR
COLUMBUS OH 43215-6001 US

JAMES R JACOBS
JACOBS INDUSTRIES
2 QUARRY LANE
STONY RIDGE OH 43463 US

DAVID CHAPMAN
LAFARGE LIME OHIO INC
P O BOX 128
659 ANDERSON ROAD
WOODVILLE OH 43469-0128 US

ROBERT J COOPER
GENERAL CHAIRPERSON UTU
1238 CASS ROAD
MAUMEE OH 43537 US

ROBERT E GREENLESE
TOLEDO-LUCAS COUNTY PORT AUTHORITY
1 MARITIME PLAZA SUITE 700
TOLEDO OH 43604 US

ROBERT E MURRAY
OHIO VALLEY COAL CO
56854 PLEASANT RIDGE ROAD
ALLEDONIA OH 43902 US

RON MARQUARDT
LOCAL UNION 1810 UMWA
R D #2
RAYLAND OH 43943 US

CLARENCE TURNQUIST
INTERNATIONAL LONGSHOREMEN S ASSOCIATION
C/O 2125 TRYON ROAD
ASHTABULA OH 44004 US

MAYOR VINCENT M URBIN
150 AVON BELDEN RD
AVON LAKE OH 44012 US

CHARLES S HESSE
CHARLES HESSE ASSOCIATES
7777 BAINBRIDGE ROAD
CHAGRIN FALLS OH 44023-2124 US

BARBARA O'KEEFE
VILLAGE OF WELLINGTON
115 WILLARD MEMORIAL SQ
WELLINGTON OH 44090 US

COLETTA MCNAMEE SR
CUDELL IMPROVEMENT INC
11500 FRANKLIN BLVD STE 104
CLEVELAND OH 44102 US

ANITA R BRINDZA
THE ONE FIFTEEN HUNDRED BUILDING
11500 FRANKLIN BLVD SUITE 104
CLEVELAND OH 44102 US

DANIEL R ELLIOTT III
ASST GENERAL COUNSEL UNITED TRANSPORTATION UN
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

C L LITTLE
INTERNATIONAL PRESIDENT UTU
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

CLINTON J MILLER III GENERAL COUNSEL
UNITED TRANSPORTATION UNION
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

CLARENCE MONIN INTERNATIONAL PRES
BROTHERHOOD OF LOCOMTIVE ENGINEERS MEZZANINE
1370 ONTARIO STREET
CLEVELAND OH 44113 US

CHRISTOPHER C MCCRACKEN
ULMER & BERNE LLP
1300 EAST NINTH STREET SUITE 900
CLEVELAND OH 44114 US

DAVID ROLOFF
GOLDSTEIN & ROLOFF
526 SUPERIOR AVENUE EAST SUITE 1440
CLEVELAND OH 44114 US

INAJO DAVIS CHAPPELL
ASHTA CHEMICALS INC
1300 EAST NINETH STREET SUITE 900
CLEVELAND OH 44114-1538 US

DAVID J MATTY
CITY OF ROCKY RIVER
21012 HILLIARD ROAD
ROCKY RIVER OH 44116-3398 US

C D WINEBRENNER
GENERAL CHAIRPERSON UTU
27801 EUCLID AVENUE RM 200
EUCLID OH 44132 US

GARY A EBERT
CITY OF BAY VILLAGE
350 DOVER CENTER ROAD
BAY VILLAGE OH 44140 US

CHARLES ZUMKEHR
ROETZEL & ANDRESS CO LPA
75 EAST MARKET STREET
AKRON OH 44308 US

SYLVIA R. CHINN-LEVY
NEFCO
969 COPLEY ROAD
AKRON OH 44320 US

CHARLES E ALLENBAUGH JR
EAST OHIO STONE COMPANY
2000 W BESSON ST
ALLIANCE OH 44601 US

RANDALL C. HUNT
KRUGLIAK, WILKINS, GRIFFITHS & DOUGHERTY CO.
P O BOX 36963
4775 MUNSON ST NW
CANTON OH 44735-6963 US

D G STRUNK JR
GENERAL CHAIRPERSON UTU
817 KILBOURNE STREET
BELLEVUE OH 44811 US

R A GRICE
GENERAL CHAIRPERSON UTU
817 KILBOURNE ST
BELLEVUE OH 44811-9431 US

RICHARD E KERTH
CHAMPION INTERNATIONAL CORPORATION
101 KNIGHTSBRIDGE DRIVE
HAMILTON OH 45020-0001 US

FAY D DUPUIS
CITY OF CINCINNATI
801 PLUM STREET
CINCINNATI OH 45202 US

ROBERT EDWARDS
EASTERN TRANSPORT AND LOGISTICS
1109 LANETTE DRIVE
CINCINNATI OH 45230 US

THOMAS R RYDMAN PRESIDENT
INDIAN CREEK RAILROAD COMPANY
3905 W 600 NORTH
ANDERSON IN 46011 US

F RONALDS WALKER
CITIZENS GAS & COKE UTILITY
2020 N MERIDIAN STREET
INDIANAPOLIS IN 46202-1393 US

MICHAEL P MAXWELL JR
MCHALE, COOK & WELCH
320 N MERIDIAN ST 1100 CHAMBER OF COMMERCE BL
INDIANAPOLIS IN 46204 US

J PATRICK LATZ
HEAVY LIFT CARGO SYSTEM
PO BOX 51451
INDIANAPOLIS IN 46251-0451 US

MICHAEL CONNELLY
CITY OF EAST CHICAGO
4525 INDIANAPOLIS BLVD
EAST CHICAGO IN 46312 US

HAMILTON L CARMOUCHE, CORPORATION COUNSEL
CITY OF GARY
401 BROADWAY 4TH FLOOR
GARY IN 46402 US

HONORABLE PETER J. VISCLOSKY
U. S. HOUSE OF REPRESENTATIVES
215 WEST 35TH AVENUE
GARY IN 46408 US

CARL FELLER
DEKALB AGRA INC
P. O. BOX 127
4743 COUNTY ROAD 28
WATERLOO IN 46793-0127 US

CHRISTOPHER J BURGER, PRESIDENT
CENTRAL RAILROAD COMPANY OF INDIANAPOLIS
PO BOX 554
KOKOMO IN 46903-0554 US

WILLIAM A BON, GENERAL COUNSEL
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
26555 EVERGREEN ROAD SUITE 200
SOUTHFIELD MI 48076 US

NICOLE HARVEY
THE DOW CHEMICAL COMPANY
2020 DOW CENTER
MIDLAND MI 48674 US

JAMES E SHEPHERD
TUSCOLA & SAGINAW BAY
PO BOX 550
OWOSSO MI 48867-0550 US

LARRY B KARNES
TRANSPORTATION BUILDING
PO BOX 30050
425 WEST OTTAWA
LANSING MI 48909 US

HON JOHN ENGLER
OFFICE OF THE GOVERNOR
P O BOX 30013
LANSING MI 48933 US

T SCOTT BANNISTER
T SCOTT BANNISTER AND ASSOCIATES
1300 DES MOINES BLDG 405 SIXTH AVENUE
DES MOINES IA 50309 US

BYRON D OLSEN
EELHABER LARSON FENLON & VOGT PA
601 SECOND AVENUE SOUTH SUITE 4200
MINNEAPOLIS MN 55401-4302 US

GERALD J. VINCI
PRAIRIE GROUP
P. O.BOX 1123
7601 WEST 79TH STREET
BRIDGEVIEW IL 60455 US

EDWARD WASHINGTON, II
CHIEF, PUBLIC UTILITIES BUREAU, ILL ATTORNEY
100 W RANDOLPH ST - 12TH FLOOR
CHICAGO IL 60601 US

CHRISTINE H. ROSSO
IL ASSISTANT ATTORNEY GENERAL
100 W RANDOLPH ST 13TH FLOOR
CHICAGO IL 60601 US

RICHARD F. FRIEDMAN, ESQ
EARL L NEAL & ASSOCIATES
111 WEST WASHINGTON STREET, STE 1700
CHICAGO IL 60602-2766 US

ROGER A SERPE
175 WEST JACKSON BOULEVARD SUITE 1460
CHICAGO IL 60604 US

THOMAS F MCFARLAND JR
MCFARLAND & HERMAN
20 NORTH WACKER DRIVE, SUITE 1330
CHICAGO IL 60606-3101 US

CHARLES D BOLAM
UNITED TRANSPORTATION UNION
1400-20TH STREET
GRANITE CITY IL 62040 US

MERRILL L TRAVIS
ILLINOIS DEPT OF TRANSPORTATION
2300 S DIRKSEN PARKWAY RM 302
SPRINGFIELD IL 62764 US

JOHN JAY ROSACKER
KS DEPT OF TRANSP
217 SE 4TH ST 2ND FLOOR
TOPEKA KS 66603 US

HENRY T DART
PLAINTIFF MANGEMENT COMMITTEE
609 EAST GIBSON STREET
COVINGTON LA 70433 US

LEO J WASESCHA
GOLD MEDAL DIVISON - GENERAL MILLS OPERATION
P O BOX 1113
NUMBER ONE GENERAL MILLS BULEVARD
MINNEAPOLIS MN 55440 US

RICHARD A GAVRIL
16700 GENTRY LANE NO 104
TINLEY PARK IL 60477 US

THOMAS J LITWILER
OPPENHEIMER WOLFF & DONNELLY
180 N STETSON AVE 45TH FLOOR
CHICAGO IL 60601 US

WILLIAM C SIPPEL
OPPENHEIMER WOLFF & DONNELLY
180 N STETSON AVE TWO PRUDENTIAL PLAZA 45TH F
CHICAGO IL 60601-6710 US

EDWARD C MCCARTHY
INLAND STEEL INDUSTRIES INC
30 WEST MONROE STREET
CHICAGO IL 60603 US

SHELDON A ZABEL
SCHIFF HARDIN & WAITE
7200 SEARS TOWER
CHICAGO IL 60606 US

MYLES L TOBIN
ILLINOIS CENTRAL RAILROAD
455 NORTH CITYFRONT PLAZA DRIVE
CHICAGO IL 60611-5504 US

SCOTT A RONEY
ARCHER DANIELS MIDLAND COMPANY
P O BOX 1470
4666 FARIES PARKWAY
DECATUR IL 62525 US

IAN MUIR
BUNGE CORPORATION
P O BOX 28500
ST LOUIS MO 63146 US

MR GEORGE VAN HAVER
2340 SOUTH 35TH STREET
OMAHA NE 68105 US

MIKE SPAHIS
FINA OIL & CHEMICAL CO
6000 LEGACY DRIVE
PLANO TX 75024-3601 US

DENNIS A. GUTH
WEST LAKE GROUP
2801 POST OAK BLVD
HOUSTON TX 77056 US

DAVID L HALL
COMMONWEALTH CONSULTING ASSOCIATES
13103 FM 1960 WEST SUITE 204
HOUSTON TX 77065-4069 US .

MICHAEL P. FERRO
MILLENNIUM PETROCHEMICALS, INC.
P O BOX 2583
1221 MCKINNEY STREET SUITE 1600
HOUSTON TX 77252-2583 US

STEVE M COULTER
EXXON COMPANY USA
PO BOX 3272
HOUSTON TX 77253-3272 US

MONTY L PARKER SR
CMC STEEL GROUP
P O BOX 911
SEGUIN TX 78156-0911 US

BRAD F HUSTON
CYPRUS AMAX COAL SALES CORP
9100 E MINERAL CIR
MILFORD CO 80112-3401 US

STEPHEN M UTHOFF
CONIGLIO & UTHOFF
60 ELM AVENUE, CONIGLIO PROFESSIONAL BLDG
LONG BEACH CA 90802-4910 US

RICHARD WELSH
NARPO
50-505 GRAND TRAVERSE
LA QUINTA CA 92253 US

HN D FITZGERALD
UTU, GENERAL CHAIRPERSON
400 E EVERGREEN BLVD STE 217
VANCOUVER WA 98660-3264 US

Records: 361

30909 SERVICE DATE - APRIL 18, 2000
EB

This decision will be included in the bound volumes of the STB printed reports at a later date.

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 33388

CSX CORPORATION AND CSX TRANSPORTATION, INC.,
NORFOLK SOUTHERN CORPORATION AND
NORFOLK SOUTHERN RAILWAY COMPANY
— CONTROL AND OPERATING LEASES/AGREEMENTS —
CONRAIL INC. AND CONSOLIDATED RAIL CORPORATION

Decision No. 149

Decided: April 13, 2000

Environmental Condition No. 11 of Appendix Q of Decision No. 89[1] (Decision No. 89, slip op. at 401-02), requires Applicants, with the concurrence of the responsible local governments, to mitigate train wayside noise (locomotive engine and wheel/rail noise) at noise-sensitive receptor locations on certain rail line segments. Environmental Condition No. 11 further provides that: "Applicants shall certify compliance with this condition within 2 years of the effective date of the Board's final decision. This condition shall not apply to those communities that have executed Negotiated Agreements with Applicants that satisfy the communities' environmental concerns."

On March 6, 2000, CSX provided us with a copy of a Negotiated Agreement between CSX and the Township of Milton, OH, dated February 22, 2000, and accepted by the Township of Milton on February 22, 2000. According to CSX, this Negotiated Agreement effectuates the Board's preference for privately negotiated solutions stated in Decision No. 89, slip op. at 153. CSX requests that Environmental Condition No. 11 be amended to reflect the parties' Negotiated Agreement by deleting the Township of Milton receptors from those identified on the Deshler, OH to

---

[1] In Decision No. 89, served July 23, 1998, we approved, subject to certain conditions, including environmental mitigation conditions, the acquisition of control of Conrail Inc., and Consolidated Rail Corporation (collectively, Conrail) and the division of Conrail's assets by CSX Corporation and CSX Transportation, Inc. (collectively, CSX), and Norfolk Southern Corporation and Norfolk Southern Railway Company (collectively, NS). CSX and NS are referred to as Applicants.

Toledo, OH line segment (C-065),[2] and that the Negotiated Agreement between CSX and the Township of Milton be added to the CSX Subsection of Environmental Condition No. 51 of Appendix Q in Decision No. 89, which requires CSX to comply with the terms of all Negotiated Agreements developed with states, local communities, and other entities regarding environmental issues associated with the Conrail transaction. See Decision No. 89, slip op. at 420-21. The Township of Milton concurs with the request.

In view of the Negotiated Agreement between CSX and the Township of Milton, we will: (1) add the Negotiated Agreement to Environmental Condition No. 51 of Appendix Q of Decision No. 89, and (2) amend Environmental Condition No. 11 of Appendix Q of Decision No. 89 to delete the Township of Milton receptors from those identified on the Deshler, OH to Toledo, OH line segment because the noise mitigation for that community has been superseded by the CSX/Township of Milton Negotiated Agreement.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.

2. In accordance with the Negotiated Agreement between CSX and the Township of Milton, OH, executed on February 22, 2000, the following is added to the CSX Subsection of Environmental Condition No. 51 of Appendix Q of Decision No. 89:

**28. Township of Milton, Ohio, dated February 22, 2000.**

3. In addition, Environmental Condition No. 11 of Appendix Q of Decision No. 89 is amended to delete the receptors that meet wayside noise mitigation criteria applicable to the Township of Milton from those identified on the Deshler, OH to Toledo, OH line segment because such receptors/noise mitigation have been superseded by the Negotiated Agreement.

---

[2] Environmental Condition No. 11 does not specifically reference the Township of Milton. However, two noise receptors are located beyond the city limits of Milton Center in the Township of Milton. Accordingly, CSX negotiated a separate agreement with the Township of Milton. The remaining four receptors are located in Milton Center, which is specifically referenced in Environmental Condition No. 11. A negotiated agreement has not yet been reached between CSX and Milton Center.

4. This decision is effective on the date of service.

By the Board, Chairman Morgan, Vice Chairman Burkes, and Commissioner Clyburn.

Vernon A. Williams
Secretary

SERVICE LIST FOR: 12-apr-2000 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATI

STEPHEN M FONTAINE
MASSACHUSETTS CENTRAL RAILROAD CORPORATION
ONE WILBRAHAM STREET
PALMER MA 01069 US

JAMES E HOWARD
90 CANAL STREET
BOSTON MA 02114 US

JOHN D CIRAME, ASSISTANT SECRETARY
COMMONWEALTH OF MASS. EXEC. OFFICE OF TRANSPT
10 PARK PLAZA ROOM 3170
BOSTON MA 02116-3969 US

HON. EDWARD M KENNEDY
UNITES STATES SENATE
2400 JOHN F KENNEDY FEDERAL BLDG
BOSTON MA 02203 US

WILLIAM D ANKNER PHD
R I DEPT OF TRANSPORTATION
TWO CAPITOL HILL
PROVIDENCE RI 02903 US

JOHN R NADOLNY
14 AVIATION AVENUE
PORTSMOUTH NH 03801 US

ROBERT D ELDER
MAINE DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA ME 04333 US

KAREN E SONGHURST
STATE OF VERMONT
133 STATE STREET
MONTPELLIER VT 05633-5001 US

JAMES F SULLIVAN
CT DEPT OF TRANSPORTATION
P O BOX 317546
2800 BERLIN TURNPIKE
NEWINGTON CT 06131 US

EDWARD J RODRIGUEZ
P O BOX 687
8 DAVIS ROAD WEST
OLD LYME CT 06371 US

RICHARD C CARPENTER
SOUTHWESTERN REGIONAL PLANNING AGENCY
1 SELLECK STREET SUITE 210
EAST NORWALK CT 06855 US

MICHAEL E STRICKLAND
NYK LINE (NORTH AMERICA) INC, SENIOR VICE PRE
300 LIGHTING WAY
SECAUCUS NJ 07094-1588 US

J WILLIAM VAN DYKE
NJ TRANSPORTATION PLANNING AUTHORITY
ONE NEWARK CENTER 17TH FLOOR
NEWARK NJ 07102 US

EDWARD LLOYD
RUTGERS ENVIRONMENTAL LAW CLINIC
15 WASHINGTON STREET
NEWARK NJ 07102 US

HONORABLE ROBERT G. TORRICELLI
UNITED STATES SENATE
1 RIVER FRONT PLAZA, 3RD FLOOR
NEWARK NJ 07102 US

PHILIP SIDO
UNION CAMP CORPORATION
1600 VALLEY ROAD
WAYNE NJ 07470 US

MARTIN T DURKIN ESQ
DURKIN & BOGGIA ESQS
PO BOX 378
71 MT VERNON STREET
RIDGEFIELD PARK NJ 07660 US

CRAIG CURRY
CONSOLIDATED RAIL CORPORATION
1000 HOWARD BOULEVARD
MOUNT LAUREL NJ 08054 US

TIMOTHY G CHELIUS
18 N EAST AVENUE
VINELAND NJ 08360 US

LAWRENCE PEPPER, JR
GRUCCIO PEPPER
817 EAST LANDS AVE
VINELAND NJ 08360 US

JOHN F. MCHUGH
MCHUGH & SHERMAN
20 EXCHANGE PLACE 51ST FLOOR
NEW YORK NY 10005 US

ANTHONY BOTTALICO
UTU
420 LEXINGTON AVENUE ROOM 458-460
NEW YORK NY 10017 US

WALTER E ZULLIG JR
METRO-NORTH COMMUTER RAILROAD COMPANY
347 MADISON AVE
NEW YORK NY 10017-3706 US

ANTHONY P. SEMANCIK
347 MADISON AVENUE
NEW YORK NY 10017-3706 US

JAMES W HARRIS
THE METROPOLITIAN PLANNING ORGANIZATION
1 WORLD TRADE CENTER STE 82 EAST
NEW YORK NY 10048-0043 US

HUGH H. WELSH
LAW DEPT., SUITE 67E
ONE WORLD TRADE CENTER
NEW YORK NY 10048-0202 US

R. LAWRENCE MCCAFFREY, JR.
NEW YORK & ATLANTIC RAILWAY
405 LEXINGTON AVENUE 50TH FLOOR
NEW YORK NY 10174 US

SAMUEL J NASCA
UTU STATE LEGISLATIVE DIRECTOR
35 FULLER ROAD SUITE 205
ALBANY NY 12205 US

DANIEL B. WALSH
BUSINESS COUNCIL OF NEW YORK STATE,INC.
152 WASHINGTON AVENUE
ALBANY NY 12210 US

DIANE SEITZ
CENTRAL HUDSON GAS & ELECTRIC CORP
284 SOUTH AVENUE
POUGHKEEPSIE NY 12601 US

IRWIN L. DAVIS
1900 STATE TOWER BLDG.
SYRACUSE NY 13202 US

ANGELO J CHICK JR, LOCAL CHAIRMAN
P O BOX 908
48398 OLD GOOSE BAY ROAD
REDWOOD NY 13679 US

GARY EDWARDS
SOMERSET RAILROAD
7725 LAKE ROAD
BARKER NY 14012 US

SHEILA MECK HYDE
CITY HALL
342 CENTRAL AVENUE
DUNKIRK NY 14048 US

IRVING J RUBIN
P O BOX 243
YOUNGSTOWN NY 14174 US

JOHN F COLLINS
COLLINS ,COLLINS, & KANTOR PC
267 NORTH STREET
BUFFALO NY 14201 US

R W GODWIN
BROTHERHOOD OF LOCOMOTIVE ENGINEERS
810 ABBOTT ROAD SUITE 200
BUFFALO NY 14220 US

ERNEST J IERARDI
NIXON HARGRAVE DEVANS DOYLE LLP
PO BOX 1051
CLINTON SQUARE
ROCHESTER NY 14603-1051 US

H DOUGLAS MIDKIFF
GENESEE TRANSPORTATION COUNCIL
65 WEST BROAD ST STE 101
ROCHESTER NY 14614-2210 US

JEANNE WALDOCK
107 GRANT COURT
ORLEAN NY 14760 US

DAVID W. DONLEY
3361 STAFFORD ST
PITTSBURGH PA 15204-1441 US

JOHN A VUONO
VUONO & GRAY
2310 GRANT BUILDING
PITTSBURGH PA 15219 US

HENRY M. WICK, JR.
WICK STREIFF ET AL
1450 TWO CHATHAM CENTER
PITTSBURGH PA 15219-3427 US

R J HENEFELD
PPG INDUSTRIES INC
ONE PPG PLACE
PITTSBURGH PA 15272 US

M E PETRUCCELLI
PPG INDUSTRIES INC
ONE PPG PLACE
PITTSBURGH PA 15272 US

D W DUNLEVY
STATE LEGISLATIVE DIRECTOR UTU
230 STATE STREET PA AFL-CIO BLDG 2ND FLOOR
HARRISBURG PA 17101 US

HONORABLE THOMAS J RIDGE
GOVERNOR, COMMONWEALTH OF PENNSYLVANIA
225 MAIN CAPITOL BUILDING
HARRISBURG PA 17120 US

BELNAP FREEMAN
BELKNAP FREEMAN
119 HICKORY LANE
ROSEMONT PA 19010 US

JOHN J GROCKI
GRA INC
115 WEST AV ONE JENKINTOWN STA
JENKINTOWN PA 19046 US

JONATHAN M BRODER
CONSOLIDATED RAIL CORP
PO BOX 41416
2001 MARKET STREET 16-A
PHILADELPHIA PA 19101-1416 US

JOHN J EHLINGER JR
OBERMAYER REBMANN MAXWELL & HIPPEL
1617 JOHN F. KENNEDY BLVD ONE PENN CENTER-19T
PHILADELPHIA PA 19103-1895 US

JOHN J COSCIA, EXECUTIVE DIRECTOR
DELAWARE VALLEY REGIONAL PLANNING COMMISSION
111 SOUTH INDEPENDENCE MALL EAST
PHILADELPHIA PA 19106 US

ERIC M HOCKY
GOLLATZ GRIFFIN EWING
213 WEST MINER STREET
WEST CHESTER PA 19381-0796 US

J E THOMAS
HERCULES INCORPORATED
1313 NORTH MARKET STREET
WILMINGTON DE 19894 US

FREDERICK H SCHRANCK
PO BOX 778
DOVER DE 19903 US

RICHARD R WILSON
1126 EIGHT AV STE 403
ALTOONA PA 16602 US

KURT W CARR
BUREAU FOR HISTORIC PRESERVATION
P O BOX 1026
HARRISBURG PA 17108-1026 US

KRISTOPHER MICHAEL KLEMICK
RR#3 BOX 101-15
JERSEY SHORE PA 17740-9309 US

D J O'CONNELL
GENERAL CHAIRPERSON UTU
410 LANCASTER AVE STE 5
HAVERFORD PA 19041 US

HARRY C BARBIN
BARBIN LAUFFER & O'CONNELL
608 HUNTINGDON PIKE
ROCKLEDGE PA 19046 US

G CRAIG SCHELTER
PHILADELPHIA INDUSTRIAL DEVELOPMENT CORPORATI
2600 CENTRE SQUARE WEST 500 MARKET ST
PHILADELPHIA PA 19102 US

DAVID BERGER
BERGER AND MONTAGUE, P. C.
1622 LOCUST ST
PHILADELPHIA PA 19103-6305 US

JOHN K. LEARY, GENERAL MANAGER
SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTH
1234 MARKET STREET 5TH FLOOR
PHILADELPHIA PA 19107-3780 US

HON JOSEPH R BIDEN, JR.
UNITED STATES SENATE
844 KING STREET
WILMINGTON DE 19801 US

E C WRIGHT
RAIL TRANSPORTATION PROCUREMENT MANAGER
1007 MARKET STREET DUPONT BLDG 3100
WILMINGTON DE 19898 US

TERRENCE D JONES
KELLER & HECKMAN
1001 G ST NW STE 500 WEST
WASHINGTON DC 20001 US

JAMES HOWARD
COALITION OF NORTHEASTERN GOVERNORS
400 NORTH CAPITOL STREET, SUITE 382
WASHINGTON DC 20001 US

MARTIN W BERCOVICI
KELLER & HECKMAN, LLP
1001 G ST NW SUITE 500 WEST
WASHINGTON DC 20001 US

PETER A GILBERTSON
REGIONAL RRS OF AMERICA
122 C ST NW STE 850
WASHINGTON DC 20001 US

RICHARD G SLATTERY
AMTRAK
60 MASSACHUSETTS AVENUE N E
WASHINGTON DC 20002 US

DONALD F GRIFFIN
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
10 G STREET NE STE 460
WASHINGTON DC 20002 US

DREW A HARKER
ARNOLD & PORTER
555 TWELFTH STREET NW
WASHINGTON DC 20004 US

DENNIS G LYONS
ARNOLD & PORTER
555 TWELFTH STREET NW
WASHINGTON DC 20004 US

PAUL REISTRUP
CSX TRANSPORTATION INC
1331 PENNSYLVANIA NW STE 500
WASH DC 20004 US

ERIC VON SALZEN
HOGAN & HARTSON
555 THIRTEENTH STREET N W
WASHINGTON DC 20004-1109 US

GEORGE W MAYO JR
HOGAN & HARTSON L L P
555 THIRTEENTH STREET NW COLUMBIA SQUARE
WASHINGTON DC 20004-1109 US

MARY GABRIELLE SPRAGUE
ARNOLD & PORTER
555 TWELTH STREET NW
WASHINGTON DC 20004-1202 US

KEVIN M SHEYS
OPPENHEIMER WOLFF & DONNELLY & BAYH LLP
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005 US

EDWARD WYTKIND EXECUTIVE DIRECTOR
1025 CONNECTICUT AVE NW SUITE 1005
WASHINGTON DC 20005 US

JOHN H BROADLEY
JENNER & BLOCK
601 13TH ST NW STE 1200 SOUTH
WASHINGTON DC 20005 US

L JOHN OSBORN
SONNENSCHEIN NATH & ROSENTHAL
1301 K STREET NW STE 600 EAST
WASH DC 20005 US

KARL MORELL
BALL JANIK LLP
1455 F STREET NW SUITE 225
WASHINGTON DC 20005 US

ALICE C SAYLOR
AMERICAN SHORT LINE RAILROAD ASSOCIATION
1120 G STREET NW SUITE 520
WASHINGTON DC 20005 US

BRUNO MAESTRI
NORFOLK SOUTHERN CORPORATION
1500 K STREET SUITE 375
WASHINGTON DC 20005 US

LOUIS E GITOMER
BALL JANIK LLP
1455 F STREET NW SUITE 225
WASHINGTON DC 20005 US

DANIEL DUFF
AMERICAN PUBLIC TRANSIT ASSOCIATION
1201 NEW YORK AV NW
WASHINGTON DC 20005 US

ROSE-MICHELE WEINRYB
WEINER BRODSKY SIDMAN & KIDER
1350 NEW YORK AVENUE NW
WASHINGTON DC 20005 US

PAUL M LAURENZA
OPPENHEIMER WOLFF & DONNELLY & BAYH LLP
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005 US

CLARK EVANS DOWNS
JONES DAY REAVIS & POGUE
1450 G STREET NW
WASHINGTON DC 20005-2088 US

WILLIAM A MULLINS
TROUTMAN SANDERS LLP
1300 I STREET NW SUITE 500 EAST
WASHINGTON DC 20005-3314 US

PAUL H LAMBOLEY
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005-3324 US

JEFFREY O MORENO
DONELAN CLEARY WOOD MASER
1100 NEW YORK AVENUE N W, SUITE 750
WASHINGTON DC 20005-3934 US

FREDERIC L WOOD
DONELAN CLEARY WOOD & MASER P C
1100 NEW YORK AVENUE NW SUITE 750
WASHINGTON DC 20005-3934 US

KARYN A BOOTH
DONELAN, CLEARY, WOOD & MASER, P.C.
1100 NEW YORK AVE NW SUITE 750
WASHINGTON DC 20005-3934 US

MARK H SIDMAN
WEINER BRODSKY,SIDMAN & KIDER
1350 NEW YORK AVE., NW., STE. 800
WASHINGTON DC 20005-4797 US

WILLIAM W MILLAR
AMERICAN PUBLIC TRANSIT ASSOCIATION
1201 NEW YORK AVE., NW
WASHINGTON DC 20005-6141 US

ANDREW P GOLDSTEIN
MCCARTHY SWEENEY HARKAWAY, PC
1750 PENNSYLVANIA AVE NW, STE 1105
WASHINGTON DC 20006 US

DANIEL J SWEENEY
MCCARTHY SWEENEY & HARKAWAY P C
1750 PENNSYLVANIA AVE NW STE 1105
WASHINGTON DC 20006 US

JAMES R WEISS
PRESTON GATES ELLIS ET AL
1735 NEW YORK AVENUE NW SUITE 500
WASHINGTON DC 20006 US

SCOTT M ZIMMERMAN
ZUCKERT SCOUTT & RASENBERGER L L P
888 SEVENTEENTH STREET NW
WASHINGTON DC 20006 US

CONSTANCE A SADLER
SIDLEY & AUSTIN
1722 EYE STREET NW
WASHINGTON DC 20006 US

ROBERT P VOM EIGEN
HOPKINS AND SUTTER
888 16TH STREET N W STE 700
WASHINGTON DC 20006 US

ANDREW R. PLUMP
ZUCKERT, SCOUTT & RASENBERGER. LLP
888 17TH ST., NW, STE. 600
WASHINGTON DC 20006 US

ERIKA Z JONES
MAYER BROWN & PLATT
1909 K STREET, NW
WASHINGTON DC 20006-1101 US

RICHARD A ALLEN
ZUCKERT SCOUT RASENBERGER
888 17TH STREET N W STE 600
WASHINGTON DC 20006-3939 US

JOHN V EDWARDS, ESQ
ZUCKERT SCOUTT ET AL
888 17TH STREET N W STE 600
WASHINGTON DC 20006-3939 US

CHARLES A SPITULNIK
HOPKINS & SUTTER
888 SIXTEENTH ST NW
WASH DC 20006-4103 US

STEVEN J KALISH
MCARTHY SWEENEY & HARKAWAY
1750 PENNSYLVANIA AVE NW
WASHINGTON DC 20006-4502 US

SHERRI LEHMAN DIRECTOR OF CONGRESSIONAL AFFAI
CORN REFINERS ASSOC
1701 PA AV NW
WASH DC 20006-5805 US

CHRISTOPHER C O'HARA
BRICKFIELD BURCHETTE & RITTS PC
1025 THOMAS JEFFERSON ST NW EIGHTH FLOOR
WASHINGTON DC 20007 US

PAUL M DONOVAN
LAROE WINN MOERMAN & DONOVAN
3900 HIGHWOOD COURT NW
WASHINGTON DC 20007 US

ROBERT G SZABO
1050 THOMAS JEFFERSON STREET NW SIXTH FLOOR
WASHINGTON DC 20007 US

MICHAEL F MCBRIDE
LEBOEUF LAMB GREENE & MACRAE
1875 CONNECTICUT AVENUE NW
WASHINGTON DC 20009-5728 US

PAUL D COLEMAN
HOPPEL MAYER & COLEMAN
1000 CONNECTICUT AVENUE NW SUITE 400
WASHINGTON DC 20036 US

HAROLD P QUINN, JR
NATIONAL MINING ASSOCIATON
1130 17TH STREET NW
WASHINGTON DC 20036 US

JOHN M CUTLER JR
MCCARTHY SWEENEY HARKAWAY PC
1750 PENNSYLVANIA AVE N W SUITE 1105
WASHINGTON DC 20036 US

KEITH G O'BRIEN
REA CROSS AND AUCHINCLOSS
1707 L STREET NW STE 570
WASHINGTON DC 20036 US

WILLIAM G. MAHONEY
HIGHSAW, MAHONEY & CLARKE
1050 SEVENTEENTH STREET NW SUITE 210
WASHINGTON DC 20036 US

KELVIN J DOWD
SLOVER & LOFTUS
1224 17TH STREET N W
WASHINGTON DC 20036 US

GORDON P MACDOUGALL
1025 CONNECTICUT AVE NW SUITE 410
WASHINGTON DC 20036 US

FRITZ R KAHN
1920 N STREET NW 8TH FLOOR
WASHINGTON DC 20036-1601 US

DAVID K MONROE
GALLAND KHARASCH GREENBERT FELLMAN & SWIRSKY
1054 THIRTY FIRST STREET NW STE 200
WASHINGTON DC 20007 US

EDWARD D GREENBERG
GALLAND, KHARASCH, GREENBERT, FELLMAN & SWIRS
1054 THIRTY-FIRST STREET NW
WASHINGTON DC 20007-4492 US

STEPHEN H BROWN
VORYS SATER SEYMOUR AND PEASE
1828 L STREET N W
WASHINGTON DC 20036 US

HELEN M. COUSINEAU
CARLOS RODRIGUEZ & ASSOCIATES
1710 RHODE ISLAND AVENUE, NW
WASHINGTON DC 20036 US

JOHN D HEFFNER
REA CROSS & AUCHINCLOSS
1707 L STREET, NW, STE 570
WASHINGTON DC 20036 US

ROBERT A WIMBISH ESQ
REA CROSS & AUCHINCLOSS
1707 L STREET NW STE 570
WASHINGTON DC 20036 US

CHRISTOPHER A MILLS
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036 US

RICHARD S EDELMAN
O'DONNELL SCHWARTZ & ANDERSON PC
1900 L STREET NW SUITE 707
WASHINGTON DC 20036 US

DAVID H COBURN
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUR NW
WASHINGTON DC 20036 US

PETER A GREENE
THOMPSON HINE FLORY
1920 N STREET N W, SUITE 800
WASHINGTON DC 20036 US

TIMOTHY M WALSH
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE N W
WASHINGTON DC 20036-1795 US

SAMUEL M SIPE JR
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE N W
WASHINGTON DC 20036-1795 US

JOSEPH GUERRIERI, JR.
GUERRIERI, EDMOND & CLAYMAN, PC
1625 MASSACHUSETTS AVE., NW. STE 700
WASHINGTON DC 20036-2243 US

DEBRA L WILLEN
GUERRIERI EDMOND & CLAYMAN PC
1625 MASSACHUSETTS AVENUE, N.W., STE 700
WASHINGTON DC 20036-2243 US

DONALD G AVERY
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036-3003 US

L PAT WYNNS
SUITE 210
1050 - 17TH STREET N W
WASHINGTON DC 20036-5503 US

JOHN L OBERDORFER
PATTON BOGGS LLP
2550 M ST NW
WASHINGTON DC 20037-1301 US

SCOTT N STONE
PATTON BOGGS L L P
2550 M STREET NW 7TH FLOOR
WASHINGTON DC 20037-1346 US

J MICHAEL HEMMER
COVINGTON & BURLING
P O BOX 7566
1201 PENNSYLVANIA AVENUE NW
WASHINGTON DC 20044 US

KEITH A KLINDWORTH
U S DEPT OF AGRICULTURE
P O BOX 96456
WASHINGTON DC 20090 US

MICHAEL V DUNN
USDA
PO BOX 96456 RM 4006-SOUTH BLDG
WASH DC 20090-6456 US

EILEEN S STOMMES
U S DEPARTMENT OF AGRICULTURE
P O BOX 96456 ROOM 4006-SOUTH BUILDING
WASHINGTON DC 20090-6456 US

JUDGE JACOB LEVENTHAL, OFFICE OF HEARINGS
FEDERAL ENERGY REGULATORY COMMISSION
888 - 1ST ST, N.E. STE 11F
WASHINGTON DC 20426 US

RICHARD E SANDERSON
OFFICE OF FEDERAL ACTIVITIES
US ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON DC 20460 US

HON CHARLES SCHUMER
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON DANIEL PATRICK MOYNIHAN
UNITED STATES SENATE
WASINGTON DC 20510 US

HON JOHN BREAUX
UNITED STATER SENATE
WASHINGTON DC 20510 US

HON CHARLES E SCHUMER
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON BYRON L DORGAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. BARBARA A. MIKULSKI
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. CHARLES ROBB
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. JOSEPH I LIEBERMAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE BOB GRAHAM
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE RICHARD LUGAR
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. JOSEPH BIDEN, JR.
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON WILLIAM V. ROTH JR
U S SENATE
WASHINGTON DC 20510-0001 US

HON. JOHN W. WARNER
US SENATE
WASHINGTON DC 20510-0001 US

HON CHRISTOPHER J DODD
UNITED STATES SENATE
WASH DC 20510-0702 US

HONORABLE DANIEL P. MOYNIHAN
UNITED STATE SENATE
WASHINGTON DC 20510-0903 US

HONORABLE CONNIE MACK
UNITED STATES SENATE
WASHINGTON DC 20510-0904 US

HONORABLE J ROBERT KERREY
UNITED STATES SENATE
WASHIGTON DC 20510-2704 US

HON MIKE DEWINE
UNITED STATES SENATE
WASHINGTON DC 20510-3503 US

HON ARLEN SPECTER
UNITED STATES SENATE
WASHINGTON DC 20510-3802 US

HON RICK SANTORUM
UNITED STATES SENATE
WASHINGTON DC 20510-3804 US

HONORABLE JOHN H. CHAFEE
UNITED STATES SENATE
WASHINGTON DC 20510-3902 US

HON JACK REED
U S SENATE
WASHINGTON DC 20510-3903 US

HONORABLE ROBERT BYRD
UNITED STATES SENATE
WASHINGTON DC 20510-6025 US

HONORABLE JOHN J LAFALCE
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. WILLIAM J. COYNE
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. TOM BLILEY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. WILLIAM O. LIPINSKI
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE PAUL E. GILLMOR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. JAMES L. OBERSTAR
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE MIKE DOYLE
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JOHN D. DINGELL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE BENJAMIN A. GILMAN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. JOHN J. DUNCAN
U S HOUSE OF REPRESENTATIVESS
WASHINGTON DC 20515 US

HONORABLE BOB CLEMENT
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE PETER J. VISCLOSKY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE SAM GEJDENSON
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE MAJOR R. OWENS
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. BUD SHUSTER
ATTN: MIKE RICK
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NANCY JOHNSON
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON JAMES TRAFICANT JR
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. ROBERT MENENDEZ
U S HOUSE OF REPRESENTATIVES
WASH DC 20515 US

HON MARCY KAPTUR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE FRANK MASCARA
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON GARY ACKERMAN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON JERROLD NADLER
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE ROBERT W. NEY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE BOB WEYGAND
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE TED STRICKLAND
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON DENNIS J KUCINICH
UNITED STATES HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

HON. ED BRYANT
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. STEVE LATOURETTE
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NYDIA M VELAZQUEZ
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON ED TOWNS
U. S. HOUSE OR REPRESENTATIVES
WASHINGTON DC 20515 US

HON LOUISE M SLAUGHTER
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CHRISTOPHER SHAYS
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CHARLES RANGEL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MICHAEL MCNULTY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JAMES MALONEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CAROLYN B MALONEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NITA LOWEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MAURICE HINCHEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MICHAEL FORBES
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON ELIOT L ENGEL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE CHIP PICKERING
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JESSE L. JACKSON, JR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE LUIS GUTIERREZ
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE DANNY K DAVIS
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON RALPH REGULA
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON SHERROD BROWN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE SAXBY CHAMBLISS,
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE TILLIE K FOWLER
US HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

HON BOB WISE
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON THOMAS C SAWYER
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE ROD R BLAGOJEVICH
U. S. HOUSE OF REPRESENTATIVES
WASHINGTO DC 20515-1305 US

HON JULIA CARSON
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-1410 US

HONORABLE JAMES A. BARCIA
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-2205 US

HON JACK QUINN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3230 US

HONORABLE RICHARD BURR
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3305 US

HONORABLE TOM DAVIS
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-4611 US

HONORABLE BOBBY L. RUSH
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-9997 US

MICHAEL P HARMONIS
DEPARTMENT OF JUSTICE
325 SEVENTH STREET, NW
WASHINGTON DC 20530 US

PAUL SAMUEL SMITH
US DEPARTMENT OF TRANSPORTATION
400 SEVENTH STREET SW, ROOM 4102 C-30
WASHINGTON DC 20590 US

JOLENE MOLITORIS, ADMN.
FEDERAL RAILROAD ADMNS.
400 7TH STREET SW
WASHINGTON DC 20590 US

JOSEPH R POMPONIO
FEDERAL RAILROAD ADMIN
1120 VERMONT AVE NW RCC-20
WASHINGTON DC 20590 US

DAVID G ABRAHAM
SUITE 400W
7315 WISCONSIN AVENUE
BETHESDA MD 20814 US

MITCHELL M KRAUS
TRANSPORTATION COMMUNICATIONS INTERNATIONAL U
3 RESEARCH PLACE
ROCKVILLE MD 20850-3279 US

JOHN M ROBINSON
9616 OLD SPRING ROAD
KENSINGTON MD 20895-3124 US

WILLIAM W WHITEHURST JR
W W WHITEHURST & ASSOCIATES INC
12421 HAPPY HOLLOW ROAD
COCKEYSVILLE MD 21030-1711 US

JOHN HOY
P O BOX 117
GLEN BURNIE MD 21060 US

ROBERT J WILL
UNITED TRANSPORTATION UNION
4134 GRAVE RUN RD
MANCHESTER MD 21102 US

JOHN F WING CHAIRMAN
CITIZENS ADVISORY COMMITTEE
601 NORTH HOWARD STREET
BALTIMOTE MD 21201 US

LINDA A JANEY J D
MARYLAND OFFICE OF PLANNING
301 WEST PRESTON STREET
BALTIMORE MD 21201-2365 US

DON E SANCHEZ
CHESAPEAKE SPECIALTY PRODUCTS INC
5055 NORTH POINT BOULEVARD
BALTIMORE MD 21219 US

CHARLES M CHADWICK
MARYLAND MIDLAND RAILWAY INC
P O BOX 1000
UNION BRIDGE MD 21791 US

GARRET G SMITH
MOBIL OIL CORPORATION
3225 GALLOWS RD RM 8A903
FAIRFAX VA 22037-0001 US

HENRY E. SEATON
7700 LEESBURG PIKE, STE 201
FALLS CHURCH VA 22043 US

PETER Q NYCE JR
U S DEPARTMENT OF THE ARMY
901 NORTH STUART STREET
ARLINGTON VA 22203 US

THOMAS E SCHICK
CHEMICAL MANUF ASSOC
1300 WILSON BOULEVARD
ARLINGTON VA 22209 US

JENNIFER BRAUN
JACKSON & JESSUP
P O BOX 1240
3426 NORTH WASHINGTON BOULEVARD
ARLINGTON VA 22210 US

KENNETH E SIEGEL
AMERICAN TRUCKING ASSOC INC
2200 MILL ROAD
ALEXANDRIA VA 22314-4677 US

HONORABLE GEORGE ALLEN
GOVERNOR, COMMONWEALTH OF VIRGINIA
STATE CAPITOL
RICHMOND VA 23219 US

DAVID A SHELTON
NORFOLK SOUTHERN
THREE COMMERCIAL PLACE
NORFOLK VA 23510 US

JAMES A HIXON
SENIOR VICE PRESIDDENT EMPLOYEE RELATIONS NOR
THREE COMMERCIAL PLACE
NORFFFOLK VA 23510-2191 US

HONORABLE JOHN WARNER
UNITED STATES SENATE
235 FEDERAL BUILDING
ABINGDON VA 24210-0887 US

TERRELL ELLIS
CAEZWV
P O BOX 176
CLAY WV 25043 US

WILLIAM T BRIGHT
P O BOX 149
200 GREENBRIER ROAD
SUMMERSVILLE WV 26651 US

SCOTT M SAYLOR
NORTH CAROLINA RAILROAD COMPANY
3200 ATLANTIC AV STE 110
RALIEGH NC 27604-1640 US

J R BARBEE
GENERAL CHAIRPERSON UTU
441 N LOUISIANA AVE STE Q
ASHEVILLE NC 28806-3791 US

WILLIAM P. JACKSON, JR.
JACKSON & JESSUP, P. C.
P O BOX 1240
3426 NORTH WASHINGTON BLVD
ARLINGTON VA 22210 US

FRANCIS G MCKENNA
ANDERSON & PENDLETON
206 N WASHINGTON STREET SUITE 330
ALEXANDRIA VA 22314 US

ROBERT E MARTINEZ
VA SECRETARY OF TRANSPORTAITON
P. O. BOX 1475
RICHMOND VA 23218 US

JOHN W SNOW
CHAIRMAN PRESIDENT AND CHIEF EXECTIVE OFFICER
P O BOX 85629
RICHMOND VA 23285-5629 US

GEORGE A ASPATORE
NORFOLK SOUTHERN CORP
THREE COMMEMERCIAL PLACE
NORFOLK VA 23510 US

L P KING JR
GENERAL CHAIRPERSON UTU
145 CAMPBELL AVE SW STE 207
ROANOKE VA 24011 US

VAUGHN R GROVES
PITTSTON COAL COMPANY
PO BOX 5100
LEBANON VA 24266 US

R K SARGENT
GENERAL CHAIRPERSON UTU
1319 CHESTNUT STREET
KENOVA WV 25530 US

FRANK N JORGENSEN
THE ELK RIVER RAILROAD INC
P O BOX 460
SUMMERSVILLE WV 26651 US

E NORRIS TOLSON
NC DEPT OF TRANSPORTATION
P O BOX 25201
1 S. WILINGTON STREET
RALEIGH NC 27611 US

HONORABLE DAVID M BEASLEY
GOVERNOR
P. O. BOX 11369
COLUMBIA SC 29211 US

J RANDALL EVANS
500 WATER STREET (J150)
JACKSONVILLE FL 32202 US

ROBERT V ALLEN
CSX TRANSPORTATION
500 WATER STREET J305
JACKSONVILLE FL 32202 US

DANFORD L PRICE
500 WATER STREET
JACKSONVILLE FL 32202 US

PAUL R. HITCHCOCK
CSX TRANSPORTATION LAW DEPARTMENT
500 WATER STREET SC J-150
JACKSONVILLE FL 32202 US

CHARLES M ROSENBERGER
CSX TRANSPORTATION
500 WATER STREET - J150
JACKSONVILLE FL 32202 US

J T REED
GENERAL CHAIRPERSON UTU
7785 BAYMEADOWS WAY STE 109
JACKSONVILLE FL 32256 US

JAMES L BELCHER
EASTMAN CHEMICAL COMPANY
PO BOX 431
KINGSPORT TN 37662 US

HONORABLE KIRK FORDICE, GOVERNOR
STATE OF MISSISSIPPI
P O BOX 139
JACKSON MS 39205 US

F R PICKELL
GENERAL CHAIRPERSON UTU
6797 NORTH HIGH ST STE 108
WORTHINGTON OH 43085 US

HONORABLE DEBORAH PRYCE
U. S. HOUSE OF REPRESENTATIVES
500 SOUTH FRONT STREET, ROOM 1130
COLUMBUS OH 43215 US

JAMES R JACOBS
JACOBS INDUSTRIES
2 QUARRY LANE
STONY RIDGE OH 43463 US

FRED R BIRKHOLZ
CSX TRANSPORTATION LAW DEPT - J-150
500 WATER STREET
JACKSONVILLE FL 32202 US

R J HAULTER
500 WATER STREET (J215)
JACKSONVILLE FL 32202 US

BOB HAULTER
CSX TRANSPORTATION INC
500 WATER STREET (J215)
JACKSONVILLE FL 32202 US

JOHN W. HUMES, JR.
CSX TRANSPORTATION
SPEED CODE J-150
500 WATER STREET
JACKSONVILLE FL 32202 US

J L RODGERS
GENERAL CHAIRMAN UTU
480 OSCEOLA AVENUE
JACKSONVILLE FL 32250 US

PHILLIP L BELL
ERIE LACKAWANNA RAILROAD CO
PO BOX 1482
TALLAHASSEE FL 32302 US

WILLIAM L OSTEEN
ASSOCIATE GENERAL COUNSEL TVA
400 WEST SUMMIT HILL DRIVE
KNOXVILLE TN 37902 US

HONORABLE PAUL E. PATTON
GOVERNOR
700 CAPITOL AVENUE, STE. 100
FRANKFORT KY 40601 US

THOMAS M O'LEARY
OHIO RAIL DEVELOPMENT COMMISSION
50 W BROAD STREET 15TH FLOOR
COLUMBUS OH 43215 US

DOREEN C JOHNSON, CHIEF ANTITRUST SECTION
OHIO ATTY GENERAL OFFICE
140 EAST TOWN STREET, FIRST FLOOR
COLUMBUS OH 43215-6001 US

DAVID CHAPMAN
LAFARGE LIME OHIO INC
P O BOX 128
659 ANDERSON ROAD
WOODVILLE OH 43469-0128 US

ROBERT J COOPER
GENERAL CHAIRPERSON UTU
1238 CASS ROAD
MAUMEE OH 43537 US

ROBERT E GREENLESE
TOLEDO-LUCAS COUNTY PORT AUTHORITY
1 MARITIME PLAZA SUITE 700
TOLEDO OH 43604 US

ROBERT E MURRAY
OHIO VALLEY COAL CO
56854 PLEASANT RIDGE ROAD
ALLEDONIA OH 43902 US

RON MARQUARDT
LOCAL UNION 1810 UMWA
R D #2
RAYLAND OH 43943 US

CLARENCE TURNQUIST
INTERNATIONAL LONGSHOREMEN S ASSOCIATION
C/O 2125 TRYON ROAD
ASHTABULA OH 44004 US

MAYOR VINCENT M URBIN
150 AVON BELDEN RD
AVON LAKE OH 44012 US

CHARLES S HESSE
CHARLES HESSE ASSOCIATES
7777 BAINBRIDGE ROAD
CHAGRIN FALLS OH 44023-2124 US

BARBARA O'KEEFE
VILLAGE OF WELLINGTON
115 WILLARD MEMORIAL SQ
WELLINGTON OH 44090 US

COLETTA MCNAMEE SR
CUDELL IMPROVEMENT INC
11500 FRANKLIN BLVD STE 104
CLEVELAND OH 44102 US

ANITA R BRINDZA
THE ONE FIFTEEN HUNDRED BUILDING
11500 FRANKLIN BLVD SUITE 104
CLEVELAND OH 44102 US

DANIEL R ELLIOTT III
ASST GENERAL COUNSEL UNITED TRANSPORTATION UN
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

C L LITTLE
INTERNATIONAL PRESIDENT UTU
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

CLINTON J MILLER III GENERAL COUNSEL
UNITED TRANSPORTATION UNION
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

CLARENCE MONIN INTERNATIONAL PRES
BROTHERHOOD OF LOCOMTIVE ENGINEERS MEZZANINE
1370 ONTARIO STREET
CLEVELAND OH 44113 US

CHRISTOPHER C MCCRACKEN
ULMER & BERNE LLP
1300 EAST NINTH STREET SUITE 900
CLEVELAND OH 44114 US

DAVID ROLOFF
GOLDSTEIN & ROLOFF
526 SUPERIOR AVENUE EAST SUITE 1440
CLEVELAND OH 44114 US

INAJO DAVIS CHAPPELL
ASHTA CHEMICALS INC
1300 EAST NINETH STREET SUITE 900
CLEVELAND OH 44114-1538 US

DAVID J MATTY
CITY OF ROCKY RIVER
21012 HILLIARD ROAD
ROCKY RIVER OH 44116-3398 US

C D WINEBRENNER
GENERAL CHAIRPERSON UTU
27801 EUCLID AVENUE RM 200
EUCLID OH 44132 US

GARY A EBERT
CITY OF BAY VILLAGE
350 DOVER CENTER ROAD
BAY VILLAGE OH 44140 US

CHARLES ZUMKEHR
ROETZEL & ANDRESS CO LPA
75 EAST MARKET STREET
AKRON OH 44308 US

SYLVIA R. CHINN-LEVY
NEFCO
969 COPLEY ROAD
AKRON OH 44320 US

CHARLES E ALLENBAUGH JR
EAST OHIO STONE COMPANY
2000 W BESSON ST
ALLIANCE OH 44601 US

RANDALL C. HUNT
KRUGLIAK, WILKINS, GRIFFITHS & DOUGHERTY CO.
P O BOX 36963
4775 MUNSON ST NW
CANTON OH 44735-6963 US

D G STRUNK JR
GENERAL CHAIRPERSON UTU
817 KILBOURNE STREET
BELLEVUE OH 44811 US

R A GRICE
GENERAL CHAIRPERSON UTU
817 KILBOURNE ST
BELLEVUE OH 44811-9431 US

RICHARD E KERTH
CHAMPION INTERNATIONAL CORPORATION
101 KNIGHTSBRIDGE DRIVE
HAMILTON OH 45020-0001 US

FAY D DUPUIS
CITY OF CINCINNATI
801 PLUM STREET
CINCINNATI OH 45202 US

ROBERT EDWARDS
EASTERN TRANSPORT AND LOGISTICS
1109 LANETTE DRIVE
CINCINNATI OH 45230 US

THOMAS R RYDMAN PRESIDENT
INDIAN CREEK RAILROAD COMPANY
3905 W 600 NORTH
ANDERSON IN 46011 US

F RONALDS WALKER
CITIZENS GAS & COKE UTILITY
2020 N MERIDIAN STREET
INDIANAPOLIS IN 46202-1393 US

MICHAEL P MAXWELL JR
MCHALE, COOK & WELCH
320 N MERIDIAN ST 1100 CHAMBER OF COMMERCE BL
INDIANAPOLIS IN 46204 US

J PATRICK LATZ
HEAVY LIFT CARGO SYSTEM
PO BOX 51451
INDIANAPOLIS IN 46251-0451 US

MICHAEL CONNELLY
CITY OF EAST CHICAGO
4525 INDIANAPOLIS BLVD
EAST CHICAGO IN 46312 US

HAMILTON L CARMOUCHE, CORPORATION COUNSEL
CITY OF GARY
401 BROADWAY 4TH FLOOR
GARY IN 46402 US

HONORABLE PETER J. VISCLOSKY
U. S. HOUSE OF REPRESENTATIVES
215 WEST 35TH AVENUE
GARY IN 46408 US

CARL FELLER
DEKALB AGRA INC
P. O. BOX 127
4743 COUNTY ROAD 28
WATERLOO IN 46793-0127 US

CHRISTOPHER J BURGER, PRESIDENT
CENTRAL RAILROAD COMPANY OF INDIANAPOLIS
PO BOX 554
KOKOMO IN 46903-0554 US

WILLIAM A BON, GENERAL COUNSEL
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
26555 EVERGREEN ROAD SUITE 200
SOUTHFIELD MI 48076 US

NICOLE HARVEY
THE DOW CHEMICAL COMPANY
2020 DOW CENTER
MIDLAND MI 48674 US

JAMES E SHEPHERD
TUSCOLA & SAGINAW BAY
PO BOX 550
OWOSSO MI 48867-0550 US

LARRY B KARNES
TRANSPORTATION BUILDING
PO BOX 30050
425 WEST OTTAWA
LANSING MI 48909 US

HON JOHN ENGLER
OFFICE OF THE GOVERNOR
P O BOX 30013
LANSING MI 48933 US

T SCOTT BANNISTER
T SCOTT BANNISTER AND ASSOCIATES
1300 DES MOINES BLDG 405 SIXTH AVENUE
DES MOINES IA 50309 US

BYRON D OLSEN
RELHABER LARSON FENLON & VOGT PA
601 SECOND AVENUE SOUTH SUITE 4200
MINNEAPOLIS MN 55401-4302 US

GERALD J. VINCI
PRAIRIE GROUP
P. O.BOX 1123
7601 WEST 79TH STREET
BRIDGEVIEW IL 60455 US

EDWARD WASHINGTON, II
CHIEF, PUBLIC UTILITIES BUREAU, ILL ATTORNEY
100 W RANDOLPH ST - 12TH FLOOR
CHICAGO IL 60601 US

CHRISTINE H. ROSSO
IL ASSISTANT ATTORNEY GENERAL
100 W RANDOLPH ST 13TH FLOOR
CHICAGO IL 60601 US

RICHARD F. FRIEDMAN, ESQ
EARL L NEAL & ASSOCIATES
111 WEST WASHINGTON STREET, STE 1700
CHICAGO IL 60602-2766 US

ROGER A SERPE
175 WEST JACKSON BOULEVARD SUITE 1460
CHICAGO IL 60604 US

THOMAS F MCFARLAND JR
MCFARLAND & HERMAN
20 NORTH WACKER DRIVE, SUITE 1330
CHICAGO IL 60606-3101 US

CHARLES D BOLAM
UNITED TRANSPORTATION UNION
1400-20TH STREET
GRANITE CITY IL 62040 US

MERRILL L TRAVIS
ILLINOIS DEPT OF TRANSPORTATION
2300 S DIRKSEN PARKWAY RM 302
SPRINGFIELD IL 62764 US

JOHN JAY ROSACKER
KS DEPT OF TRANSP
217 SE 4TH ST 2ND FLOOR
TOPEKA KS 66603 US

HENRY T DART
PLAINTIFF MANGEMENT COMMITTEE
609 EAST GIBSON STREET
COVINGTON LA 70433 US

LEO J WASESCHA
GOLD MEDAL DIVISON - GENERAL MILLS OPERATION
P O BOX 1113
NUMBER ONE GENERAL MILLS BULEVARD
MINNEAPOLIS MN 55440 US

RICHARD A GAVRIL
16700 GENTRY LANE NO 104
TINLEY PARK IL 60477 US

THOMAS J LITWILER
OPPENHEIMER WOLFF & DONNELLY
180 N STETSON AVE 45TH FLOOR
CHICAGO IL 60601 US

WILLIAM C SIPPEL
OPPENHEIMER WOLFF & DONNELLY
180 N STETSON AVE TWO PRUDENTIAL PLAZA 45TH F
CHICAGO IL 60601-6710 US

EDWARD C MCCARTHY
INLAND STEEL INDUSTRIES INC
30 WEST MONROE STREET
CHICAGO IL 60603 US

SHELDON A ZABEL
SCHIFF HARDIN & WAITE
7200 SEARS TOWER
CHICAGO IL 60606 US

MYLES L TOBIN
ILLINOIS CENTRAL RAILROAD
455 NORTH CITYFRONT PLAZA DRIVE
CHICAGO IL 60611-5504 US

SCOTT A RONEY
ARCHER DANIELS MIDLAND COMPANY
P O BOX 1470
4666 FARIES PARKWAY
DECATUR IL 62525 US

IAN MUIR
BUNGE CORPORATION
P O BOX 28500
ST LOUIS MO 63146 US

MR GEORGE VAN HAVER
2340 SOUTH 35TH STREET
OMAHA NE 68105 US

MIKE SPAHIS
FINA OIL & CHEMICAL CO
6000 LEGACY DRIVE
PLANO TX 75024-3601 US

DENNIS A. GUTH
WEST LAKE GROUP
2801 POST OAK BLVD
HOUSTON TX 77056 US

DAVID L HALL
COMMONWEALTH CONSULTING ASSOCIATES
13103 FM 1960 WEST SUITE 204
HOUSTON TX 77065-4069 US

MICHAEL P. FERRO
MILLENNIUM PETROCHEMICALS, INC.
P O BOX 2583
1221 MCKINNEY STREET SUITE 1600
HOUSTON TX 77252-2583 US

STEVE M COULTER
EXXON COMPANY USA
PO BOX 3272
HOUSTON TX 77253-3272 US

MONTY L PARKER SR
CMC STEEL GROUP
P O BOX 911
SEGUIN TX 78156-0911 US

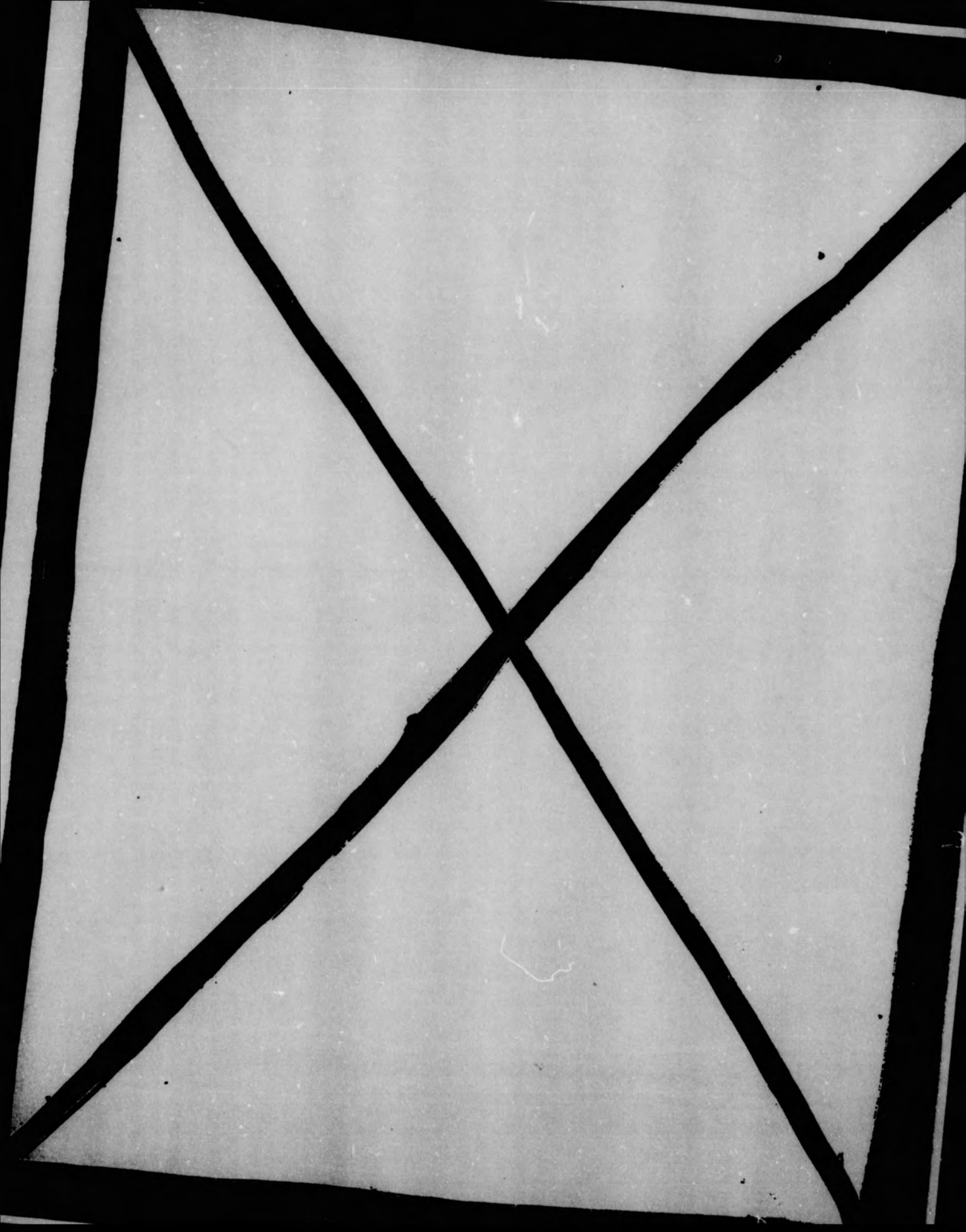
BRAD F HUSTON
CYPRUS AMAX COAL SALES CORP
9100 E MINERAL CIR
MILFORD CO 80112-3401 US

STEPHEN M UTHOFF
CONIGLIO & UTHOFF
60 ELM AVENUE, CONIGLIO PROFESSIONAL BLDG
LONG BEACH CA 90802-4910 US

RICHARD WELSH
NARPO
50-505 GRAND TRAVERSE
LA QUINTA CA 92253 US

JOHN D FITZGERALD
UTU, GENERAL CHAIRPERSON
400 E EVERGREEN BLVD STE 217
VANCOUVER WA 98660-3264 US

Records: 361



30908 SERVICE DATE - APRIL 13, 2000
EB

This decision will be included in the bound volumes of the STB printed reports at a later date.

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 33388

CSX CORPORATION AND CSX TRANSPORTATION, INC.,
NORFOLK SOUTHERN CORPORATION AND
NORFOLK SOUTHERN RAILWAY COMPANY
— CONTROL AND OPERATING LEASES/AGREEMENTS —
CONRAIL INC. AND CONSOLIDATED RAIL CORPORATION

Decision No. 148

Decided: April 11, 2000

Environmental Condition No. 11 of Appendix Q of Decision No. 89[1] (Decision No. 89, slip op. at 401-02), requires Applicants, with the concurrence of the responsible local governments, to mitigate train waysi/e noise (locomotive engine and wheel/rail noise) at noise-sensitive receptor locations on certain rail line segments. Environmental Condition No. 11 further provides that: "Applicants shall certify compliance with this condition within 2 years of the effective date of the Board's final decision. This condition shall not apply to those communities that have executed Negotiated Agreements with Applicants that satisfy the communities' environmental concerns."

On March 6, 2000, CSX provided us with a copy of a Negotiated Agreement between CSX and the Village of Custar, OH, dated February 21, 2000, and accepted by the Village of Custar on February 21, 2000. According to CSX, this Negotiated Agreement effectuates the Board's preference for privately negotiated solutions stated in Decision No. 89, slip op. at 153. CSX requests that Environmental Condition No. 11 be amended to reflect the parties' Negotiated Agreement by deleting the Village of Custar[2] from the list of communities on the Deshler, OH to Toledo, OH line segment (C-065), and that the Negotiated Agreement between CSX and the Village of Custar be added to the CSX Subsection of Environmental Condition No. 51 of Appendix Q in Decision No. 89, which requires CSX to comply with the terms of all Negotiated Agreements

---

[1] In Decision No. 89, served July 23, 1998, we approved, subject to certain conditions, including environmental mitigation conditions, the acquisition of control of Conrail Inc., and Consolidated Rail Corporation (collectively, Conrail) and the division of Conrail's assets by CSX Corporation and CSX Transportation, Inc. (collectively, CSX), and Norfolk Southern Corporation and Norfolk Southern Railway Company (collectively, NS). CSX and NS are referred to as Applicants.

[2] In Environmental Condition No. 11 of Appendix Q of Decision No. 89 (Decision No. 89, slip op. at 402), Custer was listed as one of the communities on the Deshler, OH to Toledo, OH line segment. The correct name for this community should have been shown as Custar.

developed with states, local communities, and other entities regarding environmental issues associated with the Conrail transaction. See Decision No. 89, slip op. at 420-21. The Village of Custar concurs with the request.

In view of the Negotiated Agreement between CSX and the Village of Custar, we will: (1) add the Negotiated Agreement to Environmental Condition No. 51 of Appendix Q of Decision No. 89, and (2) amend Environmental Condition No. 11 of Appendix Q of Decision No. 89 to delete the Village of Custar because the noise mitigation for that community has been superseded by the CSX/Village of Custar Negotiated Agreement.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.

2. In accordance with the Negotiated Agreement between CSX and the Village of Custar, OH, executed on February 21, 2000, the following is added to the CSX Subsection of Environmental Condition No. 51 of Appendix Q of Decision No. 89:

**27. Village of Custar, Ohio, dated February 21, 2000.**

3. In addition, Environmental Condition No. 11 of Appendix Q of Decision No. 89 is amended to delete the noise mitigation applicable to the Village of Custar, OH, because it has been superseded by the Negotiated Agreement.

4. This decision is effective on the date of service.

By the Board, Chairman Morgan, Vice Chairman Burkes, and Commissioner Clyburn.

Vernon A. Williams
Secretary

SERVICE LIST FOR: 10-apr-2000 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATI

STEPHEN M FONTAINE
MASSACHUSETTS CENTRAL RAILROAD CORPORATION
ONE WILBRAHAM STREET
PALMER MA 01069 US

JAMES E HOWARD
90 CANAL STREET
BOSTON MA 02114 US

JOHN D CIRAME, ASSISTANT SECRETARY
COMMONWEALTH OF MASS. EXEC. OFFICE OF TRANSPT
10 PARK PLAZA ROOM 3170
BOSTON MA 02116-3969 US

HON. EDWARD M KENNEDY
UNITES STATES SENATE
2400 JOHN F KENNEDY FEDERAL BLDG
BOSTON MA 02203 US

WILLIAM D ANKNER PHD
R I DEPT OF TRANSPORTATION
TWO CAPITOL HILL
PROVIDENCE RI 02903 US

JOHN R NADOLNY
14 AVIATION AVENUE
PORTSMOUTH NH 03801 US

ROBERT D ELDER
MAINE DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA ME 04333 US

KAREN E SONGHURST
STATE OF VERMONT
133 STATE STREET
MONTPELLIER VT 05633-5001 US

JAMES F SULLIVAN
CT DEPT OF TRANSPORTATION
P O BOX 317546
2800 BERLIN TURNPIKE
NEWINGTON CT 06131 US

EDWARD J RODRIGUEZ
P O BOX 687
8 DAVIS ROAD WEST
OLD LYME CT 06371 US

RICHARD C CARPENTER
SOUTHWESTERN REGIONAL PLANNING AGENCY
1 SELLECK STREET SUITE 210
EAST NORWALK CT 06855 US

MICHAEL E STRICKLAND
NYK LINE (NORTH AMERICA) INC, SENIOR VICE PRE
300 LIGHTING WAY
SECAUCUS NJ 07094-1588 US

J WILLIAM VAN DYKE
NJ TRANSPORTATION PLANNING AUTHORITY
ONE NEWARK CENTER 17TH FLOOR
NEWARK NJ 07102 US

EDWARD LLOYD
RUTGERS ENVIRONMENTAL LAW CLINIC
15 WASHINGTON STREET
NEWARK NJ 07102 US

HONORABLE ROBERT G. TORRICELLI
UNITED STATES SENATE
1 RIVER FRONT PLAZA, 3RD FLOOR
NEWARK NJ 07102 US

PHILIP SIDO
UNION CAMP CORPORATION
1600 VALLEY ROAD
WAYNE NJ 07470 US

MARTIN T DURKIN ESQ
DURKIN & BOGGIA ESQS
PO BOX 378
71 MT VERNON STREET
RIDGEFIELD PARK NJ 07660 US

CRAIG CURRY
CONSOLIDATED RAIL CORPORATION
1000 HOWARD BOULEVARD
MOUNT LAUREL NJ 08054 US

TIMOTHY G CHELIUS
18 N EAST AVENUE
VINELAND NJ 08360 US

LAWRENCE PEPPER, JR
GRUCCIO PEPPER
817 EAST LANDS AVE
VINELAND NJ 08360 US

JOHN F. MCHUGH
MCHUGH & SHERMAN
20 EXCHANGE PLACE 51ST FLOOR
NEW YORK NY 10005 US

ANTHONY BOTTALICO
UTU
420 LEXINGTON AVENUE ROOM 458-460
NEW YORK NY 10017 US

WALTER E ZULLIG JR
METRO-NORTH COMMUTER RAILROAD COMPANY
347 MADISON AVE
NEW YORK NY 10017-3706 US

ANTHONY P. SEMANCIK
347 MADISON AVENUE
NEW YORK NY 10017-3706 US

JAMES W HARRIS
THE METROPOLITIAN PLANNING ORGANIZATION
1 WORLD TRADE CENTER STE 82 EAST
NEW YORK NY 10048-0043 US

HUGH H. WELSH
LAW DEPT., SUITE 67E
ONE WORLD TRADE CENTER
NEW YORK NY 10048-0202 US

R. LAWRENCE MCCAFFREY, JR.
NEW YORK & ATLANTIC RAILWAY
405 LEXINGTON AVENUE 50TH FLOOR
NEW YORK NY 10174 US

SAMUEL J NASCA
UTU STATE LEGISLATIVE DIRECTOR
35 FULLER ROAD SUITE 205
ALBANY NY 12205 US

DANIEL B. WALSH
BUSINESS COUNCIL OF NEW YORK STATE, INC.
152 WASHINGTON AVENUE
ALBANY NY 12210 US

DIANE SEITZ
CENTRAL HUDSON GAS & ELECTRIC CORP
284 SOUTH AVENUE
POUGHKEEPSIE NY 12601 US

IRWIN L. DAVIS
1900 STATE TOWER BLDG.
SYRACUSE NY 13202 US

ANGELO J CHICK JR, LOCAL CHAIRMAN
P O BOX 908
48398 OLD GOOSE BAY ROAD
REDWOOD NY 13679 US

GARY EDWARDS
SOMERSET RAILROAD
7725 LAKE ROAD
BARKER NY 14012 US

SHEILA MECK HYDE
CITY HALL
342 CENTRAL AVENUE
DUNKIRK NY 14048 US

IRVING J RUBIN
P O BOX 243
YOUNGSTOWN NY 14174 US

JOHN F COLLINS
COLLINS ,COLLINS, & KANTOR PC
267 NORTH STREET
BUFFALO NY 14201 US

R W GODWIN
BROTHERHOOD OF LOCOMOTIVE ENGINEERS
810 ABBOTT ROAD SUITE 200
BUFFALO NY 14220 US

ERNEST J IERARDI
NIXON HARGRAVE DEVANS DOYLE LLP
PO BOX 1051
CLINTON SQUARE
ROCHESTER NY 14603-1051 US

H DOUGLAS MIDKIFF
GENESEE TRANSPORTATION COUNCIL
65 WEST BROAD ST STE 101
ROCHESTER NY 14614-2210 US

JEANNE WALDOCK
107 GRANT COURT
ORLEAN NY 14760 US

DAVID W. DONLEY
3361 STAFFORD ST
PITTSBURGH PA 15204-1441 US

JOHN A VUONO
VUONO & GRAY
2310 GRANT BUILDING
PITTSBURGH PA 15219 US

HENRY M. WICK, JR.
WICK STREIFF ET AL
1450 TWO CHATHAM CENTER
PITTSBURGH PA 15219-3427 US

R J HENEFELD
PPG INDUSTRIES INC
ONE PPG PLACE
PITTSBURGH PA 15272 US

M E PETRUCCELLI
PPG INDUSTRIES INC
ONE PPG PLACE
PITTSBURGH PA 15272 US

D W DUNLEVY
STATE LEGISLATIVE DIRECTOR UTU
230 STATE STREET PA AFL-CIO BLDG 2ND FLOOR
HARRISBURG PA 17101 US

HONORABLE THOMAS J RIDGE
GOVERNOR, COMMONWEALTH OF PENNSYLVANIA
225 MAIN CAPITOL BUILDING
HARRISBURG PA 17120 US

BELNAP FREEMAN
BELKNAP FREEMAN
119 HICKORY LANE
ROSEMONT PA 19010 US

JOHN J GROCKI
GRA INC
115 WEST AV ONE JENKINTOWN STA
JENKINTOWN PA 19046 US

JONATHAN M BRODER
CONSOLIDATED RAIL CORP
PO BOX 41416
2001 MARKET STREET 16-A
PHILADELPHIA PA 19101-1416 US

JOHN J EHLINGER JR
OBERMAYER REBMANN MAXWELL & HIPPEL
1617 JOHN F. KENNEDY BLVD ONE PENN CENTER-19T
PHILADELPHIA PA 19103-1895 US

JOHN J COSCIA, EXECUTIVE DIRECTOR
DELAWARE VALLEY REGIONAL PLANNING COMMISSION
111 SOUTH INDEPENDENCE MALL EAST
PHILADELPHIA PA 19106 US

ERIC M HOCKY
GOLLATZ GRIFFIN EWING
213 WEST MINER STREET
WEST CHESTER PA 19381-0796 US

J E THOMAS
HERCULES INCORPORATED
1313 NORTH MARKET STREET
WILMINGTON DE 19894 US

FREDERICK H SCHRANCK
PO BOX 778
DOVER DE 19903 US

RICHARD R WILSON
1126 EIGHT AV STE 403
ALTOONA PA 16602 US

KURT W CARR
BUREAU FOR HISTORIC PRESERVATION
P O BOX 1026
HARRISBURG PA 17108-1026 US

KRISTOPHER MICHAEL KLEMICK
RR#3 BOX 101-15
JERSEY SHORE PA 17740-9309 US

D J O'CONNELL
GENERAL CHAIRPERSON UTU
410 LANCASTER AVE STE 5
HAVERFORD PA 19041 US

HARRY C BARBIN
BARBIN LAUFFER & O'CONNELL
608 HUNTINGDON PIKE
ROCKLEDGE PA 19046 US

G CRAIG SCHELTER
PHILADELPHIA INDUSTRIAL DEVELOPMENT CORPORATI
2600 CENTRE SQUARE WEST 500 MARKET ST
PHILADELPHIA PA 19102 US

DAVID BERGER
BERGER AND MONTAGUE, P. C.
1622 LOCUST ST
PHILADELPHIA PA 19103-6305 US

JOHN K. LEARY, GENERAL MANAGER
SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTH
1234 MARKET STREET 5TH FLOOR
PHILADELPHIA PA 19107-3780 US

HON JOSEPH R BIDEN, JR.
UNITED STATES SENATE
844 KING STREET
WILMINGTON DE 19801 US

E C WRIGHT
RAIL TRANSPORTATION PROCUREMENT MANAGER
1007 MARKET STREET DUPONT BLDG 3100
WILMINGTON DE 19898 US

TERRENCE D JONES
KELLER & HECKMAN
1001 G ST NW STE 500 WEST
WASHINGTON DC 20001 US

JAMES HOWARD
COALITION OF NORTHEASTERN GOVERNORS
400 NORTH CAPITOL STREET, SUITE 382
WASHINGTON DC 20001 US

MARTIN W BERCOVICI
KELLER & HECKMAN, LLP
1001 G ST NW SUITE 500 WEST
WASHINGTON DC 20001 US

PETER A GILBERTSON
REGIONAL RRS OF AMERICA
122 C ST NW STE 850
WASHINGTON DC 20001 US

RICHARD G SLATTERY
AMTRAK
60 MASSACHUSETTS AVENUE N E
WASHINGTON DC 20002 US

DONALD F GRIFFIN
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
10 G STREET NE STE 460
WASHINGTON DC 20002 US

DREW A HARKER
ARNOLD & PORTER
555 TWELFTH STREET NW
WASHINGTON DC 20004 US

DENNIS G LYONS
ARNOLD & PORTER
555 TWELFTH STREET NW
WASHINGTON DC 20004 US

PAUL REISTRUP
CSX TRANSPORTATION INC
1331 PENNSYLVANIA NW STE 500
WASH DC 20004 US

ERIC VON SALZEN
HOGAN & HARTSON
555 THIRTEENTH STREET N W
WASHINGTON DC 20004-1109 US

GEORGE W MAYO JR
HOGAN & HARTSON L L P
555 THIRTEENTH STREET NW COLUMBIA SQUARE
WASHINGTON DC 20004-1109 US

MARY GABRIELLE SPRAGUE
ARNOLD & PORTER
555 TWELTH STREET NW
WASHINGTON DC 20004-1202 US

KEVIN M SHEYS
OPPENHEIMER WOLFF & DONNELLY & BAYH LLP
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005 US

EDWARD WYTKIND EXECUTIVE DIRECTOR
1025 CONNECTICUT AVE NW SUITE 1005
WASHINGTON DC 20005 US

JOHN H BROADLEY
JENNER & BLOCK
601 13TH ST NW STE 1200 SOUTH
WASHINGTON DC 20005 US

L JOHN OSBORN
SONNENSCHEIN NATH & ROSENTHAL
1301 K STREET NW STE 600 EAST
WASH DC 20005 US

KARL MORELL
BALL JANIK LLP
1455 F STREET NW SUITE 225
WASHINGTON DC 20005 US

ALICE C SAYLOR
AMERICAN SHORT LINE RAILROAD ASSOCIATION
1120 G STREET NW SUITE 520
WASHINGTON DC 20005 US

BRUNO MAESTRI
NORFOLK SOUTHERN CORPORATION
1500 K STREET SUITE 375
WASHINGTON DC 20005 US

LOUIS E GITOMER
BALL JANIK LLP
1455 F STREET NW SUITE 225
WASHINGTON DC 20005 US

DANIEL DUFF
AMERICAN PUBLIC TRANSIT ASSOCIATION
1201 NEW YORK AV NW
WASHINGTON DC 20005 US

ROSE-MICHELE WEINRYB
WEINER BRODSKY SIDMAN & KIDER
1350 NEW YORK AVENUE NW
WASHINGTON DC 20005 US

PAUL M LAURENZA
OPPENHEIMER WOLFF & DONNELLY & BAYH LLP
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005 US

CLARK EVANS DOWNS
JONES DAY REAVIS & POGUE
1450 G STREET NW
WASHINGTON DC 20005-2088 US

WILLIAM A MULLINS
TROUTMAN SANDERS LLP
1300 I STREET NW SUITE 500 EAST
WASHINGTON DC 20005-3314 US

PAUL H LAMBOLEY
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005-3324 US

JEFFREY O MORENO
DONELAN CLEARY WOOD MASER
1100 NEW YORK AVENUE N W, SUITE 750
WASHINGTON DC 20005-3934 US

FREDERIC L WOOD
DONELAN CLEARY WOOD & MASER P C
1100 NEW YORK AVENUE NW SUITE 750
WASHINGTON DC 20005-3934 US

KARYN A BOOTH
DONELAN, CLEARY, WOOD & MASER, P.C.
1100 NEW YORK AVE NW SUITE 750
WASHINGTON DC 20005-3934 US

MARK H SIDMAN
WEINER BRODSKY,SIDMAN & KIDER
1350 NEW YORK AVE., NW., STE. 800
WASHINGTON DC 20005-4797 US

WILLIAM W MILLAR
AMERICAN PUBLIC TRANSIT ASSOCIATION
1201 NEW YORK AVE., NW
WASHINGTON DC 20005-6141 US

ANDREW P GOLDSTEIN
MCCARTHY SWEENEY HARKAWAY, PC
1750 PENNSYLVANIA AVE NW, STE 1105
WASHINGTON DC 20006 US

DANIEL J SWEENEY
MCCARTHY SWEENEY & HARKAWAY P C
1750 PENNSYLVANIA AVE NW STE 1105
WASHINGTON DC 20006 US

JAMES R WEISS
PRESTON GATES ELLIS ET AL
1735 NEW YORK AVENUE NW SUITE 500
WASHINGTON DC 20006 US

CONSTANCE A SADLER
SIDLEY & AUSTIN
1722 EYE STREET NW
WASHINGTON DC 20006 US

SCOTT M ZIMMERMAN
ZUCKERT SCOUTT & RASENBERGER L L P
888 SEVENTEENTH STREET NW
WASHINGTON DC 20006 US

ROBERT P VOM EIGEN
HOPKINS AND SUTTER
888 16TH STREET N W STE 700
WASHINGTON DC 20006 US

ANDREW R. PLUMP
ZUCKERT, SCOUTT & RASENBERGER. LLP
888 17TH ST., NW, STE. 600
WASHINGTON DC 20006 US

ERIKA Z JONES
MAYER BROWN & PLATT
1909 K STREET, NW
WASHINGTON DC 20006-1101 US

RICHARD A ALLEN
ZUCKERT SCOUT RASENBERGER
888 17TH STREET N W STE 600
WASHINGTON DC 20006-3939 US

JOHN V EDWARDS, ESQ
ZUCKERT SCOUTT ET AL
888 17TH STREET N W STE 600
WASHINGTON DC 20006-3939 US

CHARLES A SPITULNIK
HOPKINS & SUTTER
888 SIXTEENTH ST NW
WASH DC 20006-4103 US

STEVEN J KALISH
MCARTHY SWEENEY & HARKAWAY
1750 PENNSYLVANIA AVE NW
WASHINGTON DC 20006-4502 US

SHERRI LEHMAN DIRECTOR OF CONGRESSIONAL AFFAI
CORN REFINERS ASSOC
1701 PA AV NW
WASH DC 20006-5805 US

CHRISTOPHER C O'HARA
BRICKFIELD BURCHETTE & RITTS PC
1025 THOMAS JEFFERSON ST NW EIGHTH FLOOR
WASHINGTON DC 20007 US

PAUL M DONOVAN
LAROE WINN MOERMAN & DONOVAN
3900 HIGHWOOD COURT NW
WASHINGTON DC 20007 US

DAVID K MONROE
GALLAND KHARASCH GREENBERT FELLMAN & SWIRSKY
1054 THIRTY FIRST STREET NW STE 200
WASHINGTON DC 20007 US

ROBERT G SZABO
1050 THOMAS JEFFERSON STREET NW SIXTH FLOOR
WASHINGTON DC 20007 US

EDWARD D GREENBERG
GALLAND, KHARASCH, GREENBERT, FELLMAN & SWIRS
1054 THIRTY-FIRST STREET NW
WASHINGTON DC 20007-4492 US

MICHAEL F MCBRIDE
LEBOEUF LAMB GREENE & MACRAE
1875 CONNECTICUT AVENUE NW
WASHINGTON DC 20009-5728 US

STEPHEN H BROWN
VORYS SATER SEYMOUR AND PEASE
1828 L STREET N W
WASHINGTON DC 20036 US

PAUL D COLEMAN
HOPPEL MAYER & COLEMAN
1000 CONNECTICUT AVENUE NW SUITE 400
WASHINGTON DC 20036 US

HELEN M. COUSINEAU
CARLOS RODRIGUEZ & ASSOCIATES
1710 RHODE ISLAND AVENUE, NW
WASHINGTON DC 20036 US

HAROLD P QUINN, JR
NATIONAL MINING ASSOCIATON
1130 17TH STREET NW
WASHINGTON DC 20036 US

JOHN D HEFFNER
REA CROSS & AUCHINCLOSS
1707 L STREET, NW, STE 570
WASHINGTON DC 20036 US

JOHN M CUTLER JR
MCCARTHY SWEENEY HARKAWAY PC
1750 PENNSYLVANIA AVE N W SUITE 1105
WASHINGTON DC 20036 US

ROBERT A WIMBISH ESQ
REA CROSS & AUCHINCLOSS
1707 L STREET NW STE 570
WASHINGTON DC 20036 US

KEITH G O'BRIEN
REA CROSS AND AUCHINCLOSS
1707 L STREET NW STE 570
WASHINGTON DC 20036 US

CHRISTOPHER A MILLS
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036 US

WILLIAM G. MAHONEY
HIGHSAW, MAHONEY & CLARKE
1050 SEVENTEENTH STREET NW SUITE 210
WASHINGTON DC 20036 US

RICHARD S EDELMAN
O'DONNELL SCHWARTZ & ANDERSON PC
1900 L STREET NW SUITE 707
WASHINGTON DC 20036 US

KELVIN J DOWD
SLOVER & LOFTUS
1224 17TH STREET N W
WASHINGTON DC 20036 US

DAVID H COBURN
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE NW
WASHINGTON DC 20036 US

GORDON P MACDOUGALL
1025 CONNECTICUT AVE NW SUITE 410
WASHINGTON DC 20036 US

PETER A GREENE
THOMPSON HINE FLORY
1920 N STREET N W, SUITE 800
WASHINGTON DC 20036 US

FRITZ R KAHN
1920 N STREET NW 8TH FLOOR
WASHINGTON DC 20036-1601 US

TIMOTHY M WALSH
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE N W
WASHINGTON DC 20036-1795 US

SAMUEL M SIPE JR
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE N W
WASHINGTON DC 20036-1795 US

JOSEPH GUERRIERI, JR.
GUERRIERI, EDMOND & CLAYMAN, PC
1625 MASSACHUSETTS AVE., NW. STE 700
WASHINGTON DC 20036-2243 US

DEBRA L WILLEN
GUERRIERI EDMOND & CLAYMAN PC
1625 MASSACHUSETTS AVENUE, N.W., STE 700
WASHINGTON DC 20036-2243 US

DONALD G AVERY
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036-3003 US

L PAT WYNNS
SUITE 210
1050 - 17TH STREET N W
WASHINGTON DC 20036-5503 US

JOHN L OBERDORFER
PATTON BOGGS LLP
2550 M ST NW
WASHINGTON DC 20037-1301 US

SCOTT N STONE
PATTON BOGGS L L P
2550 M STREET NW 7TH FLOOR
WASHINGTON DC 20037-1346 US

J MICHAEL HEMMER
COVINGTON & BURLING
P O BOX 7566
1201 PENNSYLVANIA AVENUE NW
WASHINGTON DC 20044 US

KEITH A KLINDWORTH
U S DEPT OF AGRICULTURE
P O BOX 96456
WASHINGTON DC 20090 US

MICHAEL V DUNN
USDA
PO BOX 96456 RM 4006-SOUTH BLDG
WASH DC 20090-6456 US

EILEEN S STOMMES
U S DEPARTMENT OF AGRICULTURE
P O BOX 96456 ROOM 4006-SOUTH BUILDING
WASHINGTON DC 20090-6456 US

JUDGE JACOB LEVENTHAL, OFFICE OF HEARINGS
FEDERAL ENERGY REGULATORY COMMISSION
888 - 1ST ST, N.E. STE 11F
WASHINGTON DC 20426 US

RICHARD E SANDERSON
OFFICE OF FEDERAL ACTIVITIES
US ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON DC 20460 US

HON CHARLES SCHUMER
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON DANIEL PATRICK MOYNIHAN
UNITED STATES SENATE
WASINGTON DC 20510 US

HON JOHN BREAUX
UNITED STATER SENATE
WASHINGTON DC 20510 US

HON CHARLES E SCHUMER
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON BYRON L DORGAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. BARBARA A. MIKULSKI
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. CHARLES ROBB
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. JOSEPH I LIEBERMAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE BOB GRAHAM
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE RICHARD LUGAR
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. JOSEPH BIDEN, JR.
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON WILLIAM V. ROTH JR
U S SENATE
WASHINGTON DC 20510-0001 US

HON. JOHN W. WARNER
US SENATE
WASHINGTON DC 20510-0001 US

HON CHRISTOPHER J DODD
UNITED STATES SENATE
WASH DC 20510-0702 US

HONORABLE DANIEL P. MOYNIHAN
UNITED STATE SENATE
WASHINGTON DC 20510-0903 US

HONORABLE CONNIE MACK
UNITED STATES SENATE
WASHINGTON DC 20510-0904 US

HONORABLE J ROBERT KERREY
UNITED STATES SENATE
WASHIGTON DC 20510-2704 US

HON MIKE DEWINE
UNITED STATES SENATE
WASHINGTON DC 20510-3503 US

HON ARLEN SPECTER
UNITED STATES SENATE
WASHINGTON DC 20510-3802 US

HON RICK SANTORUM
UNITED STATES SENATE
WASHINGTON DC 20510-3804 US

HONORABLE JOHN H. CHAFEE
UNITED STATES SENATE
WASHINGTON DC 20510-3902 US

HON JACK REED
U S SENATE
WASHINGTON DC 20510-3903 US

HONORABLE ROBERT BYRD
UNITED STATES SENATE
WASHINGTON DC 20510-6025 US

HONORABLE JOHN J LAFALCE
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. WILLIAM J. COYNE
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. TOM BLILEY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. WILLIAM O. LIPINSKI
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE PAUL E. GILLMOR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. JAMES L. OBERSTAR
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE MIKE DOYLE
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JOHN D. DINGELL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE BENJAMIN A. GILMAN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. JOHN J. DUNCAN
U S HOUSE OF REPRESENTATIVESS
WASHINGTON DC 20515 US

HONORABLE BOB CLEMENT
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE PETER J. VISCLOSKY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE SAM GEJDENSON
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE MAJOR R. OWENS
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. BUD SHUSTER
ATTN: MIKE RICK
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NANCY JOHNSON
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON JAMES TRAFICANT JR
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. ROBERT MENENDEZ
U S HOUSE OF REPRESENTATIVES
WASH DC 20515 US

HON MARCY KAPTUR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE FRANK MASCARA
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON GARY ACKERMAN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON JERROLD NADLER
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE ROBERT W. NEY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE BOB WEYGAND
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE TED STRICKLAND
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON DENNIS J KUCINICH
UNITED STATES HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

HON. ED BRYANT
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. STEVE LATOURETTE
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NYDIA M VELAZQUEZ
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON ED TOWNS
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON LOUISE M SLAUGHTER
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CHRISTOPHER SHAYS
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CHARLES RANGEL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MICHAEL MCNULTY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JAMES MALONEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CAROLYN B MALONEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NITA LOWEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MAURICE HINCHEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MICHAEL FORBES
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON ELIOT L ENGEL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE CHIP PICKERING
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JESSE L. JACKSON, JR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE LUIS GUTIERREZ
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE DANNY K DAVIS
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON RALPH REGULA
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON SHERROD BROWN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE SAXBY CHAMBLISS,
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE TILLIE K FOWLER
US HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

HON BOB WISE
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON THOMAS C SAWYER
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE ROD R BLAGOJEVICH
U. S. HOUSE OF REPRESENTATIVES
WASHINGTO DC 20515-1305 US

HON JULIA CARSON
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-1410 US

HONORABLE JAMES A. BARCIA
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-2205 US

HON JACK QUINN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3230 US

HONORABLE RICHARD BURR
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3305 US

HONORABLE TOM DAVIS
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-4611 US

HONORABLE BOBBY L. RUSH
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-9997 US

MICHAEL P HARMONIS
DEPARTMENT OF JUSTICE
325 SEVENTH STREET, NW
WASHINGTON DC 20530 US

PAUL SAMUEL SMITH
US DEPARTMENT OF TRANSPORTATION
400 SEVENTH STREET SW, ROOM 4102 C-30
WASHINGTON DC 20590 US

JOLENE MOLITORIS, ADMN.
FEDERAL RAILROAD ADMNS.
400 7TH STREET SW
WASHINGTON DC 20590 US

JOSEPH R POMPONIO
FEDERAL RAILROAD ADMIN
1120 VERMONT AVE NW RCC-20
WASHINGTON DC 20590 US

DAVID G ABRAHAM
SUITE 400W
7315 WISCONSIN AVENUE
BETHESDA MD 20814 US

MITCHELL M KRAUS
TRANSPORTATION COMMUNICATIONS INTERNATIONAL U
3 RESEARCH PLACE
ROCKVILLE MD 20850-3279 US

JOHN M ROBINSON
9616 OLD SPRING ROAD
KENSINGTON MD 20895-3124 US

WILLIAM W WHITEHURST JR
W W WHITEHURST & ASSOCIATES INC
12421 HAPPY HOLLOW ROAD
COCKEYSVILLE MD 21030-1711 US

JOHN HOY
P O BOX 117
GLEN BURNIE MD 21060 US

ROBERT J WILL
UNITED TRANSPORTATION UNION
4134 GRAVE RUN RD
MANCHESTER MD 21102 US

JOHN F WING CHAIRMAN
CITIZENS ADVISORY COMMITTEE
601 NORTH HOWARD STREET
BALTIMOTE MD 21201 US

LINDA A JANEY J D
MARYLAND OFFICE OF PLANNING
301 WEST PRESTON STREET
BALTIMORE MD 21201-2365 US

DON E SANCHEZ
CHESAPEAKE SPECIALTY PRODUCTS INC
5055 NORTH POINT BOULEVARD
BALTIMORE MD 21219 US

CHARLES M CHADWICK
MARYLAND MIDLAND RAILWAY INC
P O BOX 1000
UNION BRIDGE MD 21791 US

GARRET G SMITH
MOBIL OIL CORPORATION
3225 GALLOWS RD RM 8A903
FAIRFAX VA 22037-0001 US

HENRY E. SEATON
7700 LEESBURG PIKE, STE 201
FALLS CHURCH VA 22043 US

PETER Q NYCE JR
U S DEPARTMENT OF THE ARMY
901 NORTH STUART STREET
ARLINGTON VA 22203 US

THOMAS E SCHICK
CHEMICAL MANUF ASSOC
1300 WILSON BOULEVARD
ARLINGTON VA 22209 US

WILLIAM P. JACKSON, JR.
JACKSON & JESSUP, P. C.
P O BOX 1240
3426 NORTH WASHINGTON BLVD
ARLINGTON VA 22210 US

JENNIFER BRAUN
JACKSON & JESSUP
P O BOX 1240
3426 NORTH WASHINGTON BOULEVARD
ARLINGTON VA 22210 US

FRANCIS G MCKENNA
ANDERSON & PENDLETON
206 N WASHINGTON STREET SUITE 330
ALEXANDRIA VA 22314 US

KENNETH E SIEGEL
AMERICAN TRUCKING ASSOC INC
2200 MILL ROAD
ALEXANDRIA VA 22314-4677 US

ROBERT E MARTINEZ
VA SECRETARY OF TRANSPORTAITON
P. O. BOX 1475
RICHMOND VA 23218 US

HONORABLE GEORGE ALLEN
GOVERNOR, COMMONWEALTH OF VIRGINIA
STATE CAPITOL
RICHMOND VA 23219 US

JOHN W SNOW
CHAIRMAN PRESIDENT AND CHIEF EXECTIVE OFFICER
P O BOX 85629
RICHMOND VA 23285-5629 US

DAVID A SHELTON
NORFOLK SOUTHERN
THREE COMMERCIAL PLACE
NORFOLK VA 23510 US

GEORGE A ASPATORE
NORFOLK SOUTHERN CORP
THREE COMMEMERCIAL PLACE
NORFOLK VA 23510 US

JAMES A HIXON
SENIOR VICE PRESIDDENT EMPLOYEE RELATIONS NOR
THREE COMMERCIAL PLACE
NORFFFOLK VA 23510-2191 US

L P KING JR
GENERAL CHAIRPERSON UTU
145 CAMPBELL AVE SW STE 207
ROANOKE VA 24011 US

HONORABLE JOHN WARNER
UNITED STATES SENATE
235 FEDERAL BUILDING
ABINGDON VA 24210-0887 US

VAUGHN R GROVES
PITTSTON COAL COMPANY
PO BOX 5100
LEBANON VA 24266 US

TERRELL ELLIS
CAEZWV
P O BOX 176
CLAY WV 25043 US

R K SARGENT
GENERAL CHAIRPERSON UTU
1319 CHESTNUT STREET
KENOVA WV 25530 US

WILLIAM T BRIGHT
P O BOX 149
200 GREENBRIER ROAD
SUMMERSVILLE WV 26651 US

FRANK N JORGENSEN
THE ELK RIVER RAILROAD INC
P O BOX 460
SUMMERSVILLE WV 26651 US

SCOTT M SAYLOR
NORTH CAROLINA RAILROAD COMPANY
3200 ATLANTIC AV STE 110
RALIEGH NC 27604-1640 US

E NORRIS TOLSON
NC DEPT OF TRANSPORTATION
P O BOX 25201
1 S. WILINGTON STREET
RALEIGH NC 27611 US

J R BARBEE
GENERAL CHAIRPERSON UTU
441 N LOUISIANA AVE STE Q
ASHEVILLE NC 28806-3791 US

HONORABLE DAVID M BEASLEY
GOVERNOR
P. O. BOX 11369
COLUMBIA SC 29211 US

J RANDALL EVANS
500 WATER STREET (J150)
JACKSONVILLE FL 32202 US

FRED R BIRKHOLZ
CSX TRANSPORTATION LAW DEPT - J-150
500 WATER STREET
JACKSONVILLE FL 32202 US

ROBERT V ALLEN
CSX TRANSPORTATION
500 WATER STREET J305
JACKSONVILLE FL 32202 US

R J HAULTER
500 WATER STREET (J215)
JACKSONVILLE FL 32202 US

DANFORD L PRICE
500 WATER STREET
JACKSONVILLE FL 32202 US

BOB HAULTER
CSX TRANSPORTATION INC
500 WATER STREET (J215)
JACKSONVILLE FL 32202 US

PAUL R. HITCHCOCK
CSX TRANSPORTATION LAW DEPARTMENT
500 WATER STREET SC J-150
JACKSONVILLE FL 32202 US

JOHN W. HUMES, JR.
CSX TRANSPORTATION
SPEED CODE J-150
500 WATER STREET
JACKSONVILLE FL 32202 US

CHARLES M ROSENBERGER
CSX TRANSPORTATION
500 WATER STREET - J150
JACKSONVILLE FL 32202 US

J L RODGERS
GENERAL CHAIRMAN UTU
480 OSCEOLA AVENUE
JACKSONVILLE FL 32250 US

J T REED
GENERAL CHAIRPERSON UTU
7785 BAYMEADOWS WAY STE 109
JACKSONVILLE FL 32256 US

PHILLIP L BELL
ERIE LACKAWANNA RAILROAD CO
PO BOX 1482
TALLAHASSEE FL 32302 US

JAMES L BELCHER
EASTMAN CHEMICAL COMPANY
PO BOX 431
KINGSPORT TN 37662 US

WILLIAM L OSTEEN
ASSOCIATE GENERAL COUNSEL TVA
400 WEST SUMMIT HILL DRIVE
KNOXVILLE TN 37902 US

HONORABLE KIRK FORDICE, GOVERNOR
STATE OF MISSISSIPPI
P O BOX 139
JACKSON MS 39205 US

HONORABLE PAUL E. PATTON
GOVERNOR
700 CAPITOL AVENUE, STE. 100
FRANKFORT KY 40601 US

F R PICKELL
GENERAL CHAIRPERSON UTU
6797 NORTH HIGH ST STE 108
WORTHINGTON OH 43085 US

THOMAS M O'LEARY
OHIO RAIL DEVELOPMENT COMMISSION
50 W BROAD STREET 15TH FLOOR
COLUMBUS OH 43215 US

HONORABLE DEBORAH PRYCE
U. S. HOUSE OF REPRESENTATIVES
500 SOUTH FRONT STREET, ROOM 1130
COLUMBUS OH 43215 US

DOREEN C JOHNSON, CHIEF ANTITRUST SECTION
OHIO ATTY GENERAL OFFICE
140 EAST TOWN STREET, FIRST FLOOR
COLUMBUS OH 43215-6001 US

JAMES R JACOBS
JACOBS INDUSTRIES
2 QUARRY LANE
STONY RIDGE OH 43463 US

DAVID CHAPMAN
LAFARGE LIME OHIO INC
P O BOX 128
659 ANDERSON ROAD
WOODVILLE OH 43469-0128 US

ROBERT J COOPER
GENERAL CHAIRPERSON UTU
1238 CASS ROAD
MAUMEE OH 43537 US

ROBERT E GREENLESE
TOLEDO-LUCAS COUNTY PORT AUTHORITY
1 MARITIME PLAZA SUITE 700
TOLEDO OH 43604 US

ROBERT E MURRAY
OHIO VALLEY COAL CO
56854 PLEASANT RIDGE ROAD
ALLEDONIA OH 43902 US

RON MARQUARDT
LOCAL UNION 1810 UMWA
R D #2
RAYLAND OH 43943 US

CLARENCE TURNQUIST
INTERNATIONAL LONGSHOREMEN S ASSOCIATION
C/O 2125 TRYON ROAD
ASHTABULA OH 44004 US

MAYOR VINCENT M URBIN
150 AVON BELDEN RD
AVON LAKE OH 44012 US

CHARLES S HESSE
CHARLES HESSE ASSOCIATES
7777 BAINBRIDGE ROAD
CHAGRIN FALLS OH 44023-2124 US

BARBARA O'KEEFE
VILLAGE OF WELLINGTON
115 WILLARD MEMORIAL SQ
WELLINGTON OH 44090 US

COLETTA MCNAMEE SR
CUDELL IMPROVEMENT INC
11500 FRANKLIN BLVD STE 104
CLEVELAND OH 44102 US

ANITA R BRINDZA
THE ONE FIFTEEN HUNDRED BUILDING
11500 FRANKLIN BLVD SUITE 104
CLEVELAND OH 44102 US

DANIEL R ELLIOTT III
ASST GENERAL COUNSEL UNITED TRANSPORTATION UN
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

C L LITTLE
INTERNATIONAL PRESIDENT UTU
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

CLINTON J MILLER III GENERAL COUNSEL
UNITED TRANSPORTATION UNION
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

CLARENCE MONIN INTERNATIONAL PRES
BROTHERHOOD OF LOCOMTIVE ENGINEERS MEZZANINE
1370 ONTARIO STREET
CLEVELAND OH 44113 US

CHRISTOPHER C MCCRACKEN
ULMER & BERNE LLP
1300 EAST NINTH STREET SUITE 900
CLEVELAND OH 44114 US

DAVID ROLOFF
GOLDSTEIN & ROLOFF
526 SUPERIOR AVENUE EAST SUITE 1440
CLEVELAND OH 44114 US

INAJO DAVIS CHAPPELL
ASHTA CHEMICALS INC
1300 EAST NINETH STREET SUITE 900
CLEVELAND OH 44114-1538 US

DAVID J MATTY
CITY OF ROCKY RIVER
21012 HILLIARD ROAD
ROCKY RIVER OH 44116-3398 US

C D WINEBRENNER
GENERAL CHAIRPERSON UTU
27801 EUCLID AVENUE RM 200
EUCLID OH 44132 US

GARY A EBERT
CITY OF BAY VILLAGE
350 DOVER CENTER ROAD
BAY VILLAGE OH 44140 US

CHARLES ZUMKEHR
ROETZEL & ANDRESS CO LPA
'5 EAST MARKET STREET
AKRON OH 44308 US

SYLVIA R. CHINN-LEVY
NEFCO
969 COPLEY ROAD
AKRON OH 44320 US

CHARLES E ALLENBAUGH JR
EAST OHIO STONE COMPANY
2000 W BESSON ST
ALLIANCE OH 44601 US

RANDALL C. HUNT
KRUGLIAK, WILKINS, GRIFFITHS & DOUGHERTY CO.
P O BOX 36963
4775 MUNSON ST NW
CANTON OH 44735-6963 US

D G STRUNK JR
GENERAL CHAIRPERSON UTU
817 KILBOURNE STREET
BELLEVUE OH 44811 US

R A GRICE
GENERAL CHAIRPERSON UTU
817 KILBOURNE ST
BELLEVUE OH 44811-9431 US

RICHARD E KERTH
CHAMPION INTERNATIONAL CORPORATION
101 KNIGHTSBRIDGE DRIVE
HAMILTON OH 45020-0001 US

FAY D DUPUIS
CITY OF CINCINNATI
801 PLUM STREET
CINCINNATI OH 45202 US

ROBERT EDWARDS
EASTERN TRANSPORT AND LOGISTICS
1109 LANETTE DRIVE
CINCINNATI OH 45230 US

THOMAS R RYDMAN PRESIDENT
INDIAN CREEK RAILROAD COMPANY
3905 W 600 NORTH
ANDERSON IN 46011 US

F RONALDS WALKER
CITIZENS GAS & COKE UTILITY
2020 N MERIDIAN STREET
INDIANAPOLIS IN 46202-1393 US

MICHAEL P MAXWELL JR
MCHALE, COOK & WELCH
320 N MERIDIAN ST 1100 CHAMBER OF COMMERCE BL
INDIANAPOLIS IN 46204 US

J PATRICK LATZ
HEAVY LIFT CARGO SYSTEM
PO BOX 51451
INDIANAPOLIS IN 46251-0451 US

MICHAEL CONNELLY
CITY OF EAST CHICAGO
4525 INDIANAPOLIS BLVD
EAST CHICAGO IN 46312 US

HAMILTON L CARMOUCHE, CORPORATION COUNSEL
CITY OF GARY
401 BROADWAY 4TH FLOOR
GARY IN 46402 US

HONORABLE PETER J. VISCLOSKY
U. S. HOUSE OF REPRESENTATIVES
215 WEST 35TH AVENUE
GARY IN 46408 US

CARL FELLER
DEKALB AGRA INC
P. O. BOX 127
4743 COUNTY ROAD 28
WATERLOO IN 46793-0127 US

CHRISTOPHER J BURGER, PRESIDENT
CENTRAL RAILROAD COMPANY OF INDIANAPOLIS
PO BOX 554
KOKOMO IN 46903-0554 US

WILLIAM A BON, GENERAL COUNSEL
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
26555 EVERGREEN ROAD SUITE 200
SOUTHFIELD MI 48076 US

NICOLE HARVEY
THE DOW CHEMICAL COMPANY
2020 DOW CENTER
MIDLAND MI 48674 US

JAMES E SHEPHERD
TUSCOLA & SAGINAW BAY
PO BOX 550
OWOSSO MI 48867-0550 US

LARRY B KARNES
TRANSPORTATION BUILDING
PO BOX 30050
425 WEST OTTAWA
LANSING MI 48909 US

HON JOHN ENGLER
OFFICE OF THE GOVERNOR
P O BOX 30013
LANSING MI 48933 US

T SCOTT BANNISTER
T SCOTT BANNISTER AND ASSOCIATES
1300 DES MOINES BLDG 405 SIXTH AVENUE
DES MOINES IA 50309 US

BYRON D OLSEN
FELHABER LARSON FENLON & VOGT PA
601 SECOND AVENUE SOUTH SUITE 4200
MINNEAPOLIS MN 55401-4302 US

LEO J WASESCHA
GOLD MEDAL DIVISON - GENERAL MILLS OPERATION
P O BOX 1113
NUMBER ONE GENERAL MILLS BULEVARD
MINNEAPOLIS MN 55440 US

GERALD J. VINCI
PRAIRIE GROUP
P. O.BOX 1123
7601 WEST 79TH STREET
BRIDGEVIEW IL 60455 US

RICHARD A GAVRIL
16700 GENTRY LANE NO 104
TINLEY PARK IL 60477 US

EDWARD WASHINGTON, II
CHIEF, PUBLIC UTILITIES BUREAU, ILL ATTORNEY
100 W RANDOLPH ST - 12TH FLOOR
CHICAGO IL 60601 US

THOMAS J LITWILER
OPPENHEIMER WOLFF & DONNELLY
180 N STETSON AVE 45TH FLOOR
CHICAGO IL 60601 US

CHRISTINE H. ROSSO
IL ASSISTANT ATTORNEY GENERAL
100 W RANDOLPH ST 13TH FLOOR
CHICAGO IL 60601 US

WILLIAM C SIPPEL
OPPENHEIMER WOLFF & DONNELLY
180 N STETSON AVE TWO PRUDENTIAL PLAZA 45TH F
CHICAGO IL 60601-6710 US

RICHARD F. FRIEDMAN, ESQ
EARL L NEAL & ASSOCIATES
111 WEST WASHINGTON STREET, STE 1700
CHICAGO IL 60602-2766 US

EDWARD C MCCARTHY
INLAND STEEL INDUSTRIES INC
30 WRST MONROE STREET
CHICAGO IL 60603 US

ROGER A SERPE
175 WEST JACKSON BOULEVARD SUITE 1460
CHICAGO IL 60604 US

SHELDON A ZABEL
SCHIFF HARDIN & WAITE
7200 SEARS TOWER
CHICAGO IL 60606 US

THOMAS F MCFARLAND JR
MCFARLAND & HERMAN
20 NORTH WACKER DRIVE, SUITE 1330
CHICAGO IL 60606-3101 US

MYLES L TOBIN
ILLINOIS CENTRAL RAILROAD
455 NORTH CITYFRONT PLAZA DRIVE
CHICAGO IL 60611-5504 US

CHARLES D BOLAM
UNITED TRANSPORTATION UNION
1400-20TH STREET
GRANITE CITY IL 62040 US

SCOTT A RONEY
ARCHER DANIELS MIDLAND COMPANY
P O BOX 1470
4666 FARIES PARKWAY
DECATUR IL 62525 US

MERRILL L TRAVIS
ILLINOIS DEPT OF TRANSPORTATION
2300 S DIRKSEN PARKWAY RM 302
SPRINGFIELD IL 62764 US

IAN MUIR
BUNGE CORPORATION
P O BOX 28500
ST LOUIS MO 63146 US

JOHN JAY ROSACKER
KS DEPT OF TRANSP
217 SE 4TH ST 2ND FLOOR
TOPEKA KS 66603 US

MR GEORGE VAN HAVER
2340 SOUTH 35TH STREET
OMAHA NE 68105 US

HENRY T DART
PLAINTIFF MANGEMENT COMMITTEE
609 EAST GIBSON STREET
COVINGTON LA 70433 US

MIKE SPAHIS
FINA OIL & CHEMICAL CO
6000 LEGACY DRIVE
PLANO TX 75024-3601 US

DENNIS A. GUTH
WEST LAKE GROUP
2801 POST OAK BLVD
HOUSTON TX 77056 US

DAVID L HALL
COMMONWEALTH CONSULTING ASSOCIATES
13103 FM 1960 WEST SUITE 204
HOUSTON TX 77065-4069 US

MICHAEL P. FERRO
MILLENNIUM PETROCHEMICALS, INC.
P O BOX 2583
1221 MCKINNEY STREET SUITE 1600
HOUSTON TX 77252-2583 US

STEVE M COULTER
EXXON COMPANY USA
PO BOX 3272
HOUSTON TX 77253-3272 US

MONTY L PARKER SR
CMC STEEL GROUP
P O BOX 911
SEGUIN TX 78156-0911 US

BRAD F HUSTON
CYPRUS AMAX COAL SALES CORP
9100 E MINERAL CIR
MILFORD CO 80112-3401 US

STEPHEN M UTHOFF
CONIGLIO & UTHOFF
60 ELM AVENUE, CONIGLIO PROFESSIONAL BLDG
LONG BEACH CA 90802-4910 US

RICHARD WELSH
NARPO
50-505 GRAND TRAVERSE
LA QUINTA CA 92253 US

JOHN D FITZGERALD
UTU, GENERAL CHAIRPERSON
400 E EVERGREEN BLVD STE 217
VANCOUVER WA 98660-3264 US

Records: 361

30907 SERVICE DATE - APRIL 13, 2000
EB

This decision will be included in the bound volumes of the STB printed reports at a later date.

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 33388

CSX CORPORATION AND CSX TRANSPORTATION, INC.,
NORFOLK SOUTHERN CORPORATION AND
NORFOLK SOUTHERN RAILWAY COMPANY
— CONTROL AND OPERATING LEASES/AGREEMENTS —
CONRAIL INC. AND CONSOLIDATED RAIL CORPORATION

Decision No. 147

Decided: April 11, 2000

Environmental Condition No. 11 of Appendix Q of Decision No. 89[1] (Decision No. 89, slip op. at 401-02), requires Applicants, with the concurrence of the responsible local governments, to mitigate train wayside noise (locomotive engine and wheel/rail noise) at noise-sensitive receptor locations on certain rail line segments. Environmental Condition No. 11 further provides that: "Applicants shall certify compliance with this condition within 2 years of the effective date of the Board's final decision. This condition shall not apply to those communities that have executed Negotiated Agreements with Applicants that satisfy the communities' environmental concerns."

On March 6, 2000, CSX provided us with a copy of a Negotiated Agreement between CSX and the Borough of Elizabeth, PA, dated February 4, 2000, and accepted by the Borough of Elizabeth on February 24, 2000. According to CSX, this Negotiated Agreement effectuates the Board's preference for privately negotiated solutions stated in Decision No. 89, slip op. at 153. CSX requests that Environmental Condition No. 11 be amended to reflect the parties' Negotiated Agreement by deleting the Borough of Elizabeth from the list of communities on the Sinns, PA to Brownsville, PA line segment (C-085), and that the Negotiated Agreement between CSX and the Borough of Elizabeth be added to the CSX Subsection of Environmental Condition No. 51 of Appendix Q in Decision No. 89, which requires CSX to comply with the terms of all Negotiated Agreements developed with states, local communities, and other entities regarding environmental issues associated with the Conrail transaction. See Decision No. 89, slip op. at 420-21. The Borough of Elizabeth concurs with the request.

---

[1] In Decision No. 89, served July 23, 1998, we approved, subject to certain conditions, including environmental mitigation conditions, the acquisition of control of Conrail Inc., and Consolidated Rail Corporation (collectively, Conrail) and the division of Conrail's assets by CSX Corporation and CSX Transportation, Inc. (collectively, CSX), and Norfolk Southern Corporation and Norfolk Southern Railway Company (collectively, NS). CSX and NS are referred to as Applicants.

In view of the Negotiated Agreement between CSX and the Borough of Elizabeth, we will: (1) add the Negotiated Agreement to Environmental Condition No. 51 of Appendix Q of Decision No. 89, and (2) amend Environmental Condition No. 11 of Appendix Q of Decision No. 89 to delete the Borough of Elizabeth because the noise mitigation for that community has been superseded by the CSX/Borough of Elizabeth Negotiated Agreement.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.

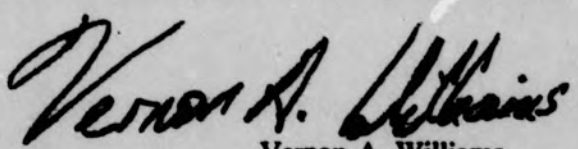
2. In accordance with the Negotiated Agreement between CSX and the Borough of Elizabeth, PA, executed on February 24, 2000, the following is added to the CSX Subsection of Environmental Condition No. 51 of Appendix Q of Decision No. 89:

**26. Borough of Elizabeth, Pennsylvania, dated February 24, 2000.**

3. In addition, Environmental Condition No. 11 of Appendix Q of Decision No. 89 is amended to delete the noise mitigation applicable to the Borough of Elizabeth, PA, because it has been superseded by the Negotiated Agreement.

4. This decision is effective on the date of service.

By the Board, Chairman Morgan, Vice Chairman Burkes, and Commissioner Clyburn.



Vernon A. Williams
Secretary

SERVICE LIST FOR: 10-apr-2000 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATI

STEPHEN M FONTAINE
MASSACHUSETTS CENTRAL RAILROAD CORPORATION
ONE WILBRAHAM STREET
PALMER MA 01069 US

JAMES E HOWARD
90 CANAL STREET
BOSTON MA 02114 US

JOHN D CIRAME, ASSISTANT SECRETARY
COMMONWEALTH OF MASS. EXEC. OFFICE OF TRANSPT
10 PARK PLAZA ROOM 3170
BOSTON MA 02116-3969 US

HON. EDWARD M KENNEDY
UNITES STATES SENATE
2400 JOHN F KENNEDY FEDERAL BLDG
BOSTON MA 02203 US

WILLIAM D ANKNER PHD
R I DEPT OF TRANSPORTATION
TWO CAPITOL HILL
PROVIDENCE RI 02903 US

JOHN R NADOLNY
14 AVIATION AVENUE
PORTSMOUTH NH 03801 US

ROBERT D ELDER
MAINE DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA ME 04333 US

KAREN E SONGHURST
STATE OF VERMONT
133 STATE STREET
MONTPELLIER VT 05633-5001 US

JAMES F SULLIVAN
CT DEPT OF TRANSPORTATION
P O BOX 317546
2800 BERLIN TURNPIKE
NEWINGTON CT 06131 US

EDWARD J RODRIGUEZ
P O BOX 687
8 DAVIS ROAD WEST
OLD LYME CT 06371 US

RICHARD C CARPENTER
SOUTHWESTERN REGIONAL PLANNING AGENCY
1 SELLECK STREET SUITE 210
EAST NORWALK CT 06855 US

MICHAEL E STRICKLAND
NYK LINE (NORTH AMERICA) INC, SENIOR VICE PRE
300 LIGHTING WAY
SECAUCUS NJ 07094-1588 US

J WILLIAM VAN DYKE
NJ TRANSPORTATION PLANNING AUTHORITY
ONE NEWARK CENTER 17TH FLOOR
NEWARK NJ 07102 US

EDWARD LLOYD
RUTGERS ENVIRONMENTAL LAW CLINIC
15 WASHINGTON STREET
NEWARK NJ 07102 US

HONORABLE ROBERT G. TORRICELLI
UNITED STATES SENATE
1 RIVER FRONT PLAZA, 3RD FLOOR
NEWARK NJ 07102 US

PHILIP SIDO
UNION CAMP CORPORATION
1600 VALLEY ROAD
WAYNE NJ 07470 US

MARTIN T DURKIN ESQ
DURKIN & BOGGIA ESQS
PO BOX 378
71 MT VERNON STREET
RIDGEFIELD PARK NJ 07660 US

CRAIG CURRY
CONSOLIDATED RAIL CORPORATION
1000 HOWARD BOULEVARD
MOUNT LAUREL NJ 08054 US

TIMOTHY G CHELIUS
18 N EAST AVENUE
VINELAND NJ 08360 US

LAWRENCE PEPPER, JR
GRUCCIO PEPPER
817 EAST LANDS AVE
VINELAND NJ 08360 US

JOHN F. MCHUGH
MCHUGH & SHERMAN
20 EXCHANGE PLACE 51ST FLOOR
NEW YORK NY 10005 US

ANTHONY BOTTALICO
UTU
420 LEXINGTON AVENUE ROOM 458-460
NEW YORK NY 10017 US

WALTER E ZULLIG JR
METRO-NORTH COMMUTER RAILROAD COMPANY
347 MADISON AVE
NEW YORK NY 10017-3706 US

ANTHONY P. SEMANCIK
347 MADISON AVENUE
NEW YORK NY 10017-3706 US

JAMES W HARRIS
THE METROPOLITIAN PLANNING ORGANIZATION
1 WORLD TRADE CENTER STE 82 EAST
NEW YORK NY 10048-0043 US

HUGH H. WELSH
LAW DEPT., SUITE 67E
ONE WORLD TRADE CENTER
NEW YORK NY 10048-0202 US

R. LAWRENCE MCCAFFREY, JR.
NEW YORK & ATLANTIC RAILWAY
405 LEXINGTON AVENUE 50TH FLOOR
NEW YORK NY 10174 US

SAMUEL J NASCA
UTU STATE LEGISLATIVE DIRECTOR
35 FULLER ROAD SUITE 205
ALBANY NY 12205 US

DANIEL B. WALSH
BUSINESS COUNCIL OF NEW YORK STATE, INC.
152 WASHINGTON AVENUE
ALBANY NY 12210 US

DIANE SEITZ
CENTRAL HUDSON GAS & ELECTRIC CORP
284 SOUTH AVENUE
POUGHKEEPSIE NY 12601 US

IRWIN L. DAVIS
1900 STATE TOWER BLDG.
SYRACUSE NY 13202 US

ANGELO J CHICK JR, LOCAL CHAIRMAN
P O BOX 908
48398 OLD GOOSE BAY ROAD
REDWOOD NY 13679 US

GARY EDWARDS
SOMERSET RAILROAD
7725 LAKE ROAD
BARKER NY 14012 US

SHEILA MECK HYDE
CITY HALL
342 CENTRAL AVENUE
DUNKIRK NY 14048 US

IRVING J RUBIN
P O BOX 243
YOUNGSTOWN NY 14174 US

JOHN F COLLINS
COLLINS ,COLLINS, & KANTOR PC
267 NORTH STREET
BUFFALO NY 14201 US

R W GODWIN
BROTHERHOOD OF LOCOMOTIVE ENGINEERS
810 ABBOTT ROAD SUITE 200
BUFFALO NY 14220 US

ERNEST J IERARDI
NIXON HARGRAVE DEVANS DOYLE LLP
PO BOX 1051
CLINTON SQUARE
ROCHESTER NY 14603-1051 US

H DOUGLAS MIDKIFF
GENESEE TRANSPORTATION COUNCIL
65 WEST BROAD ST STE 101
ROCHESTER NY 14614-2210 US

JEANNE WALDOCK
107 GRANT COURT
ORLEAN NY 14760 US

DAVID W. DONLEY
3361 STAFFORD ST
PITTSBURGH PA 15204-1441 US

JOHN A VUONO
VUONO & GRAY
2310 GRANT BUILDING
PITTSBURGH PA 15219 US

HENRY M. WICK, JR.
WICK STREIFF ET AL
1450 TWO CHATHAM CENTER
PITTSBURGH PA 15219-3427 US

R J HENEFELD
PPG INDUSTRIES INC
ONE PPG PLACE
PITTSBURGH PA 15272 US

M E PETRUCCELLI
PPG INDUSTRIES INC
ONE PPG PLACE
PITTSBURGH PA 15272 US

D W DUNLEVY
STATE LEGISLATIVE DIRECTOR UTU
230 STATE STREET PA AFL-CIO BLDG 2ND FLOOR
HARRISBURG PA 17101 US

HONORABLE THOMAS J RIDGE
GOVERNOR, COMMONWEALTH OF PENNSYLVANIA
225 MAIN CAPITOL BUILDING
HARRISBURG PA 17120 US

BELNAP FREEMAN
BELKNAP FREEMAN
119 HICKORY LANE
ROSEMONT PA 19010 US

JOHN J GROCKI
GRA INC
115 WEST AV ONE JENKINTOWN STA
JENKINTOWN PA 19046 US

JONATHAN M BRODER
CONSOLIDATED RAIL CORP
PO BOX 41416
2001 MARKET STREET 16-A
PHILADELPHIA PA 19101-1416 US

JOHN J EHLINGER JR
OBERMAYER REBMANN MAXWELL & HIPPEL
1617 JOHN F. KENNEDY BLVD ONE PENN CENTER-19T
PHILADELPHIA PA 19103-1895 US

JOHN J COSCIA, EXECUTIVE DIRECTOR
DELAWARE VALLEY REGIONAL PLANNING COMMISSION
111 SOUTH INDEPENDENCE MALL EAST
PHILADELPHIA PA 19106 US

ERIC M HOCKY
GOLLATZ GRIFFIN EWING
213 WEST MINER STREET
WEST CHESTER PA 19381-0796 US

J E THOMAS
HERCULES INCORPORATED
1313 NORTH MARKET STREET
WILMINGTON DE 19894 US

FREDERICK H SCHRANCK
PO BOX 778
DOVER DE 19903 US

RICHARD R WILSON
1126 EIGHT AV STE 403
ALTOONA PA 16602 US

KURT W CARR
BUREAU FOR HISTORIC PRESERVATION
P O BOX 1026
HARRISBURG PA 17108-1026 US

KRISTOPHER MICHAEL KLEMICK
RR#3 BOX 101-15
JERSEY SHORE PA 17740-9309 US

D J O'CONNELL
GENERAL CHAIRPERSON UTU
410 LANCASTER AVE STE 5
HAVERFORD PA 19041 US

HARRY C BARBIN
BARBIN LAUFFER & O'CONNELL
608 HUNTINGDON PIKE
ROCKLEDGE PA 19046 US

G CRAIG SCHELTER
PHILADELPHIA INDUSTRIAL DEVELOPMENT CORPORATI
2600 CENTRE SQUARE WEST 500 MARKET ST
PHILADELPHIA PA 19102 US

DAVID BERGER
BERGER AND MONTAGUE, P. C.
1622 LOCUST ST
PHILADELPHIA PA 19103-6305 US

JOHN K. LEARY, GENERAL MANAGER
SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTH
1234 MARKET STREET 5TH FLOOR
PHILADELPHIA PA 19107-3780 US

HON JOSEPH R BIDEN, JR.
UNITED STATES SENATE
844 KING STREET
WILMINGTON DE 19801 US

E C WRIGHT
RAIL TRANSPORTATION PROCUREMENT MANAGER
1007 MARKET STREET DUPONT BLDG 3100
WILMINGTON DE 19898 US

TERRENCE D JONES
KELLER & HECKMAN
1001 G ST NW STE 500 WEST
WASHINGTON DC 20001 US

JAMES HOWARD
COALITION OF NORTHEASTERN GOVERNORS
400 NORTH CAPITOL STREET, SUITE 382
WASHINGTON DC 20001 US

MARTIN W BERCOVICI
KELLER & HECKMAN, LLP
1001 G ST NW SUITE 500 WEST
WASHINGTON DC 20001 US

PETER A GILBERTSON
REGIONAL RRS OF AMERICA
122 C ST NW STE 850
WASHINGTON DC 20001 US

RICHARD G SLATTERY
AMTRAK
60 MASSACHUSETTS AVENUE N E
WASHINGTON DC 20002 US

DONALD F GRIFFIN
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
10 G STREET NE STE 460
WASHINGTON DC 20002 US

DREW A HARKER
ARNOLD & PORTER
555 TWELFTH STREET NW
WASHINGTON DC 20004 US

DENNIS G LYONS
ARNOLD & PORTER
555 TWELFTH STREET NW
WASHINGTON DC 20004 US

PAUL REISTRUP
CSX TRANSPORTATION INC
1331 PENNSYLVANIA NW STE 500
WASH DC 20004 US

ERIC VON SALZEN
HOGAN & HARTSON
555 THIRTEENTH STREET N W
WASHINGTON DC 20004-1109 US

GEORGE W MAYO JR
HOGAN & HARTSON L L P
555 THIRTEENTH STREET NW COLUMBIA SQUARE
WASHINGTON DC 20004-1109 US

MARY GABRIELLE SPRAGUE
ARNOLD & PORTER
555 TWELTH STREET NW
WASHINGTON DC 20004-1202 US

KEVIN M SHEYS
OPPENHEIMER WOLFF & DONNELLY & BAYH LLP
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005 US

EDWARD WYTKIND EXECUTIVE DIRECTOR
1025 CONNECTICUT AVE NW SUITE 1005
WASHINGTON DC 20005 US

JOHN H BROADLEY
JENNER & BLOCK
601 13TH ST NW STE 1200 SOUTH
WASHINGTON DC 20005 US

L JOHN OSBORN
SONNENSCHEIN NATH & ROSENTHAL
1301 K STREET NW STE 600 EAST
WASH DC 20005 US

KARL MORELL
BALL JANIK LLP
1455 F STREET NW SUITE 225
WASHINGTON DC 20005 US

ALICE C SAYLOR
AMERICAN SHORT LINE RAILROAD ASSOCIATION
1120 G STREET NW SUITE 520
WASHINGTON DC 20005 US

BRUNO MAESTRI
NORFOLK SOUTHERN CORPORATION
1500 K STREET SUITE 375
WASHINGTON DC 20005 US

LOUIS E GITOMER
BALL JANIK LLP
1455 F STREET NW SUITE 225
WASHINGTON DC 20005 US

DANIEL DUFF
AMERICAN PUBLIC TRANSIT ASSOCIATION
1201 NEW YORK AV NW
WASHINGTON DC 20005 US

ROSE-MICHELE WEINRYB
WEINER BRODSKY SIDMAN & KIDER
1350 NEW YORK AVENUE NW
WASHINGTON DC 20005 US

PAUL M LAURENZA
OPPENHEIMER WOLFF & DONNELLY & BAYH LLP
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005 US

CLARK EVANS DOWNS
JONES DAY REAVIS & POGUE
1450 G STREET NW
WASHINGTON DC 20005-2088 US

WILLIAM A MULLINS
TROUTMAN SANDERS LLP
1300 I STREET NW SUITE 500 EAST
WASHINGTON DC 20005-3314 US

PAUL H LAMBOLEY
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005-3324 US

JEFFREY O MORENO
DONELAN CLEARY WOOD MASER
1100 NEW YORK AVENUE N W, SUITE 750
WASHINGTON DC 20005-3934 US

FREDERIC L WOOD
DONELAN CLEARY WOOD & MASER P C
1100 NEW YORK AVENUE NW SUITE 750
WASHINGTON DC 20005-3934 US

KARYN A BOOTH
DONELAN, CLEARY, WOOD & MASER, P.C.
1100 NEW YORK AVE NW SUITE 750
WASHINGTON DC 20005-3934 US

MARK H SIDMAN
WEINER BRODSKY,SIDMAN & KIDER
1350 NEW YORK AVE., NW., STE. 800
WASHINGTON DC 20005-4797 US

WILLIAM W MILLAR
AMERICAN PUBLIC TRANSIT ASSOCIATION
1201 NEW YORK AVE., NW
WASHINGTON DC 20005-6141 US

ANDREW P GOLDSTEIN
MCCARTHY SWEENEY HARKAWAY, PC
1750 PENNSYLVANIA AVE NW, STE 1105
WASHINGTON DC 20006 US

DANIEL J SWEENEY
MCCARTHY SWEENEY & HARKAWAY P C
1750 PENNSYLVANIA AVE NW STE 1105
WASHINGTON DC 20006 US

JAMES R WEISS
PRESTON GATES ELLIS ET AL
1735 NEW YORK AVENUE NW SUITE 500
WASHINGTON DC 20006 US

CONSTANCE A SADLER
SIDLEY & AUSTIN
1722 EYE STREET NW
WASHINGTON DC 20006 US

SCOTT M ZIMMERMAN
ZUCKERT SCOUTT & RASENBERGER L L P
888 SEVENTEENTH STREET NW
WASHINGTON DC 20006 US

ROBERT P VOM EIGEN
HOPKINS AND SUTTER
888 16TH STREET N W STE 700
WASHINGTON DC 20006 US

ANDREW R. PLUMP
ZUCKERT, SCOUTT & RASENBERGER. LLP
888 17TH ST., NW, STE. 600
WASHINGTON DC 20006 US

ERIKA Z JONES
MAYER BROWN & PLATT
1909 K STREET, NW
WASHINGTON DC 20006-1101 US

RICHARD A ALLEN
ZUCKERT SCOUT RASENBERGER
888 17TH STREET N W STE 600
WASHINGTON DC 20006-3939 US

JOHN V EDWARDS, ESQ
ZUCKERT SCOUTT ET AL
888 17TH STREET N W STE 600
WASHINGTON DC 20006-3939 US

CHARLES A SPITULNIK
HOPKINS & SUTTER
888 SIXTEENTH ST NW
WASH DC 20006-4103 US

STEVEN J KALISH
MCARTHY SWEENEY & HARKAWAY
1750 PENNSYLVANIA AVE NW
WASHINGTON DC 20006-4502 US

SHERRI LEHMAN DIRECTOR OF CONGRESSIONAL AFFAI
CORN REFINERS ASSOC
1701 PA AV NW
WASH DC 20006-5805 US

CHRISTOPHER C O'HARA
BRICKFIELD BURCHETTE & RITTS PC
1025 THOMAS JEFFERSON ST NW EIGHTH FLOOR
WASHINGTON DC 20007 US

PAUL M DONOVAN
LAROE WINN MOERMAN & DONOVAN
3900 HIGHWOOD COURT NW
WASHINGTON DC 20007 US

DAVID K MONROE
GALLAND KHARASCH GREENBERT FELLMAN & SWIRSKY
1054 THIRTY FIRST STREET NW STE 200
WASHINGTON DC 20007 US

ROBERT G SZABO
1050 THOMAS JEFFERSON STREET NW SIXTH FLOOR
WASHINGTON DC 20007 US

EDWARD D GREENBERG
GALLAND, KHARASCH, GREENBERT, FELLMAN & SWIRS
1054 THIRTY-FIRST STREET NW
WASHINGTON DC 20007-4492 US

MICHAEL F MCBRIDE
LEBOEUF LAMB GREENE & MACRAE
1875 CONNECTICUT AVENUE NW
WASHINGTON DC 20009-5728 US

STEPHEN H BROWN
VORYS SATER SEYMOUR AND PEASE
1828 L STREET N W
WASHINGTON DC 20036 US

PAUL D COLEMAN
HOPPEL MAYER & COLEMAN
1000 CONNECTICUT AVENUE NW SUITE 400
WASHINGTON DC 20036 US

HELEN M. COUSINEAU
CARLOS RODRIGUEZ & ASSOCIATES
1710 RHODE ISLAND AVENUE, NW
WASHINGTON DC 20036 US

HAROLD P QUINN, JR
NATIONAL MINING ASSOCIATON
1130 17TH STREET NW
WASHINGTON DC 20036 US

JOHN D HEFFNER
REA CROSS & AUCHINCLOSS
1707 L STREET, NW, STE 570
WASHINGTON DC 20036 US

JOHN M CUTLER JR
MCCARTHY SWEENEY HARKAWAY PC
1750 PENNSYLVANIA AVE N W SUITE 1105
WASHINGTON DC 20036 US

ROBERT A WIMBISH ESQ
REA CROSS & AUCHINCLOSS
1707 L STREET NW STE 570
WASHINGTON DC 20036 US

KEITH G O'BRIEN
REA CROSS AND AUCHINCLOSS
1707 L STREET NW STE 570
WASHINGTON DC 20036 US

CHRISTOPHER A MILLS
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036 US

WILLIAM G. MAHONEY
HIGHSAW, MAHONEY & CLARKE
1050 SEVENTEENTH STREET NW SUITE 210
WASHINGTON DC 20036 US

RICHARD S EDELMAN
O'DONNELL SCHWARTZ & ANDERSON PC
1900 L STREET NW SUITE 707
WASHINGTON DC 20036 US

KELVIN J DOWD
SLOVER & LOFTUS
1224 17TH STREET N W
WASHINGTON DC 20036 US

DAVID H COBURN
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE NW
WASHINGTON DC 20036 US

GORDON P MACDOUGALL
1025 CONNECTICUT AVE NW SUITE 410
WASHINGTON DC 20036 US

PETER A GREENE
THOMPSON HINE FLORY
1920 N STREET N W, SUITE 800
WASHINGTON DC 20036 US

FRITZ R KAHN
1920 N STREET NW 8TH FLOOR
WASHINGTON DC 20036-1601 US

TIMOTHY M WALSH
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE N W
WASHINGTON DC 20036-1795 US

SAMUEL M SIPE JR
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE N W
WASHINGTON DC 20036-1795 US

JOSEPH GUERRIERI, JR.
GUERRIERI, EDMOND & CLAYMAN, PC
1625 MASSACHUSETTS AVE., NW. STE 700
WASHINGTON DC 20036-2243 US

DEBRA L WILLEN
GUERRIERI EDMOND & CLAYMAN PC
1625 MASSACHUSETTS AVENUE, N.W., STE 700
WASHINGTON DC 20036-2243 US

DONALD G AVERY
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036-3003 US

L PAT WYNNS
SUITE 210
1050 - 17TH STREET N W
WASHINGTON DC 20036-5503 US

JOHN L OBERDORFER
PATTON BOGGS LLP
2550 M ST NW
WASHINGTON DC 20037-1301 US

SCOTT N STONE
PATTON BOGGS L L P
2550 M STREET NW 7TH FLOOR
WASHINGTON DC 20037-1346 US

J MICHAEL HEMMER
COVINGTON & BURLING
P O BOX 7566
1201 PENNSYLVANIA AVENUE NW
WASHINGTON DC 20044 US

KEITH A KLINDWORTH
U S DEPT OF AGRICULTURE
P O BOX 96456
WASHINGTON DC 20090 US

MICHAEL V DUNN
USDA
PO BOX 96456 RM 4006-SOUTH BLDG
WASH DC 20090-6456 US

EILEEN S STOMMES
U S DEPARTMENT OF AGRICULTURE
P O BOX 96456 ROOM 4006-SOUTH BUILDING
WASHINGTON DC 20090-6456 US

JUDGE JACOB LEVENTHAL, OFFICE OF HEARINGS
FEDERAL ENERGY REGULATORY COMMISSION
888 - 1ST ST, N.E. STE 11F
WASHINGTON DC 20426 US

RICHARD E SANDERSON
OFFICE OF FEDERAL ACTIVITIES
US ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON DC 20460 US

HON CHARLES SCHUMER
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON DANIEL PATRICK MOYNIHAN
UNITED STATES SENATE
WASINGTON DC 20510 US

HON JOHN BREAUX
UNITED STATER SENATE
WASHINGTON DC 20510 US

HON CHARLES E SCHUMER
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON BYRON L DORGAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. BARBARA A. MIKULSKI
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. CHARLES ROBB
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. JOSEPH I LIEBERMAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE BOB GRAHAM
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE RICHARD LUGAR
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. JOSEPH BIDEN, JR.
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON WILLIAM V. ROTH JR
U S SENATE
WASHINGTON DC 20510-0001 US

HON. JOHN W. WARNER
US SENATE
WASHINGTON DC 20510-0001 US

HON CHRISTOPHER J DODD
UNITED STATES SENATE
WASH DC 20510-0702 US

HONORABLE DANIEL P. MOYNIHAN
UNITED STATE SENATE
WASHINGTON DC 20510-0903 US

HONORABLE CONNIE MACK
UNITED STATES SENATE
WASHINGTON DC 20510-0904 US

HONORABLE J ROBERT KERREY
UNITED STATES SENATE
WASHIGTON DC 20510-2704 US

HON MIKE DEWINE
UNITED STATES SENATE
WASHINGTON DC 20510-3503 US

HON ARLEN SPECTER
UNITED STATES SENATE
WASHINGTON DC 20510-3802 US

HON RICK SANTORUM
UNITED STATES SENATE
WASHINGTON DC 20510-3804 US

HONORABLE JOHN H. CHAFEE
UNITED STATES SENATE
WASHINGTON DC 20510-3902 US

HON JACK REED
U S SENATE
WASHINGTON DC 20510-3903 US

HONORABLE ROBERT BYRD
UNITED STATES SENATE
WASHINGTON DC 20510-6025 US

HONORABLE JOHN J LAFALCE
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. WILLIAM J. COYNE
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. TOM BLILEY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. WILLIAM O. LIPINSKI
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE PAUL E. GILLMOR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. JAMES L. OBERSTAR
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE MIKE DOYLE
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JOHN D. DINGELL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE BENJAMIN A. GILMAN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. JOHN J. DUNCAN
U S HOUSE OF REPRESENTATIVESS
WASHINGTON DC 20515 US

HONORABLE BOB CLEMENT
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE PETER J. VISCLOSKY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE SAM GEJDENSON
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE MAJOR R. OWENS
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. BUD SHUSTER
ATTN: MIKE RICK
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NANCY JOHNSON
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON JAMES TRAFICANT JR
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. ROBERT MENENDEZ
U S HOUSE OF REPRESENTATIVES
WASH DC 20515 US

HON MARCY KAPTUR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE FRANK MASCARA
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON GARY ACKERMAN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON JERROLD NADLER
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE ROBERT W. NEY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE BOB WEYGAND
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE TED STRICKLAND
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON DENNIS J KUCINICH
UNITED STATES HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

HON. ED BRYANT
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. STEVE LATOURETTE
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NYDIA M VELAZQUEZ
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON ED TOWNS
U. S. HOUSE OR REPRESENTATIVES
WASHINGTON DC 20515 US

HON LOUISE M SLAUGHTER
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CHRISTOPHER SHAYS
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CHARLES RANGEL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MICHAEL MCNULTY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JAMES MALONEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CAROLYN B MALONEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NITA LOWEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MAURICE HINCHEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MICHAEL FORBES
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON ELIOT L ENGEL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE CHIP PICKERING
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JESSE L. JACKSON, JR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE LUIS GUTIERREZ
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE DANNY K DAVIS
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON RALPH REGULA
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON SHERROD BROWN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE SAXBY CHAMBLISS,
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE TILLIE K FOWLER
US HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

HON BOB WISE
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON THOMAS C SAWYER
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE ROD R BLAGOJEVICH
U. S. HOUSE OF REPRESENTATIVES
WASHINGTO DC 20515-1305 US

HON JULIA CARSON
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-1410 US

HONORABLE JAMES A. BARCIA
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-2205 US

HON JACK QUINN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3230 US

HONORABLE RICHARD BURR
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3305 US

HONORABLE TOM DAVIS
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-4611 US

HONORABLE BOBBY L. RUSH
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-9997 US

MICHAEL P HARMONIS
DEPARTMENT OF JUSTICE
325 SEVENTH STREET, NW
WASHINGTON DC 20530 US

PAUL SAMUEL SMITH
US DEPARTMENT OF TRANSPORTATION
400 SEVENTH STREET SW, ROOM 4102 C-30
WASHINGTON DC 20590 US

JOLENE MOLITORIS, ADMN.
FEDERAL RAILROAD ADMNS.
400 7TH STREET SW
WASHINGTON DC 20590 US

JOSEPH R POMPONIO
FEDERAL RAILROAD ADMIN
1120 VERMONT AVE NW RCC-20
WASHINGTON DC 20590 US

DAVID G ABRAHAM
SUITE 400W
7315 WISCONSIN AVENUE
BETHESDA MD 20814 US

MITCHELL M KRAUS
TRANSPORTATION COMMUNICATIONS INTERNATIONAL U
3 RESEARCH PLACE
ROCKVILLE MD 20850-3279 US

JOHN M ROBINSON
9616 OLD SPRING ROAD
KENSINGTON MD 20895-3124 US

WILLIAM W WHITEHURST JR
W W WHITEHURST & ASSOCIATES INC
12421 HAPPY HOLLOW ROAD
COCKEYSVILLE MD 21030-1711 US

JOHN HOY
P O BOX 117
GLEN BURNIE MD 21060 US

ROBERT J WILL
UNITED TRANSPORTATION UNION
4134 GRAVE RUN RD
MANCHESTER MD 21102 US

JOHN F WING CHAIRMAN
CITIZENS ADVISORY COMMITTEE
601 NORTH HOWARD STREET
BALTIMOTE MD 21201 US

LINDA A JANEY J D
MARYLAND OFFICE OF PLANNING
301 WEST PRESTON STREET
BALTIMORE MD 21201-2365 US

DON E SANCHEZ
CHESAPEAKE SPECIALTY PRODUCTS INC
5055 NORTH POINT BOULEVARD
BALTIMORE MD 21219 US

CHARLES M CHADWICK
MARYLAND MIDLAND RAILWAY INC
P O BOX 1000
UNION BRIDGE MD 21791 US

GARRET G SMITH
MOBIL OIL CORPORATION
3225 GALLOWS RD RM 8A903
FAIRFAX VA 22037-0001 US

HENRY E. SEATON
7700 LEESBURG PIKE, STE 201
FALLS CHURCH VA 22043 US

PETER Q NYCE JR
U S DEPARTMENT OF THE ARMY
901 NORTH STUART STREET
ARLINGTON VA 22203 US

THOMAS E SCHICK
CHEMICAL MANUF ASSOC
1300 WILSON BOULEVARD
ARLINGTON VA 22209 US

JENNIFER BRAUN
JACKSON & JESSUP
P O BOX 1240
3426 NORTH WASHINGTON BOULEVARD
ARLINGTON VA 22210 US

KENNETH E SIEGEL
AMERICAN TRUCKING ASSOC INC
2200 MILL ROAD
ALEXANDRIA VA 22314-4677 US

HONORABLE GEORGE ALLEN
GOVERNOR, COMMONWEALTH OF VIRGINIA
STATE CAPITOL
RICHMOND VA 23219 US

DAVID A SHELTON
NORFOLK SOUTHERN
THREE COMMERCIAL PLACE
NORFOLK VA 23510 US

JAMES A HIXON
SENIOR VICE PRESIDDENT EMPLOYEE RELATIONS NOR
THREE COMMERCIAL PLACE
NORFFFOLK VA 23510-2191 US

HONORABLE JOHN WARNER
UNITED STATES SENATE
235 FEDERAL BUILDING
ABINGDON VA 24210-0887 US

TERRELL ELLIS
CAEZWV
P O BOX 176
CLAY WV 25043 US

WILLIAM T BRIGHT
P O BOX 149
200 GREENBRIER ROAD
SUMMERSVILLE WV 26651 US

SCOTT M SAYLOR
NORTH CAROLINA RAILROAD COMPANY
3200 ATLANTIC AV STE 110
RALIEGH NC 27604-1640 US

J R BARBEE
GENERAL CHAIRPERSON UTU
441 N LOUISIANA AVE STE Q
ASHEVILLE NC 28806-3791 US

WILLIAM P. JACKSON, JR.
JACKSON & JESSUP, P. C.
P O BOX 1240
3426 NORTH WASHINGTON BLVD
ARLINGTON VA 22210 US

FRANCIS G MCKENNA
ANDERSON & PENDLETON
206 N WASHINGTON STREET SUITE 330
ALEXANDRIA VA 22314 US

ROBERT E MARTINEZ
VA SECRETARY OF TRANSPORTAITON
P. O. BOX 1475
RICHMOND VA 23218 US

JOHN W SNOW
CHAIRMAN PRESIDENT AND CHIEF EXECTIVE OFFICER
P O BOX 85629
RICHMOND VA 23285-5629 US

GEORGE A ASPATORE
NORFOLK SOUTHERN CORP
THREE COMMEMERCIAL PLACE
NORFOLK VA 23510 US

L P KING JR
GENERAL CHAIRPERSON UTU
145 CAMPBELL AVE SW STE 207
ROANOKE VA 24011 US

VAUGHN R GROVES
PITTSTON COAL COMPANY
PO BOX 5100
LEBANON VA 24266 US

R K SARGENT
GENERAL CHAIRPERSON UTU
1319 CHESTNUT STREET
KENOVA WV 25530 US

FRANK N JORGENSEN
THE ELK RIVER RAILROAD INC
P O BOX 460
SUMMERSVILLE WV 26651 US

E NORRIS TOLSON
NC DEPT OF TRANSPORTATION
P O BOX 25201
1 S. WILINGTON STREET
RALEIGH NC 27611 US

HONORABLE DAVID M BEASLEY
GOVERNOR
P. O. BOX 11369
COLUMBIA SC 29211 US

J RANDALL EVANS
500 WATER STREET (J150)
JACKSONVILLE FL 32202 US

FRED R BIRKHOLZ
CSX TRANSPORTATION LAW DEPT - J-150
500 WATER STREET
JACKSONVILLE FL 32202 US

ROBERT V ALLEN
CSX TRANSPORTATION
500 WATER STREET J305
JACKSONVILLE FL 32202 US

R J HAULTER
500 WATER STREET (J215)
JACKSONVILLE FL 32202 US

DANFORD L PRICE
500 WATER STREET
JACKSONVILLE FL 32202 US

BOB HAULTER
CSX TRANSPORTATION INC
500 WATER STREET (J215)
JACKSONVILLE FL 32202 US

PAUL R. HITCHCOCK
CSX TRANSPORTATION LAW DEPARTMENT
500 WATER STREET SC J-150
JACKSONVILLE FL 32202 US

JOHN W. HUMES, JR.
CSX TRANSPORTATION
SPEED CODE J-150
500 WATER STREET
JACKSONVILLE FL 32202 US

CHARLES M ROSENBERGER
CSX TRANSPORTATION
500 WATER STREET - J150
JACKSONVILLE FL 32202 US

J L RODGERS
GENERAL CHAIRMAN UTU
480 OSCEOLA AVENUE
JACKSONVILLE FL 32250 US

J T REED
GENERAL CHAIRPERSON UTU
7785 BAYMEADOWS WAY STE 109
JACKSONVILLE FL 32256 US

PHILLIP L BELL
ERIE LACKAWANNA RAILROAD CO
PO BOX 1482
TALLAHASSEE FL 32302 US

JAMES L BELCHER
EASTMAN CHEMICAL COMPANY
PO BOX 431
KINGSPORT TN 37662 US

WILLIAM L OSTEEN
ASSOCIATE GENERAL COUNSEL TVA
400 WEST SUMMIT HILL DRIVE
KNOXVILLE TN 37902 US

HONORABLE KIRK FORDICE, GOVERNOR
STATE OF MISSISSIPPI
P O BOX 139
JACKSON MS 39205 US

HONORABLE PAUL E. PATTON
GOVERNOR
700 CAPITOL AVENUE, STE. 100
FRANKFORT KY 40601 US

F R PICKELL
GENERAL CHAIRPERSON UTU
6797 NORTH HIGH ST STE 108
WORTHINGTON OH 43085 US

THOMAS M O'LEARY
OHIO RAIL DEVELOPMENT COMMISSION
50 W BROAD STREET 15TH FLOOR
COLUMBUS OH 43215 US

HONORABLE DEBORAH PRYCE
U. S. HOUSE OF REPRESENTATIVES
500 SOUTH FRONT STREET, ROOM 1130
COLUMBUS OH 43215 US

DOREEN C JOHNSON, CHIEF ANTITRUST SECTION
OHIO ATTY GENERAL OFFICE
140 EAST TOWN STREET, FIRST FLOOR
COLUMBUS OH 43215-6001 US

JAMES R JACOBS
JACOBS INDUSTRIES
2 QUARRY LANE
STONY RIDGE OH 43463 US

DAVID CHAPMAN
LAFARGE LIME OHIO INC
P O BOX 128
659 ANDERSON ROAD
WOODVILLE OH 43469-0128 US

ROBERT J COOPER
GENERAL CHAIRPERSON UTU
1238 CASS ROAD
MAUMEE OH 43537 US

ROBERT E GREENLESE
TOLEDO-LUCAS COUNTY PORT AUTHORITY
1 MARITIME PLAZA SUITE 700
TOLEDO OH 43604 US

ROBERT E MURRAY
OHIO VALLEY COAL CO
56854 PLEASANT RIDGE ROAD
ALLEDONIA OH 43902 US

RON MARQUARDT
LOCAL UNION 1810 UMWA
R D #2
RAYLAND OH 43943 US

CLARENCE TURNQUIST
INTERNATIONAL LONGSHOREMEN S ASSOCIATION
C/O 2125 TRYON ROAD
ASHTABULA OH 44004 US

MAYOR VINCENT M URBIN
150 AVON BELDEN RD
AVON LAKE OH 44012 US

CHARLES S HESSE
CHARLES HESSE ASSOCIATES
7777 BAINBRIDGE ROAD
CHAGRIN FALLS OH 44023-2124 US

BARBARA O'KEEFE
VILLAGE OF WELLINGTON
115 WILLARD MEMORIAL SQ
WELLINGTON OH 44090 US

COLETTA MCNAMEE SR
CUDELL IMPROVEMENT INC
11500 FRANKLIN BLVD STE 104
CLEVELAND OH 44102 US

ANITA R BRINDZA
THE ONE FIFTEEN HUNDRED BUILDING
11500 FRANKLIN BLVD SUITE 104
CLEVELAND OH 44102 US

DANIEL R ELLIOTT III
ASST GENERAL COUNSEL UNITED TRANSPORTATION UN
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

C L LITTLE
INTERNATIONAL PRESIDENT UTU
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

CLINTON J MILLER III GENERAL COUNSEL
UNITED TRANSPORTATION UNION
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

CLARENCE MONIN INTERNATIONAL PRES
BROTHERHOOD OF LOCOMTIVE ENGINEERS MEZZANINE
1370 ONTARIO STREET
CLEVELAND OH 44113 US

CHRISTOPHER C MCCRACKEN
ULMER & BERNE LLP
1300 EAST NINTH STREET SUITE 900
CLEVELAND OH 44114 US

DAVID ROLOFF
GOLDSTEIN & ROLOFF
526 SUPERIOR AVENUE EAST SUITE 1440
CLEVELAND OH 44114 US

INAJO DAVIS CHAPPELL
ASHTA CHEMICALS INC
1300 EAST NINETH STREET SUITE 900
CLEVELAND OH 44114-1538 US

DAVID J MATTY
CITY OF ROCKY RIVER
21012 HILLIARD ROAD
ROCKY RIVER OH 44116-3398 US

C D WINEBRENNER
GENERAL CHAIRPERSON UTU
27801 EUCLID AVENUE RM 200
EUCLID OH 44132 US

GARY A EBERT
CITY OF BAY VILLAGE
350 DOVER CENTER ROAD
BAY VILLAGE OH 44140 US

CHARLES ZUMKEHR
ROETZEL & ANDRESS CO LPA
75 EAST MARKET STREET
AKRON OH 44308 US

SYLVIA R. CHINN-LEVY
NEFCO
969 COPLEY ROAD
AKRON OH 44320 US

CHARLES E ALLENBAUGH JR
EAST OHIO STONE COMPANY
2000 W BESSON ST
ALLIANCE OH 44601 US

D G STRUNK JR
GENERAL CHAIRPERSON UTU
817 KILBOURNE STREET
BELLEVUE OH 44811 US

RICHARD E KERTH
CHAMPION INTERNATIONAL CORPORATION
101 KNIGHTSBRIDGE DRIVE
HAMILTON OH 45020-0001 US

ROBERT EDWARDS
EASTERN TRANSPORT AND LOGISTICS
1109 LANETTE DRIVE
CINCINNATI OH 45230 US

F RONALDS WALKER
CITIZENS GAS & COKE UTILITY
2020 N MERIDIAN STREET
INDIANAPOLIS IN 46202-1393 US

J PATRICK LATZ
HEAVY LIFT CARGO SYSTEM
PO BOX 51451
INDIANAPOLIS IN 46251-0451 US

HAMILTON L CARMOUCHE, CORPORATION COUNSEL
CITY OF GARY
401 BROADWAY 4TH FLOOR
GARY IN 46402 US

CARL FELLER
DEKALB AGRA INC
P. O. BOX 127
4743 COUNTY ROAD 28
WATERLOO IN 46793-0127 US

WILLIAM A BON, GENERAL COUNSEL
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
26555 EVERGREEN ROAD SUITE 200
SOUTHFIELD MI 48076 US

JAMES E SHEPHERD
TUSCOLA & SAGINAW BAY
PO BOX 550
OWOSSO MI 48867-0550 US

HON JOHN ENGLER
OFFICE OF THE GOVERNOR
P O BOX 30013
LANSING MI 48933 US

RANDALL C. HUNT
KRUGLIAK, WILKINS, GRIFFITHS & DOUGHERTY CO.
P O BOX 36963
4775 MUNSON ST NW
CANTON OH 44735-6963 US

R A GRICE
GENERAL CHAIRPERSON UTU
817 KILBOURNE ST
BELLEVUE OH 44811-9431 US

FAY D DUPUIS
CITY OF CINCINNATI
801 PLUM STREET
CINCINNATI OH 45202 US

THOMAS R RYDMAN PRESIDENT
INDIAN CREEK RAILROAD COMPANY
3905 W 600 NORTH
ANDERSON IN 46011 US

MICHAEL P MAXWELL JR
MCHALE, COOK & WELCH
320 N MERIDIAN ST 1100 CHAMBER OF COMMERCE BU
INDIANAPOLIS IN 46204 US

MICHAEL CONNELLY
CITY OF EAST CHICAGO
4525 INDIANAPOLIS BLVD
EAST CHICAGO IN 46312 US

HONORABLE PETER J. VISCLOSKY
U. S. HOUSE OF REPRESENTATIVES
215 WEST 35TH AVENUE
GARY IN 46408 US

CHRISTOPHER J BURGER, PRESIDENT
CENTRAL RAILROAD COMPANY OF INDIANAPOLIS
PO BOX 554
KOKOMO IN 46903-0554 US

NICOLE HARVEY
THE DOW CHEMICAL COMPANY
2020 DOW CENTER
MIDLAND MI 48674 US

LARRY B KARNES
TRANSPORTATION BUILDING
PO BOX 30050
425 WEST OTTAWA
LANSING MI 48909 US

T SCOTT BANNISTER
T SCOTT BANNISTER AND ASSOCIATES
1300 DES MOINES BLDG 405 SIXTH AVENUE
DES MOINES IA 50309 US

BYRON D OLSEN
EELHABER LARSON FENLON & VOGT PA
601 SECOND AVENUE SOUTH SUITE 4200
MINNEAPOLIS MN 55401-4302 US

GERALD J. VINCI
PRAIRIE GROUP
P. O.BOX 1123
7601 WEST 79TH STREET
BRIDGEVIEW IL 60455 US

EDWARD WASHINGTON, II
CHIEF, PUBLIC UTILITIES BUREAU, ILL ATTORNEY
100 W RANDOLPH ST - 12TH FLOOR
CHICAGO IL 60601 US

CHRISTINE H. ROSSO
IL ASSISTANT ATTORNEY GENERAL
100 W RANDOLPH ST 13TH FLOOR
CHICAGO IL 60601 US

RICHARD F. FRIEDMAN, ESQ
EARL L NEAL & ASSOCIATES
111 WEST WASHINGTON STREET, STE 1700
CHICAGO IL 60602-2766 US

ROGER A SERPE
175 WEST JACKSON BOULEVARD SUITE 1460
CHICAGO IL 60604 US

THOMAS F MCFARLAND JR
MCFARLAND & HERMAN
20 NORTH WACKER DRIVE, SUITE 1330
CHICAGO IL 60606-3101 US

CHARLES D BOLAM
UNITED TRANSPORTATION UNION
1400-20TH STREET
GRANITE CITY IL 62040 US

MERRILL L TRAVIS
ILLINOIS DEPT OF TRANSPORTATION
2300 S DIRKSEN PARKWAY RM 302
SPRINGFIELD IL 62764 US

JOHN JAY ROSACKER
KS DEPT OF TRANSP
217 SE 4TH ST 2ND FLOOR
TOPEKA KS 66603 US

HENRY T DART
PLAINTIFF MANGEMENT COMMITTEE
609 EAST GIBSON STREET
COVINGTON LA 70433 US

LEO J WASESCHA
GOLD MEDAL DIVISON - GENERAL MILLS OPERATION
P O BOX 1113
NUMBER ONE GENERAL MILLS BULEVARD
MINNEAPOLIS MN 55440 US

RICHARD A GAVRIL
16700 GENTRY LANE NO 104
TINLEY PARK IL 60477 US

THOMAS J LITWILER
OPPENHEIMER WOLFF & DONNELLY
180 N STETSON AVE 45TH FLOOR
CHICAGO IL 60601 US

WILLIAM C SIPPEL
OPPENHEIMER WOLFF & DONNELLY
180 N STETSON AVE TWO PRUDENTIAL PLAZA 45TH F
CHICAGO IL 60601-6710 US

EDWARD C MCCARTHY
INLAND STEEL INDUSTRIES INC
30 WEST MONROE STREET
CHICAGO IL 60603 US

SHELDON A ZABEL
SCHIFF HARDIN & WAITE
7200 SEARS TOWER
CHICAGO IL 60606 US

MYLES L TOBIN
ILLINOIS CENTRAL RAILROAD
455 NORTH CITYFRONT PLAZA DRIVE
CHICAGO IL 60611-5504 US

SCOTT A RONEY
ARCHER DANIELS MIDLAND COMPANY
P O BOX 1470
4666 FARIES PARKWAY
DECATUR IL 62525 US

IAN MUIR
BUNGE CORPORATION
P O BOX 28500
ST LOUIS MO 63146 US

MR GEORGE VAN HAVER
2340 SOUTH 35TH STREET
OMAHA NE 68105 US

MIKE SPAHIS
FINA OIL & CHEMICAL CO
6000 LEGACY DRIVE
PLANO TX 75024-3601 US

DENNIS A. GUTH
WEST LAKE GROUP
2801 POST OAK BLVD
HOUSTON TX 77056 US

DAVID L HALL
COMMONWEALTH CONSULTING ASSOCIATES
13103 FM 1960 WEST SUITE 204
HOUSTON TX 77065-4069 US

MICHAEL P. FERRO
MILLENNIUM PETROCHEMICALS, INC.
P O BOX 2583
1221 MCKINNEY STREET SUITE 1600
HOUSTON TX 77252-2583 US

STEVE M COULTER
EXXON COMPANY USA
PO BOX 3272
HOUSTON TX 77253-3272 US

MONTY L PARKER SR
CMC STEEL GROUP
P O BOX 911
SEGUIN TX 78156-0911 US

BRAD F HUSTON
CYPRUS AMAX COAL SALES CORP
9100 E MINERAL CIR
MILFORD CO 80112-3401 US

STEPHEN M UTHOFF
CONIGLIO & UTHOFF
60 ELM AVENUE, CONIGLIO PROFESSIONAL BLDG
LONG BEACH CA 90802-4910 US

RICHARD WELSH
NARPO
50-505 GRAND TRAVERSE
LA QUINTA CA 92253 US

JOHN D FITZGERALD
UTU, GENERAL CHAIRPERSON
400 E EVERGREEN BLVD STE 217
VANCOUVER WA 98660-3264 US

Records: 361

30906 SERVICE DATE - APRIL 13, 2000
EB

This decision will be included in the bound volumes of the STB printed reports at a later date.

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 33388

CSX CORPORATION AND CSX TRANSPORTATION, INC.,
NORFOLK SOUTHERN CORPORATION AND
NORFOLK SOUTHERN RAILWAY COMPANY
— CONTROL AND OPERATING LEASES/AGREEMENTS —
CONRAIL INC. AND CONSOLIDATED RAIL CORPORATION

Decision No. 146

Decided: April 11, 2000

Environmental Condition No. 11 of Appendix Q of Decision No. 89[1] (Decision No. 89, slip op. at 401-02), requires Applicants, with the concurrence of the responsible local governments, to mitigate train wayside noise (locomotive engine and wheel/rail noise) at noise-sensitive receptor locations on certain rail line segments. Environmental Condition No. 11 further provides that: "Applicants shall certify compliance with this condition within 2 years of the effective date of the Board's final decision. This condition shall not apply to those communities that have executed Negotiated Agreements with Applicants that satisfy the communities' environmental concerns."

On March 6, 2000, CSX provided us with a copy of a Negotiated Agreement between CSX and the Borough of Belle Vernon, PA, dated February 10, 2000, and accepted by the Borough of Belle Vernon on February 14, 2000. According to CSX, this Negotiated Agreement effectuates the Board's preference for privately negotiated solutions stated in Decision No. 89, slip op. at 153. CSX requests that Environmental Condition No. 11 be amended to reflect the parties' Negotiated Agreement by deleting the Borough of Belle Vernon from the list of communities on the Sinns, PA to Brownsville, PA line segment (C-085), and that the Negotiated Agreement between CSX and the Borough of Belle Vernon be added to the CSX Subsection of Environmental Condition No. 51 of Appendix Q in Decision No. 89, which requires CSX to comply with the terms of all Negotiated Agreements developed with states, local communities, and other entities regarding environmental issues associated with the Conrail transaction. See Decision No. 89, slip op. at 420-21. The Borough of Belle Vernon concurs with the request.

---

[1] In Decision No. 89, served July 23, 1998, we approved, subject to certain conditions, including environmental mitigation conditions, the acquisition of control of Conrail Inc., and Consolidated Rail Corporation (collectively, Conrail) and the division of Conrail's assets by CSX Corporation and CSX Transportation, Inc. (collectively, CSX), and Norfolk Southern Corporation and Norfolk Southern Railway Company (collectively, NS). CSX and NS are referred to as Applicants.

In view of the Negotiated Agreement between CSX and the Borough of Belle Vernon, we will: (1) add the Negotiated Agreement to Environmental Condition No. 51 of Appendix Q of Decision No. 89, and (2) amend Environmental Condition No. 11 of Appendix Q of Decision No. 89 to delete the Borough of Belle Vernon because the noise mitigation for that community has been superseded by the CSX/Borough of Belle Vernon Negotiated Agreement.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.

2. In accordance with the Negotiated Agreement between CSX and the Borough of Belle Vernon, PA, executed on February 14, 2000, the following is added to the CSX Subsection of Environmental Condition No. 51 of Appendix Q of Decision No. 89:

**25. Borough of Belle Vernon, Pennsylvania, dated February 14, 2000.**

3. In addition, Environmental Condition No. 11 of Appendix Q of Decision No. 89 is amended to delete the noise mitigation applicable to the Borough of Belle Vernon, PA, because it has been superseded by the Negotiated Agreement.

4. This decision is effective on the date of service.

By the Board, Chairman Morgan, Vice Chairman Burkes, and Commissioner Clyburn.

Vernon A. Williams
Secretary

SERVICE LIST FOR: 10-apr-2000 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATI

STEPHEN M FONTAINE
MASSACHUSETTS CENTRAL RAILROAD CORPORATION
ONE WILBRAHAM STREET
PALMER MA 01069 US

JAMES E HOWARD
90 CANAL STREET
BOSTON MA 02114 US

JOHN D CIRAME, ASSISTANT SECRETARY
COMMONWEALTH OF MASS. EXEC. OFFICE OF TRANSPT
10 PARK PLAZA ROOM 3170
BOSTON MA 02116-3969 US

HON. EDWARD M KENNEDY
UNITES STATES SENATE
2400 JOHN F KENNEDY FEDERAL BLDG
BOSTON MA 02203 US

WILLIAM D ANKNER PHD
R I DEPT OF TRANSPORTATION
TWO CAPITOL HILL
PROVIDENCE RI 02903 US

JOHN R NADOLNY
14 AVIATION AVENUE
PORTSMOUTH NH 03801 US

ROBERT D ELDER
MAINE DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA ME 04333 US

KAREN E SONGHURST
STATE OF VERMONT
133 STATE STREET
MONTPELLIER VT 05633-5001 US

JAMES F SULLIVAN
CT DEPT OF TRANSPORTATION
P O BOX 317546
2800 BERLIN TURNPIKE
NEWINGTON CT 06131 US

EDWARD J RODRIGUEZ
P O BOX 687
8 DAVIS ROAD WEST
OLD LYME CT 06371 US

RICHARD C CARPENTER
SOUTHWESTERN REGIONAL PLANNING AGENCY
1 SELLECK STREET SUITE 210
EAST NORWALK CT 06855 US

MICHAEL E STRICKLAND
NYK LINE (NORTH AMERICA) INC, SENIOR VICE PRE
300 LIGHTING WAY
SECAUCUS NJ 07094-1588 US

J WILLIAM VAN DYKE
NJ TRANSPORTATION PLANNING AUTHORITY
ONE NEWARK CENTER 17TH FLOOR
NEWARK NJ 07102 US

EDWARD LLOYD
RUTGERS ENVIRONMENTAL LAW CLINIC
15 WASHINGTON STREET
NEWARK NJ 07102 US

HONORABLE ROBERT G. TORRICELLI
UNITED STATES SENATE
1 RIVER FRONT PLAZA, 3RD FLOOR
NEWARK NJ 07102 US

PHILIP SIDO
UNION CAMP CORPORATION
1600 VALLEY ROAD
WAYNE NJ 07470 US

MARTIN T DURKIN ESQ
DURKIN & BOGGIA ESQS
PO BOX 378
71 MT VERNON STREET
RIDGEFIELD PARK NJ 07660 US

CRAIG CURRY
CONSOLIDATED RAIL CORPORATION
1000 HOWARD BOULEVARD
MOUNT LAUREL NJ 08054 US

TIMOTHY G CHELIUS
18 N EAST AVENUE
VINELAND NJ 08360 US

LAWRENCE PEPPER, JR
GRUCCIO PEPPER
817 EAST LANDS AVE
VINELAND NJ 08360 US

JOHN F. MCHUGH
MCHUGH & SHERMAN
20 EXCHANGE PLACE 51ST FLOOR
NEW YORK NY 10005 US

ANTHONY BOTTALICO
UTU
420 LEXINGTON AVENUE ROOM 458-460
NEW YORK NY 10017 US

WALTER E ZULLIG JR
METRO-NORTH COMMUTER RAILROAD COMPANY
347 MADISON AVE
NEW YORK NY 10017-3706 US

ANTHONY P. SEMANCIK
347 MADISON AVENUE
NEW YORK NY 10017-3706 US

JAMES W HARRIS
THE METROPOLITIAN PLANNING ORGANIZATION
1 WORLD TRADE CENTER STE 82 EAST
NEW YORK NY 10048-0043 US

HUGH H. WELSH
LAW DEPT., SUITE 67E
ONE WORLD TRADE CENTER
NEW YORK NY 10048-0202 US

R. LAWRENCE MCCAFFREY, JR.
NEW YORK & ATLANTIC RAILWAY
405 LEXINGTON AVENUE 50TH FLOOR
NEW YORK NY 10174 US

SAMUEL J NASCA
UTU STATE LEGISLATIVE DIRECTOR
35 FULLER ROAD SUITE 205
ALBANY NY 12205 US

DANIEL B. WALSH
BUSINESS COUNCIL OF NEW YORK STATE,INC.
152 WASHINGTON AVENUE
ALBANY NY 12210 US

DIANE SEITZ
CENTRAL HUDSON GAS & ELECTRIC CORP
284 SOUTH AVENUE
POUGHKEEPSIE NY 12601 US

IRWIN L. DAVIS
1900 STATE TOWER BLDG.
SYRACUSE NY 13202 US

ANGELO J CHICK JR, LOCAL CHAIRMAN
P O BOX 908
48398 OLD GOOSE BAY ROAD
REDWOOD NY 13679 US

GARY EDWARDS
SOMERSET RAILROAD
7725 LAKE ROAD
BARKER NY 14012 US

SHEILA MECK HYDE
CITY HALL
342 CENTRAL AVENUE
DUNKIRK NY 14048 US

IRVING J RUBIN
P O BOX 243
YOUNGSTOWN NY 14174 US

JOHN F COLLINS
COLLINS ,COLLINS, & KANTOR PC
267 NORTH STREET
BUFFALO NY 14201 US

R W GODWIN
BROTHERHOOD OF LOCOMOTIVE ENGINEERS
810 ABBOTT ROAD SUITE 200
BUFFALO NY 14220 US

ERNEST J IERARDI
NIXON HARGRAVE DEVANS DOYLE LLP
PO BOX 1051
CLINTON SQUARE
ROCHESTER NY 14603-1051 US

H DOUGLAS MIDKIFF
GENESEE TRANSPORTATION COUNCIL
65 WEST BROAD ST STE 101
ROCHESTER NY 14614-2210 US

JEANNE WALDOCK
107 GRANT COURT
ORLEAN NY 14760 US

DAVID W. DONLEY
3361 STAFFORD ST
PITTSBURGH PA 15204-1441 US

JOHN A VUONO
VUONO & GRAY
2310 GRANT BUILDING
PITTSBURGH PA 15219 US

HENRY M. WICK, JR.
WICK STREIFF ET AL
1450 TWO CHATHAM CENTER
PITTSBURGH PA 15219-3427 US

R J HENEFELD
PPG INDUSTRIES INC
ONE PPG PLACE
PITTSBURGH PA 15272 US

M E PETRUCCELLI
PPG INDUSTRIES INC
ONE PPG PLACE
PITTSBURGH PA 15272 US

RICHARD R WILSON
1126 EIGHT AV STE 403
ALTOONA PA 16602 US

D W DUNLEVY
STATE LEGISLATIVE DIRECTOR UTU
230 STATE STREET PA AFL-CIO BLDG 2ND FLOOR
HARRISBURG PA 17101 US

KURT W CARR
BUREAU FOR HISTORIC PRESERVATION
P O BOX 1026
HARRISBURG PA 17108-1026 US

HONORABLE THOMAS J RIDGE
GOVERNOR, COMMONWEALTH OF PENNSYLVANIA
225 MAIN CAPITOL BUILDING
HARRISBURG PA 17120 US

KRISTOPHER MICHAEL KLEMICK
RR#3 BOX 101-15
JERSEY SHORE PA 17740-9309 US

BELNAP FREEMAN
BELKNAP FREEMAN
119 HICKORY LANE
ROSEMONT PA 19010 US

D J O'CONNELL
GENERAL CHAIRPERSON UTU
410 LANCASTER AVE STE 5
HAVERFORD PA 19041 US

JOHN J GROCKI
GRA INC
115 WEST AV ONE JENKINTOWN STA
JENKINTOWN PA 19046 US

HARRY C BARBIN
BARBIN LAUFFER & O'CONNELL
608 HUNTINGDON PIKE
ROCKLEDGE PA 19046 US

JONATHAN M BRODER
CONSOLIDATED RAIL CORP
PO BOX 41416
2001 MARKET STREET 16-A
PHILADELPHIA PA 19101-1416 US

G CRAIG SCHELTER
PHILADELPHIA INDUSTRIAL DEVELOPMENT CORPORATI
2600 CENTRE SQUARE WEST 500 MARKET ST
PHILADELPHIA PA 19102 US

JOHN J EHLINGER JR
OBERMAYER REBMANN MAXWELL & HIPPEL
1617 JOHN F. KENNEDY BLVD ONE PENN CENTER-19T
PHILADELPHIA PA 19103-1895 US

DAVID BERGER
BERGER AND MONTAGUE, P. C.
1622 LOCUST ST
PHILADELPHIA PA 19103-6305 US

JOHN J COSCIA, EXECUTIVE DIRECTOR
DELAWARE VALLEY REGIONAL PLANNING COMMISSION
111 SOUTH INDEPENDENCE MALL EAST
PHILADELPHIA PA 19106 US

JOHN K. LEARY, GENERAL MANAGER
SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTH
1234 MARKET STREET 5TH FLOOR
PHILADELPHIA PA 19107-3780 US

ERIC M HOCKY
GOLLATZ GRIFFIN EWING
213 WEST MINER STREET
WEST CHESTER PA 19381-0796 US

HON JOSEPH R BIDEN, JR.
UNITED STATES SENATE
844 KING STREET
WILMINGTON DE 19801 US

J E THOMAS
HERCULES INCORPORATED
1313 NORTH MARKET STREET
WILMINGTON DE 19894 US

E C WRIGHT
RAIL TRANSPORTATION PROCUREMENT MANAGER
1007 MARKET STREET DUPONT BLDG 3100
WILMINGTON DE 19898 US

FREDERICK H SCHRANCK
PO BOX 778
DOVER DE 19903 US

TERRENCE D JONES
KELLER & HECKMAN
1001 G ST NW STE 500 WEST
WASHINGTON DC 20001 US

JAMES HOWARD
COALITION OF NORTHEASTERN GOVERNORS
400 NORTH CAPITOL STREET, SUITE 382
WASHINGTON DC 20001 US

MARTIN W BERCOVICI
KELLER & HECKMAN, LLP
1001 G ST NW SUITE 500 WEST
WASHINGTON DC 20001 US

PETER A GILBERTSON
REGIONAL RRS OF AMERICA
122 C ST NW STE 850
WASHINGTON DC 20001 US

RICHARD G SLATTERY
AMTRAK
60 MASSACHUSETTS AVENUE N E
WASHINGTON DC 20002 US

DONALD F GRIFFIN
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
10 G STREET NE STE 460
WASHINGTON DC 20002 US

DREW A HARKER
ARNOLD & PORTER
555 TWELFTH STREET NW
WASHINGTON DC 20004 US

DENNIS G LYONS
ARNOLD & PORTER
555 TWELFTH STREET NW
WASHINGTON DC 20004 US

PAUL REISTRUP
CSX TRANSPORTATION INC
1331 PENNSYLVANIA NW STE 500
WASH DC 20004 US

ERIC VON SALZEN
HOGAN & HARTSON
555 THIRTEENTH STREET N W
WASHINGTON DC 20004-1109 US

GEORGE W MAYO JR
HOGAN & HARTSON L L P
555 THIRTEENTH STREET NW COLUMBIA SQUARE
WASHINGTON DC 20004-1109 US

MARY GABRIELLE SPRAGUE
ARNOLD & PORTER
555 TWELTH STREET NW
WASHINGTON DC 20004-1202 US

KEVIN M SHEYS
OPPENHEIMER WOLFF & DONNELLY & BAYH LLP
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005 US

EDWARD WYTKIND EXECUTIVE DIRECTOR
1025 CONNECTICUT AVE NW SUITE 1005
WASHINGTON DC 20005 US

JOHN H BROADLEY
JENNER & BLOCK
601 13TH ST NW STE 1200 SOUTH
WASHINGTON DC 20005 US

L JOHN OSBORN
SONNENSCHEIN NATH & ROSENTHAL
1301 K STREET NW STE 600 EAST
WASH DC 20005 US

KARL MORELL
BALL JANIK LLP
1455 F STREET NW SUITE 225
WASHINGTON DC 20005 US

ALICE C SAYLOR
AMERICAN SHORT LINE RAILROAD ASSOCIATION
1120 G STREET NW SUITE 520
WASHINGTON DC 20005 US

BRUNO MAESTRI
NORFOLK SOUTHERN CORPORATION
1500 K STREET SUITE 375
WASHINGTON DC 20005 US

LOUIS E GITOMER
BALL JANIK LLP
1455 F STREET NW SUITE 225
WASHINGTON DC 20005 US

DANIEL DUFF
AMERICAN PUBLIC TRANSIT ASSOCIATION
1201 NEW YORK AV NW
WASHINGTON DC 20005 US

ROSE-MICHELE WEINRYB
WEINER BRODSKY SIDMAN & KIDER
1350 NEW YORK AVENUE NW
WASHINGTON DC 20005 US

PAUL M LAURENZA
OPPENHEIMER WOLFF & DONNELLY & BAYH LLP
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005 US

CLARK EVANS DOWNS
JONES DAY REAVIS & POGUE
1450 G STREET NW
WASHINGTON DC 20005-2088 US

WILLIAM A MULLINS
TROUTMAN SANDERS LLP
1300 I STREET NW SUITE 500 EAST
WASHINGTON DC 20005-3314 US

PAUL H LAMBOLEY
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005-3324 US

JEFFREY O MORENO
DONELAN CLEARY WOOD MASER
1100 NEW YORK AVENUE N W, SUITE 750
WASHINGTON DC 20005-3934 US

FREDERIC L WOOD
DONELAN CLEARY WOOD & MASER P C
1100 NEW YORK AVENUE NW SUITE 750
WASHINGTON DC 20005-3934 US

KARYN A BOOTH
DONELAN, CLEARY, WOOD & MASER, P.C.
1100 NEW YORK AVE NW SUITE 750
WASHINGTON DC 20005-3934 US

MARK H SIDMAN
WEINER BRODSKY,SIDMAN & KIDER
1350 NEW YORK AVE., NW., STE. 800
WASHINGTON DC 20005-4797 US

WILLIAM W MILLAR
AMERICAN PUBLIC TRANSIT ASSOCIATION
1201 NEW YORK AVE., NW
WASHINGTON DC 20005-6141 US

ANDREW P GOLDSTEIN
MCCARTHY SWEENEY HARKAWAY, PC
1750 PENNSYLVANIA AVE NW, STE 1105
WASHINGTON DC 20006 US

DANIEL J SWEENEY
MCCARTHY SWEENEY & HARKAWAY P C
1750 PENNSYLVANIA AVE NW STE 1105
WASHINGTON DC 20006 US

JAMES R WEISS
PRESTON GATES ELLIS ET AL
1735 NEW YORK AVENUE NW SUITE 500
WASHINGTON DC 20006 US

CONSTANCE A SADLER
SIDLEY & AUSTIN
1722 EYE STREET NW
WASHINGTON DC 20006 US

SCOTT M ZIMMERMAN
ZUCKERT SCOUTT & RASENBERGER L L P
888 SEVENTEENTH STREET NW
WASHINGTON DC 20006 US

ROBERT P VOM EIGEN
HOPKINS AND SUTTER
888 16TH STREET N W STE 700
WASHINGTON DC 20006 US

ANDREW R. PLUMP
ZUCKERT, SCOUTT & RASENBERGER. LLP
888 17TH ST., NW, STE. 600
WASHINGTON DC 20006 US

ERIKA Z JONES
MAYER BROWN & PLATT
1909 K STREET, NW
WASHINGTON DC 20006-1101 US

RICHARD A ALLEN
ZUCKERT SCOUT RASENBERGER
888 17TH STREET N W STE 600
WASHINGTON DC 20006-3939 US

JOHN V EDWARDS, ESQ
ZUCKERT SCOUTT ET AL
888 17TH STREET N W STE 600
WASHINGTON DC 20006-3939 US

CHARLES A SPITULNIK
HOPKINS & SUTTER
888 SIXTEENTH ST NW
WASH DC 20006-4103 US

STEVEN J KALISH
MCARTHY SWEENEY & HARKAWAY
1750 PENNSYLVANIA AVE NW
WASHINGTON DC 20006-4502 US

SHERRI LEHMAN DIRECTOR OF CONGRESSIONAL AFFAI
CORN REFINERS ASSOC
1701 PA AV NW
WASH DC 20006-5805 US

CHRISTOPHER C O'HARA
BRICKFIELD BURCHETTE & RITTS PC
1025 THOMAS JEFFERSON ST NW EIGHTH FLOOR
WASHINGTON DC 20007 US

PAUL M DONOVAN
LAROE WINN MOERMAN & DONOVAN
3900 HIGHWOOD COURT NW
WASHINGTON DC 20007 US

DAVID K MONROE
GALLAND KHARASCH GREENBERT FELLMAN & SWIRSKY
1054 THIRTY FIRST STREET NW STE 200
WASHINGTON DC 20007 US

ROBERT G SZABO
1050 THOMAS JEFFERSON STREET NW SIXTH FLOOR
WASHINGTON DC 20007 US

EDWARD D GREENBERG
GALLAND, KHARASCH, GREENBERT, FELLMAN & SWIRS
1054 THIRTY-FIRST STREET NW
WASHINGTON DC 20007-4492 US

MICHAEL F MCBRIDE
LEBOEUF LAMB GREENE & MACRAE
1875 CONNECTICUT AVENUE NW
WASHINGTON DC 20009-5728 US

STEPHEN H BROWN
VORYS SATER SEYMOUR AND PEASE
1828 L STREET N W
WASHINGTON DC 20036 US

PAUL D COLEMAN
HOPPEL MAYER & COLEMAN
1000 CONNECTICUT AVENUE NW SUITE 400
WASHINGTON DC 20036 US

HELEN M. COUSINEAU
CARLOS RODRIGUEZ & ASSOCIATES
1710 RHODE ISLAND AVENUE, NW
WASHINGTON DC 20036 US

HAROLD P QUINN, JR
NATIONAL MINING ASSOCIATON
1130 17TH STREET NW
WASHINGTON DC 20036 US

JOHN D HEFFNER
REA CROSS & AUCHINCLOSS
1707 L STREET, NW, STE 570
WASHINGTON DC 20036 US

JOHN M CUTLER JR
MCCARTHY SWEENEY HARKAWAY PC
1750 PENNSYLVANIA AVE N W SUITE 1105
WASHINGTON DC 20036 US

ROBERT A WIMBISH ESQ
REA CROSS & AUCHINCLOSS
1707 L STREET NW STE 570
WASHINGTON DC 20036 US

KEITH G O'BRIEN
REA CROSS AND AUCHINCLOSS
1707 L STREET NW STE 570
WASHINGTON DC 20036 US

CHRISTOPHER A MILLS
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036 US

WILLIAM G. MAHONEY
HIGHSAW, MAHONEY & CLARKE
1050 SEVENTEENTH STREET NW SUITE 210
WASHINGTON DC 20036 US

RICHARD S EDELMAN
O'DONNELL SCHWARTZ & ANDERSON PC
1900 L STREET NW SUITE 707
WASHINGTON DC 20036 US

KELVIN J DOWD
SLOVER & LOFTUS
1224 17TH STREET N W
WASHINGTON DC 20036 US

DAVID H COBURN
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE NW
WASHINGTON DC 20036 US

GORDON P MACDOUGALL
1025 CONNECTICUT AVE NW SUITE 410
WASHINGTON DC 20036 US

PETER A GREENE
THOMPSON HINE FLORY
1920 N STREET N W, SUITE 800
WASHINGTON DC 20036 US

FRITZ R KAHN
1920 N STREET NW 8TH FLOOR
WASHINGTON DC 20036-1601 US

TIMOTHY M WALSH
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE N W
WASHINGTON DC 20036-1795 US

SAMUEL M SIPE JR
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE N W
WASHINGTON DC 20036-1795 US

JOSEPH GUERRIERI, JR.
GUERRIERI, EDMOND & CLAYMAN, PC
1625 MASSACHUSETTS AVE., NW. STE 700
WASHINGTON DC 20036-2243 US

DEBRA L WILLEN
GUERRIERI EDMOND & CLAYMAN PC
1625 MASSACHUSETTS AVENUE, N.W., STE 700
WASHINGTON DC 20036-2243 US

DONALD G AVERY
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036-3003 US

L PAT WYNNS
SUITE 210
1050 - 17TH STREET N W
WASHINGTON DC 20036-5503 US

JOHN L OBERDORFER
PATTON BOGGS LLP
2550 M ST NW
WASHINGTON DC 20037-1301 US

SCOTT N STONE
PATTON BOGGS L L P
2550 M STREET NW 7TH FLOOR
WASHINGTON DC 20037-1346 US

J MICHAEL HEMMER
COVINGTON & BURLING
P O BOX 7566
1201 PENNSYLVANIA AVENUE NW
WASHINGTON DC 20044 US

KEITH A KLINDWORTH
U S DEPT OF AGRICULTURE
P O BOX 96456
WASHINGTON DC 20090 US

MICHAEL V DUNN
USDA
PO BOX 96456 RM 4006-SOUTH BLDG
WASH DC 20090-6456 US

EILEEN S STOMMES
U S DEPARTMENT OF AGRICULTURE
P O BOX 96456 ROOM 4006-SOUTH BUILDING
WASHINGTON DC 20090-6456 US

JUDGE JACOB LEVENTHAL, OFFICE OF HEARINGS
FEDERAL ENERGY REGULATORY COMMISSION
888 - 1ST ST, N.E. STE 11F
WASHINGTON DC 20426 US

RICHARD E SANDERSON
OFFICE OF FEDERAL ACTIVITIES
US ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON DC 20460 US

HON CHARLES SCHUMER
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON DANIEL PATRICK MOYNIHAN
UNITED STATES SENATE
WASINGTON DC 20510 US

HON JOHN BREAUX
UNITED STATER SENATE
WASHINGTON DC 20510 US

HON CHARLES E SCHUMER
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON BYRON L DORGAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. BARBARA A. MIKULSKI
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. CHARLES ROBB
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. JOSEPH I LIEBERMAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE BOB GRAHAM
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE RICHARD LUGAR
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. JOSEPH BIDEN, JR.
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON WILLIAM V. ROTH JR
U S SENATE
WASHINGTON DC 20510-0001 US

HON. JOHN W. WARNER
US SENATE
WASHINGTON DC 20510-0001 US

HON CHRISTOPHER J DODD
UNITED STATES SENATE
WASH DC 20510-0702 US

HONORABLE DANIEL P. MOYNIHAN
UNITED STATE SENATE
WASHINGTON DC 20510-0903 US

HONORABLE CONNIE MACK
UNITED STATES SENATE
WASHINGTON DC 20510-0904 US

HONORABLE J ROBERT KERREY
UNITED STATES SENATE
WASHIGTON DC 20510-2704 US

HON MIKE DEWINE
UNITED STATES SENATE
WASHINGTON DC 20510-3503 US

HON ARLEN SPECTER
UNITED STATES SENATE
WASHINGTON DC 20510-3802 US

HON RICK SANTORUM
UNITED STATES SENATE
WASHINGTON DC 20510-3804 US

HONORABLE JOHN H. CHAFEE
UNITED STATES SENATE
WASHINGTON DC 20510-3902 US

HON JACK REED
U S SENATE
WASHINGTON DC 20510-3903 US

HONORABLE ROBERT BYRD
UNITED STATES SENATE
WASHINGTON DC 20510-6025 US

HONORABLE JOHN J LAFALCE
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. WILLIAM J. COYNE
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. TOM BLILEY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. WILLIAM O. LIPINSKI
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE PAUL E. GILLMOR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. JAMES L. OBERSTAR
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE MIKE DOYLE
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JOHN D. DINGELL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE BENJAMIN A. GILMAN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. JOHN J. DUNCAN
U S HOUSE OF REPRESENTATIVESS
WASHINGTON DC 20515 US

HONORABLE BOB CLEMENT
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE PETER J. VISCLOSKY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE SAM GEJDENSON
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE MAJOR R. OWENS
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. BUD SHUSTER
ATTN: MIKE RICK
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NANCY JOHNSON
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON JAMES TRAFICANT JR
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. ROBERT MENENDEZ
U S HOUSE OF REPRESENTATIVES
WASH DC 20515 US

HON MARCY KAPTUR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE FRANK MASCARA
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON GARY ACKERMAN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON JERROLD NADLER
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE ROBERT W. NEY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE BOB WEYGAND
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE TED STRICKLAND
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON DENNIS J KUCINICH
UNITED STATES HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

HON. ED BRYANT
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. STEVE LATOURETTE
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NYDIA M VELAZQUEZ
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON ED TOWNS
U. S. HOUSE OR REPRESENTATIVES
WASHINGTON DC 20515 US

HON LOUISE M SLAUGHTER
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CHRISTOPHER SHAYS
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CHARLES RANGEL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MICHAEL MCNULTY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JAMES MALONEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CAROLYN B MALONEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NITA LOWEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MAURICE HINCHEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MICHAEL FORBES
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON ELIOT L ENGEL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE CHIP PICKERING
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JESSE L. JACKSON, JR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE LUIS GUTIERREZ
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE DANNY K DAVIS
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON RALPH REGULA
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON SHERROD BROWN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE SAXBY CHAMBLISS,
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE TILLIE K FOWLER
US HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

HON BOB WISE
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON THOMAS C SAWYER
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE ROD R BLAGOJEVICH
U. S. HOUSE OF REPRESENTATIVES
WASHINGTO DC 20515-1305 US

HON JULIA CARSON
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-1410 US

HONORABLE JAMES A. BARCIA
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-2205 US

HON JACK QUINN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3230 US

HONORABLE RICHARD BURR
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3305 US

HONORABLE TOM DAVIS
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-4611 US

HONORABLE BOBBY L. RUSH
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-9997 US

MICHAEL P HARMONIS
DEPARTMENT OF JUSTICE
325 SEVENTH STREET, NW
WASHINGTON DC 20530 US

PAUL SAMUEL SMITH
US DEPARTMENT OF TRANSPORTATION
400 SEVENTH STREET SW, ROOM 4102 C-30
WASHINGTON DC 20590 US

JOLENE MOLITORIS, ADMN.
FEDERAL RAILROAD ADMNS.
400 7TH STREET SW
WASHINGTON DC 20590 US

JOSEPH R POMPONIO
FEDERAL RAILROAD ADMIN
1120 VERMONT AVE NW RCC-20
WASHINGTON DC 20590 US

DAVID G ABRAHAM
SUITE 400W
7315 WISCONSIN AVENUE
BETHESDA MD 20814 US

MITCHELL M KRAUS
TRANSPORTATION COMMUNICATIONS INTERNATIONAL U
3 RESEARCH PLACE
ROCKVILLE MD 20850-3279 US

JOHN M ROBINSON
9616 OLD SPRING ROAD
KENSINGTON MD 20895-3124 US

WILLIAM W WHITEHURST JR
W W WHITEHURST & ASSOCIATES INC
12421 HAPPY HOLLOW ROAD
COCKEYSVILLE MD 21030-1711 US

JOHN HOY
P O BOX 117
GLEN BURNIE MD 21060 US

ROBERT J WILL
UNITED TRANSPORTATION UNION
4134 GRAVE RUN RD
MANCHESTER MD 21102 US

JOHN F WING CHAIRMAN
CITIZENS ADVISORY COMMITTEE
601 NORTH HOWARD STREET
BALTIMOTE MD 21201 US

LINDA A JANEY J D
MARYLAND OFFICE OF PLANNING
301 WEST PRESTON STREET
BALTIMORE MD 21201-2365 US

DON E SANCHEZ
CHESAPEAKE SPECIALTY PRODUCTS INC
5055 NORTH POINT BOULEVARD
BALTIMORE MD 21219 US

CHARLES M CHADWICK
MARYLAND MIDLAND RAILWAY INC
P O BOX 1000
UNION BRIDGE MD 21791 US

GARRET G SMITH
MOBIL OIL CORPORATION
3225 GALLOWS RD RM 8A903
FAIRFAX VA 22037-0001 US

HENRY E. SEATON
7700 LEESBURG PIKE, STE 201
FALLS CHURCH VA 22043 US

PETER Q NYCE JR
U S DEPARTMENT OF THE ARMY
901 NORTH STUART STREET
ARLINGTON VA 22203 US

THOMAS E SCHICK
CHEMICAL MANUF ASSOC
1300 WILSON BOULEVARD
ARLINGTON VA 22209 US

JENNIFER BRAUN
JACKSON & JESSUP
P O BOX 1240
3426 NORTH WASHINGTON BOULEVARD
ARLINGTON VA 22210 US

KENNETH E SIEGEL
AMERICAN TRUCKING ASSOC INC
2200 MILL ROAD
ALEXANDRIA VA 22314-4677 US

HONORABLE GEORGE ALLEN
GOVERNOR, COMMONWEALTH OF VIRGINIA
STATE CAPITOL
RICHMOND VA 23219 US

DAVID A SHELTON
NORFOLK SOUTHERN
THREE COMMERCIAL PLACE
NORFOLK VA 23510 US

JAMES A HIXON
SENIOR VICE PRESIDDENT EMPLOYEE RELATIONS NOR
THREE COMMERCIAL PLACE
NORFFFOLK VA 23510-2191 US

HONORABLE JOHN WARNER
UNITED STATES SENATE
235 FEDERAL BUILDING
ABINGDON VA 24210-0887 US

TERRELL ELLIS
CAEZWV
P O BOX 176
CLAY WV 25043 US

WILLIAM T BRIGHT
P O BOX 149
200 GREENBRIER ROAD
SUMMERSVILLE WV 26651 US

SCOTT M SAYLOR
NORTH CAROLINA RAILROAD COMPANY
3200 ATLANTIC AV STE 110
RALIEGH NC 27604-1640 US

J R BARBEE
GENERAL CHAIRPERSON UTU
441 N LOUISIANA AVE STE Q
ASHEVILLE NC 28806-3791 US

WILLIAM P. JACKSON, JR.
JACKSON & JESSUP, P. C.
P O BOX 1240
3426 NORTH WASHINGTON BLVD
ARLINGTON VA 22210 US

FRANCIS G MCKENNA
ANDERSON & PENDLETON
206 N WASHINGTON STREET SUITE 330
ALEXANDRIA VA 22314 US

ROBERT E MARTINEZ
VA SECRETARY OF TRANSPORTAITON
P. O. BOX 1475
RICHMOND VA 23218 US

JOHN W SNOW
CHAIRMAN PRESIDENT AND CHIEF EXECTIVE OFFICER
P O BOX 85629
RICHMOND VA 23285-5629 US

GEORGE A ASPATORE
NORFOLK SOUTHERN CORP
THREE COMMEMERCIAL PLACE
NORFOLK VA 23510 US

L P KING JR
GENERAL CHAIRPERSON UTU
145 CAMPBELL AVE SW STE 207
ROANOKE VA 24011 US

VAUGHN R GROVES
PITTSTON COAL COMPANY
PO BOX 5100
LEBANON VA 24266 US

R K SARGENT
GENERAL CHAIRPERSON UTU
1319 CHESTNUT STREET
KENOVA WV 25530 US

FRANK N JORGENSEN
THE ELK RIVER RAILROAD INC
P O BOX 460
SUMMERSVILLE WV 26651 US

E NORRIS TOLSON
NC DEPT OF TRANSPORTATION
P O BOX 25201
1 S. WILINGTON STREET
RALEIGH NC 27611 US

HONORABLE DAVID M BEASLE.'
GOVERNOR
P. O. BOX 11369
COLUMBIA SC 29211 US

J RANDALL EVANS
500 WATER STREET (J150)
JACKSONVILLE FL 32202 US

FRED R BIRKHOLZ
CSX TRANSPORTATION LAW DEPT - J-150
500 WATER STREET
JACKSONVILLE FL 32202 US

ROBERT V ALLEN
CSX TRANSPORTATION
500 WATER STREET J305
JACKSONVILLE FL 32202 US

R J HAULTER
500 WATER STREET (J215)
JACKSONVILLE FL 32202 US

DANFORD L PRICE
500 WATER STREET
JACKSONVILLE FL 32202 US

BOB HAULTER
CSX TRANSPORTATION INC
500 WATER STREET (J215)
JACKSONVILLE FL 32202 US

PAUL R. HITCHCOCK
CSX TRANSPORTATION LAW DEPARTMENT
500 WATER STREET SC J-150
JACKSONVILLE FL 32202 US

JOHN W. HUMES, JR.
CSX TRANSPORTATION
SPEED CODE J-150
500 WATER STREET
JACKSONVILLE FL 32202 US

CHARLES M ROSENBERGER
CSX TRANSPORTATION
500 WATER STREET - J150
JACKSONVILLE FL 32202 US

J L RODGERS
GENERAL CHAIRMAN UTU
480 OSCEOLA AVENUE
JACKSONVILLE FL 32250 US

J T REED
GENERAL CHAIRPERSON UTU
7785 BAYMEADOWS WAY STE 109
JACKSONVILLE FL 32256 US

PHILLIP L BELL
ERIE LACKAWANNA RAILROAD CO
PO BOX 1482
TALLAHASSEE FL 32302 US

JAMES L BELCHER
EASTMAN CHEMICAL COMPANY
PO BOX 431
KINGSPORT TN 37662 US

WILLIAM L OSTEEN
ASSOCIATE GENERAL COUNSEL TVA
400 WEST SUMMIT HILL DRIVE
KNOXVILLE TN 37902 US

HONORABLE KIRK FORDICE, GOVERNOR
STATE OF MISSISSIPPI
P O BOX 139
JACKSON MS 39205 US

HONORABLE PAUL E. PATTON
GOVERNOR
700 CAPITOL AVENUE, STE. 100
FRANKFORT KY 40601 US

F R PICKELL
GENERAL CHAIRPERSON UTU
6797 NORTH HIGH ST STE 108
WORTHINGTON OH 43085 US

THOMAS M O'LEARY
OHIO RAIL DEVELOPMENT COMMISSION
50 W BROAD STREET 15TH FLOOR
COLUMBUS OH 43215 US

HONORABLE DEBORAH PRYCE
U. S. HOUSE OF REPRESENTATIVES
500 SOUTH FRONT STREET, ROOM 1130
COLUMBUS OH 43215 US

DOREEN C JOHNSON, CHIEF ANTITRUST SECTION
OHIO ATTY GENERAL OFFICE
140 EAST TOWN STREET, FIRST FLOOR
COLUMBUS OH 43215-6001 US

JAMES R JACOBS
JACOBS INDUSTRIES
2 QUARRY LANE
STONY RIDGE OH 43463 US

DAVID CHAPMAN
LAFARGE LIME OHIO INC
P O BOX 128
659 ANDERSON ROAD
WOODVILLE OH 43469-0128 US

ROBERT J COOPER
GENERAL CHAIRPERSON UTU
1238 CASS ROAD
MAUMEE OH 43537 US

ROBERT E GREENLESE
TOLEDO-LUCAS COUNTY PORT AUTHORITY
1 MARITIME PLAZA SUITE 700
TOLEDO OH 43604 US

ROBERT E MURRAY
OHIO VALLEY COAL CO
56854 PLEASANT RIDGE ROAD
ALLEDONIA OH 43902 US

RON MARQUARDT
LOCAL UNION 1810 UMWA
R D #2
RAYLAND OH 43943 US

CLARENCE TURNQUIST
INTERNATIONAL LONGSHOREMEN S ASSOCIATION
C/O 2125 TRYON ROAD
ASHTABULA OH 44004 US

MAYOR VINCENT M URBIN
150 AVON BELDEN RD
AVON LAKE OH 44012 US

CHARLES S HESSE
CHARLES HESSE ASSOCIATES
7777 BAINBRIDGE ROAD
CHAGRIN FALLS OH 44023-2124 US

BARBARA O'KEEFE
VILLAGE OF WELLINGTON
115 WILLARD MEMORIAL SQ
WELLINGTON OH 44090 US

COLETTA MCNAMEE SR
CUDELL IMPROVEMENT INC
11500 FRANKLIN BLVD STE 104
CLEVELAND OH 44102 US

ANITA R BRINDZA
THE ONE FIFTEEN HUNDRED BUILDING
11500 FRANKLIN BLVD SUITE 104
CLEVELAND OH 44102 US

DANIEL R ELLIOTT III
ASST GENERAL COUNSEL UNITED TRANSPORTATION UN
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

C L LITTLE
INTERNATIONAL PRESIDENT UTU
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

CLINTON J MILLER III GENERAL COUNSEL
UNITED TRANSPORTATION UNION
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

CLARENCE MONIN INTERNATIONAL PRES
BROTHERHOOD OF LOCOMTIVE ENGINEERS MEZZANINE
1370 ONTARIO STREET
CLEVELAND OH 44113 US

CHRISTOPHER C MCCRACKEN
ULMER & BERNE LLP
1300 EAST NINTH STREET SUITE 900
CLEVELAND OH 44114 US

DAVID ROLOFF
GOLDSTEIN & ROLOFF
526 SUPERIOR AVENUE EAST SUITE 1440
CLEVELAND OH 44114 US

INAJO DAVIS CHAPPELL
ASHTA CHEMICALS INC
1300 EAST NINETH STREET SUITE 900
CLEVELAND OH 44114-1538 US

DAVID J MATTY
CITY OF ROCKY RIVER
21012 HILLIARD ROAD
ROCKY RIVER OH 44116-3398 US

C D WINEBRENNER
GENERAL CHAIRPERSON UTU
27801 EUCLID AVENUE RM 200
EUCLID OH 44132 US

GARY A EBERT
CITY OF BAY VILLAGE
350 DOVER CENTER ROAD
BAY VILLAGE OH 44140 US

CHARLES ZUMKEHR
ROETZEL & ANDRESS CO LPA
75 EAST MARKET STREET
AKRON OH 44308 US

SYLVIA R. CHINN-LEVY
NEFCO
969 COPLEY ROAD
AKRON OH 44320 US

CHARLES E ALLENBAUGH JR
EAST OHIO STONE COMPANY
2000 W BESSON ST
ALLIANCE OH 44601 US

RANDALL C. HUNT
KRUGLIAK, WILKINS, GRIFFITHS & DOUGHERTY CO.
P O BOX 36963
4775 MUNSON ST NW
CANTON OH 44735-6963 US

D G STRUNK JR
GENERAL CHAIRPERSON UTU
817 KILBOURNE STREET
BELLEVUE OH 44811 US

R A GRICE
GENERAL CHAIRPERSON UTU
817 KILBOURNE ST
BELLEVUE OH 44811-9431 US

RICHARD E KERTH
CHAMPION INTERNATIONAL CORPORATION
101 KNIGHTSBRIDGE DRIVE
HAMILTON OH 45020-0001 US

FAY D DUPUIS
CITY OF CINCINNATI
801 PLUM STREET
CINCINNATI OH 45202 US

ROBERT EDWARDS
EASTERN TRANSPORT AND LOGISTICS
1109 LANETTE DRIVE
CINCINNATI OH 45230 US

THOMAS R RYDMAN PRESIDENT
INDIAN CREEK RAILROAD COMPANY
3905 W 600 NORTH
ANDERSON IN 46011 US

F RONALDS WALKER
CITIZENS GAS & COKE UTILITY
2020 N MERIDIAN STREET
INDIANAPOLIS IN 46202-1393 US

MICHAEL P MAXWELL JR
MCHALE, COOK & WELCH
320 N MERIDIAN ST 1100 CHAMBER OF COMMERCE BL
INDIANAPOLIS IN 46204 US

J PATRICK LATZ
HEAVY LIFT CARGO SYSTEM
PO BOX 51451
INDIANAPOLIS IN 46251-0451 US

MICHAEL CONNELLY
CITY OF EAST CHICAGO
4525 INDIANAPOLIS BLVD
EAST CHICAGO IN 46312 US

HAMILTON L CARMOUCHE, CORPORATION COUNSEL
CITY OF GARY
401 BROADWAY 4TH FLOOR
GARY IN 46402 US

HONORABLE PETER J. VISCLOSKY
U. S. HOUSE OF REPRESENTATIVES
215 WEST 35TH AVENUE
GARY IN 46408 US

CARL FELLER
DEKALB AGRA INC
P. O. BOX 127
4743 COUNTY ROAD 28
WATERLOO IN 46793-0127 US

CHRISTOPHER J BURGER, PRESIDENT
CENTRAL RAILROAD COMPANY OF INDIANAPOLIS
PO BOX 554
KOKOMO IN 46903-0554 US

WILLIAM A BON, GENERAL COUNSEL
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
26555 EVERGREEN ROAD SUITE 200
SOUTHFIELD MI 48076 US

NICOLE HARVEY
THE DOW CHEMICAL COMPANY
2020 DOW CENTER
MIDLAND MI 48674 US

JAMES E SHEPHERD
TUSCOLA & SAGINAW BAY
PO BOX 550
OWOSSO MI 48867-0550 US

LARRY B KARNES
TRANSPORTATION BUILDING
PO BOX 30050
425 WEST OTTAWA
LANSING MI 48909 US

HON JOHN ENGLER
OFFICE OF THE GOVERNOR
P O BOX 30013
LANSING MI 48933 US

T SCOTT BANNISTER
T SCOTT BANNISTER AND ASSOCIATES
1300 DES MOINES BLDG 405 SIXTH AVENUE
DES MOINES IA 50309 US

BYRON D OLSEN
FELHABER LARSON FENLON & VOGT PA
601 SECOND AVENUE SOUTH SUITE 4200
MINNEAPOLIS MN 55401-4302 US

GERALD J. VINCI
PRAIRIE GROUP
P. O.BOX 1123
7601 WEST 79TH STREET
BRIDGEVIEW IL 60455 US

EDWARD WASHINGTON, II
CHIEF, PUBLIC UTILITIES BUREAU, ILL ATTORNEY
100 W RANDOLPH ST - 12TH FLOOR
CHICAGO IL 60601 US

CHRISTINE H. ROSSO
IL ASSISTANT ATTORNEY GENERAL
100 W RANDOLPH ST 13TH FLOOR
CHICAGO IL 60601 US

RICHARD F. FRIEDMAN, ESQ
EARL L NEAL & ASSOCIATES
111 WEST WASHINGTON STREET, STE 1700
CHICAGO IL 60602-2766 US

ROGER A SERPE
175 WEST JACKSON BOULEVARD SUITE 1460
CHICAGO IL 60604 US

THOMAS F MCFARLAND JR
MCFARLAND & HERMAN
20 NORTH WACKER DRIVE, SUITE 1330
CHICAGO IL 60606-3101 US

CHARLES D BOLAM
UNITED TRANSPORTATION UNION
1400-20TH STREET
GRANITE CITY IL 62040 US

MERRILL L TRAVIS
ILLINOIS DEPT OF TRANSPORTATION
2300 S DIRKSEN PARKWAY RM 302
SPRINGFIELD IL 62764 US

JOHN JAY ROSACKER
KS DEPT OF TRANSP
217 SE 4TH ST 2ND FLOOR
TOPEKA KS 66603 US

HENRY T DART
PLAINTIFF MANGEMENT COMMITTEE
609 EAST GIBSON STREET
COVINGTON LA 70433 US

LEO J WASESCHA
GOLD MEDAL DIVISON - GENERAL MILLS OPERATION
P O BOX 1113
NUMBER ONE GENERAL MILLS BULEVARD
MINNEAPOLIS MN 55440 US

RICHARD A GAVRIL
16700 GENTRY LANE NO 104
TINLEY PARK IL 60477 US

THOMAS J LITWILER
OPPENHEIMER WOLFF & DONNELLY
180 N STETSON AVE 45TH FLOOR
CHICAGO IL 60601 US

WILLIAM C SIPPEL
OPPENHEIMER WOLFF & DONNELLY
180 N STETSON AVE TWO PRUDENTIAL PLAZA 45TH F
CHICAGO IL 60601-6710 US

EDWARD C MCCARTHY
INLAND STEEL INDUSTRIES INC
30 WEST MONROE STREET
CHICAGO IL 60603 US

SHELDON A ZABEL
SCHIFF HARDIN & WAITE
7200 SEARS TOWER
CHICAGO IL 60606 US

MYLES L TOBIN
ILLINOIS CENTRAL RAILROAD
455 NORTH CITYFRONT PLAZA DRIVE
CHICAGO IL 60611-5504 US

SCOTT A RONEY
ARCHER DANIELS MIDLAND COMPANY
P O BOX 1470
4666 FARIES PARKWAY
DECATUR IL 62525 US

IAN MUIR
BUNGE CORPORATION
P O BOX 28500
ST LOUIS MO 63146 US

MR GEORGE VAN HAVER
2340 SOUTH 35TH STREET
OMAHA NE 68105 US

MIKE SPAHIS
FINA OIL & CHEMICAL CO
6000 LEGACY DRIVE
PLANO TX 75024-3601 US

DENNIS A. GUTH
WEST LAKE GROUP
2801 POST OAK BLVD
HOUSTON TX 77056 US

DAVID L HALL
COMMONWEALTH CONSULTING ASSOCIATES
13103 FM 1960 WEST SUITE 204
HOUSTON TX 77065-4069 US

MICHAEL P. FERRO
MILLENNIUM PETROCHEMICALS, INC.
P O BOX 2583
1221 MCKINNEY STREET SUITE 1600
HOUSTON TX 77252-2583 US

STEVE M COULTER
EXXON COMPANY USA
PO BOX 3272
HOUSTON TX 77253-3272 US

MONTY L PARKER SR
CMC STEEL GROUP
P O BOX 911
SEGUIN TX 78156-0911 US

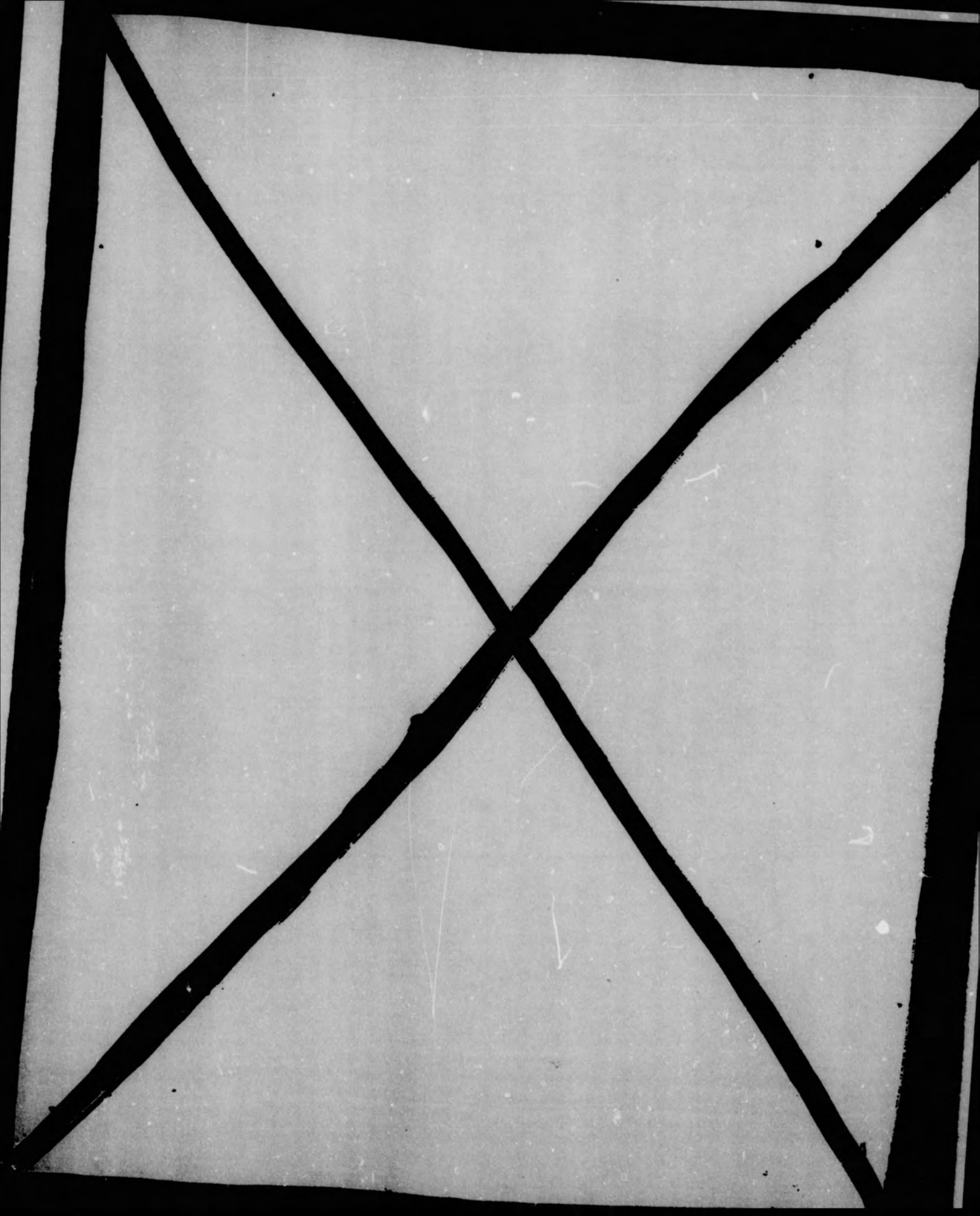
BRAD F HUSTON
CYPRUS AMAX COAL SALES CORP
9100 E MINERAL CIR
MILFORD CO 80112-3401 US

STEPHEN M UTHOFF
CONIGLIO & UTHOFF
60 ELM AVENUE, CONIGLIO PROFESSIONAL BLDG
LONG BEACH CA 90802-4910 US

RICHARD WELSH
NARPO
50-505 GRAND TRAVERSE
LA QUINTA CA 92253 US

JOHN D FITZGERALD
UTU, GENERAL CHAIRPERSON
400 E EVERGREEN BLVD STE 217
VANCOUVER WA 98660-3264 US

Records: 361



STB FD 33388 4-15-99 C 30176

30176
SEC

SERVICE DATE - APRIL 15, 1999

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 33388

CSX CORPORATION AND CSX TRANSPORTATION, INC.,
NORFOLK SOUTHERN CORPORATION AND
NORFOLK SOUTHERN RAILWAY COMPANY
--CONTROL AND OPERATING LEASES/AGREEMENTS--
CONRAIL INC. AND CONSOLIDATED RAIL CORPORATION

Decision No. 122

Decided: April 14, 1999

By pleading dated March 25, 1999, and filed March 29, 1999, General Mills, Inc., has requested the issuance of a declaratory order to Decision No. 89 concerning trackage rights over certain tracks located in or near Buffalo, NY. The cover letter accompanying the General Mills pleading (the cover letter is also dated March 25th and was also filed March 29th) indicates that the pleading has been "Cc'd" to all parties of record.

By letter dated and filed April 9, 1999, CSX[1] has advised: that counsel representing CSX in the STB Finance Docket No. 33388 proceeding first received a service copy of the General Mills pleading on the morning of April 9th; and that the envelope in which that copy came bears a postmark of April 6th. CSX contends that, because (in CSX's view) the General Mills pleading was not properly and promptly served on CSX (the party with respect to which relief is being sought), the Board should either: (1) clarify that CSX has until April 29, 1999, to respond to the General Mills pleading; or (2) extend to April 29, 1999, the time in which CSX may respond to that pleading.

Under the circumstances cited by CSX, an extension of the response due date to April 29th is appropriate. It will therefore be ordered.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

---

[1] In this decision as in Decision No. 89: CSX Corporation and CSX Transportation, Inc., and their wholly owned subsidiaries, and also Consolidated Rail Corporation's wholly owned New York Central Lines LLC subsidiary, are referred to collectively as CSX.

It is ordered:

1. The due date for responses to the General Mills pleading is extended to April 29, 1999. This due date will apply both to CSX and also to any other party with an interest in this matter.

2. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary

SERVICE LIST FOR: 15-apr-1999 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATI

STEPHEN M FONTAINE
MASSACHUSETTS CENTRAL RAILROAD CORPORATION
ONE WILBRAHAM STREET
PALMER MA 01069 US

RICHARD B. KENNELLY, JR
CONSERVATION LAW FOUNDATION
62 SUMMER STREET
BOSTON MA 02110 US

JAMES E HOWARD
90 CANAL STREET
BOSTON MA 02114 US

JOHN D CIRAME, ASSISTANT SECRETARY
COMMONWEALTH OF MASS. EXEC. OFFICE OF TRANSP
10 PARK PLAZA ROOM 3170
BOSTON MA 02116-3969 US

HON. EDWARD M KENNEDY
UNITES STATES SENATE
2400 JOHN F KENNEDY FEDERAL BLDG
BOSTON MA 02203 US

WILLIAM D ANKNER PHD
R I DEPT OF TRANSPORTATION
TWO CAPITOL HILL
PROVIDENCE RI 02903 US

JOHN R NADOLNY
14 AVIATION AVENUE
PORTSMOUTH NH 03801 US

ROBERT D ELDER
MAINE DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA ME 04333 US

KAREN E SONGHURST
STATE OF VERMONT
133 STATE STREET
MONTPELLIER VT 05633-5001 US

JAMES F SULLIVAN
CT DEPT OF TRANSPORTATION
P O BOX 317546
2800 BERLIN TURNPIKE
NEWINGTON CT 06131 US

EDWARD J RODRIGUEZ
P.O. BOX 298
67 MAIN STREET
CANTERBROOK CT 06409 US

RICHARD C CARPENTER
SOUTHWESTERN REGIONAL PLANNING AGENCY
1 SELLECK STREET SUITE 210
EAST NORWALK CT 06855 US

MICHAEL E STRICKLAND
NYK LINE (NORTH AMERICA) INC, SENIOR VICE PRE
300 LIGHTING WAY
SECAUCUS NJ 07094-1588 US

HONORABLE ROBERT G. TORRICELLI
UNITED STATES SENATE
1 RIVER FRONT PLAZA, 3RD FLOOR
NEWARK NJ 07102 US

J WILLIAM VAN DYKE
NJ TRANSPORTATION PLANNING AUTHORITY
ONE NEWARK CENTER 17TH FLOOR
NEWARK NJ 07102 US

EDWARD LLOYD
RUTGERS ENVIRONMENTAL LAW CLINIC
15 WASHINGTON STREET
NEWARK NJ 07102 US

PHILIP SIDO
UNION CAMP CORPORATION
1600 VALLEY ROAD
WAYNE NJ 07470 US

MARTIN T DURKIN ESQ
DURKIN & BOGGIA ESQS
PO BOX 378
71 MT VERNON STREET
RIDGEFIELD PARK NJ 07660 US

TERI LENHART
CONCERNED CITIZENS OF EAST RIVERTON
1220 BANNARD STREET
CINNAMINSON NJ 08077-1802 US

TIMOTHY G CHELIUS
18 N EAST AVENUE
VINELAND NJ 08360 US

LAWRENCE PEPPER, JR
GRUCCIO PEPPER
817 EAST LANDS AVE
VINELAND NJ 08360 US

JOHN F. MCHUGH
MCHUGH & SHERMAN
20 EXCHANGE PLACE 51ST FLOOR
NEW YORK NY 10005 US

ANTHONY BOTTALICO
UTU
420 LEXINGTON AVENUE ROOM 458-460
NEW YORK NY 10017 US

ANTHONY P. SEMANCIK
347 MADISON AVENUE
NEW YORK NY 10017-3706 US

HUGH H. WELSH
LAW DEPT., SUITE 67E
ONE WORLD TRADE CENTER
NEW YORK NY 10048-0202 US

SAMUEL J NASCA
UTU STATE LEGISLATIVE DIRECTOR
35 FULLER ROAD SUITE 205
ALBANY NY 12205 US

DIANE SEITZ
CENTRAL HUDSON GAS & ELECTRIC CORP
284 SOUTH AVENUE
POUGHKEEPSIE NY 12601 US

ANGELO J CHICK JR, LOCAL CHAIRMAN
P O BOX 908
48398 OLD GOOSE BAY ROAD
REDWOOD NY 13679 US

SHEILA MECK HYDE
CITY HALL
342 CENTRAL AVENUE
DUNKIRK NY 14048 US

JOHN F COLLINS
COLLINS ,COLLINS, & KANTOR PC
267 NORTH STREET
BUFFALO NY 14201 US

ERNEST J IERARDI
NIXON HARGRAVE DEVANS DOYLE LLP
PO BOX 1051
CLINTON SQUARE
ROCHESTER NY 14603-1051 US

JEANNE WALDOCK
107 GRANT COURT
ORLEAN NY 14760 US

HENRY M. WICK, JR.
WICK, STREIFF, ET AL
1450 TWO CHATHAM CENTER
PITTSBURGH PA 15219 US

WALTER E ZULLIG JR
METRO-NORTH COMMUTER RAILROAD COMPANY
347 MADISON AVE
NEW YORK NY 10017-3706 US

JAMES W HARRIS
THE METROPOLITIAN PLANNING ORGANIZATION
1 WORLD TRADE CENTER STE 82 EAST
NEW YORK NY 10048-0043 US

R. LAWRENCE MCCAFFREY, JR.
NEW YORK & ATLANTIC RAILWAY
405 LEXINGTON AVENUE 50TH FLOOR
NEW YORK NY 10174 US

DANIEL B. WALSH
BUSINESS COUNCIL OF NEW YORK STATE,INC.
152 WASHINGTON AVENUE
ALBANY NY 12210 US

IRWIN L. DAVIS
1900 STATE TOWER BLDG.
SYRACUSE NY 13202 US

GARY EDWARDS
SOMERSET RAILROAD
7725 LAKE ROAD
BARKER NY 14012 US

IRVING J RUBIN
P O BOX 243
YOUNGSTOWN NY 14174 US

R W GODWIN
BROTHERHOOD OF LOCOMOTIVE ENGINEERS
810 ABBOTT ROAD SUITE 200
BUFFALO NY 14220 US

H DOUGLAS MIDKIFF
GENESEE TRANSPORTATION COUNCIL
65 WEST BROAD ST STE 101
ROCHESTER NY 14614-2210 US

DAVID W. DONLEY
3361 STAFFORD ST
PITTSBURGH PA 15204-1441 US

JOHN A. VUONO
VUONO & GRAY
2310 GRANT BUILDING
PITTSBURGH PA 15219 US

R J HENEFELD
PPG INDUSTRIES INC
ONE PPG PLACE
PITTSBURGH PA 15272 US

M E PETRUCCELLI
PPG INDUSTRIES INC
ONE PPG PLACE
PITTSBURGH PA 15272 US

RICHARD R WILSON
1126 EIGHT AV STE 403
ALTOONA PA 16602 US

D W DUNLEVY
STATE LEGISLATIVE DIRECTOR UTU
230 STATE STREET, PA AFL-CIO BLDG 2ND FLOOR
HARRISBURG PA 17101 US

KURT W CARR
BUREAU FOR HISTORIC PRESERVATION
P O BOX 1026
HARRISBURG PA 17108-1026 US

HONORABLE THOMAS J RIDGE
GOVERNOR, COMMONWEALTH OF PENNSYLVANIA
225 MAIN CAPITOL BUILDING
HARRISBURG PA 17120 US

KRISTOPHER MICHAEL KLEMICK
RR#3 BOX 101-15
JERSEY SHORE PA 17740-9309 US

BELNAP FREEMAN
BELKNAP FREEMAN
119 HICKORY LANE
ROSEMONT PA 19010 US

D J O'CONNELL
GENERAL CHAIRPERSON UTU
410 LANCASTER AVE STE 5
HAVERFORD PA 19041 US

JOHN J GROCKI
GRA INC
115 WEST AV ONE JENKINTOWN STA
JENKINTOWN PA 19046 US

HARRY C BARBIN
BARBIN LAUFFER & O'CONNELL
608 HUNTINGDON PIKE
ROCKLEDGE PA 19046 US

G CRAIG SCHELTER
PHILADELPHIA INDUSTRIAL DEVELOPMENT CORPORAT
2600 CENTRE SQUARE WEST 500 MARKET ST
PHILADELPHIA PA 19102 US

WILLIAM R THOMPSON
CITY OF PHILADELPHIA LAW DEPT
1600 ARCH ST 10TH FLOOR
PHILADELPH PA 19103 US

JOHN J EHLINGER JR
OBERMAYER REBMANN MAXWELL & HIPPEL
1617 JOHN F. KENNEDY BLVD ONE PENN CENTER-19
PHILADELPHIA PA 19103-1895 US

DAVID BERGER
BERGER AND MONTAGUE, P. C.
1622 LOCUST ST
PHILADELPHIA PA 19103-6305 US

JOHN J COSCIA, EXECUTIVE DIRECTOR
DELAWARE VALLEY REGIONAL PLANNING COMMISSION
111 SOUTH INDEPENDENCE MALL EAST
PHILADELPHIA PA 19106 US

JOHN K. LEARY, GENERAL MANAGER
SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTH
1234 MARKET STREET 5TH FLOOR
PHILADELPHIA PA 19107-3780 US

ERIC M HOCKY
GOLLATZ GRIFFIN EWING
213 WEST MINER STREET
WEST CHESTER PA 19381-0796 US

HON JOSEPH R BIDEN, JR.
UNITED STATES SENATE
844 KING STREET
WILMINGTON DE 19801 US

J E THOMAS
HERCULES INCORPORATED
1313 NORTH MARKET STREET
WILMINGTON DE 19894 US

E C WRIGHT
RAIL TRANSPORTATION PROCUREMENT MANAGER
1007 MARKET STREET DUPONT BLDG 3100
WILMINGTON DE 19898 US

FREDERICK H SCHRANCK
PO BOX 778
DOVER DE 19903 US

TERRENCE D JONES
KELLER & HECKMAN
1001 G ST NW STE 500 WEST
WASHINGTON DC 20001 US

MARTIN W BERCOVICI
KELLER & HECKMAN, LLP
1001 G ST NW SUITE 500 WEST
WASHINGTON DC 20001 US

PETER A GILBERTSON
REGIONAL RRS OF AMERICA
122 C ST NW STE 850
WASHINGTON DC 20001 US

JAMES HOWARD
COALITION OF NORTHEASTERN GOVERNORS
400 NORTH CAPITOL STREET, SUITE 382
WASHINGTON DC 20001 US

RICHARD G SLATTERY
AMTRAK
60 MASSACHUSETTS AVENUE N E
WASHINGTON DC 20002 US

DONALD F GRIFFIN
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
10 G STREET NE STE 460
WASHINGTON DC 20002 US

PAUL A CUNNINGHAM
HARKINS CUNNINGHAM
801 PENNSYLVANIA AVENUE, NW STE 600
WASHINGTON DC 20004 US

DREW A HARKER
ARNOLD & PORTER
555 TWELFTH STREET NW
WASHINGTON DC 20004 US

DENNIS G LYONS
ARNOLD & PORTER
555 TWELFTH STREET NW
WASHINGTON DC 20004 US

GEORGE W MAYO JR
HOGAN & HARTSON L L P
555 THIRTEENTH STREET NW COLUMBIA SQUARE
WASHINGTON DC 20004-1109 US

MARY GABRIELLE SPRAGUE
ARNOLD & PORTER
555 TWELTH STREET NW
WASHINGTON DC 20004-1202 US

KEVIN M SHEYS
OPPENHEIMER WOLFF & DONNELLY & BAYH LLP
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005 US

ROSE-MICHELE WEINRYB
WEINER BRODSKY SIDMAN & KIDER
1350 NEW YORK AVENUE NW
WASHINGTON DC 20005 US

PAUL M LAURENZA
OPPENHEIMER WOLFF & DONNELLY & BAYH LLP
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005 US

DANIEL DUFF
AMERICAN PUBLIC TRANSIT ASSOCIATION
1201 NEW YORK AV NW
WASHINGTON DC 20005 US

LOUIS E GITOMER
BALL JANIK LLP
1455 F STREET NW SUITE 225
WASHINGTON DC 20005 US

L JOHN OSBORN
SONNENSCHEIN NATH & ROSENTHAL
1301 K STREET NW STE 600 EAST
WASH DC 20005 US

JOHN H BROADLEY
JENNER & BLOCK
601 13TH ST NW 12TH FL
WASHINGTON DC 20005 US

KARL MORELL
BALL JANIK LLP
1455 F STREET NW SUITE 225
WASHINGTON DC 20005 US

ALICE C SAYLOR
THE AMERICAN SHORT LINE RAILROAD ASSOCIATION
1120 G STREET, N. W., SUITE 520
WASHINGTON DC 20005 US

EDWARD WYTKIND, EXECUTIVE DIRECTOR
LARRY J WILLIS ESQ TRANSP TRADES DEPT AFLCI
1000 VERMONT AVENUE, NW STE 900
WASHINGTON DC 20005 US

CLARK EVANS DOWNS
JONES DAY REAVIS & POGUE
1450 G STREET NW
WASHINGTON DC 20005-2088 US

WILLIAM A MULLINS
TROUTMAN SANDERS LLP
1300 I STREET NW SUITE 500 EAST
WASHINGTON DC 20005-3314 US

PAUL H LAMBOLEY
1350 EYE STREET, N.W., STE 200
WASHINGTON DC 20005-3324 US

FRITZ R KAHN
1100 NEW YORK AVENUE NW SUITE 750 WEST
WASHINGTON DC 20005-3934 US

JEFFREY O MORENO
DONELAN CLEARY WOOD MASER
1100 NEW YORK AVENUE N W, SUITE 750
WASHINGTON DC 20005-3934 US

KARYN A BOOTH
DONELAN, CLEARY, WOOD & MASER, P.C.
1100 NEW YORK AVE NW SUITE 750
WASHINGTON DC 20005-3934 US

FREDERIC L WOOD
DONELAN CLEARY WOOD & MASER P C
1100 NEW YORK AVENUE NW SUITE 750
WASHINGTON DC 20005-3934 US

JOHN K MASER III
DONELAN CLEARY WOOD & MASER P C
1100 NEW YORK AVE NW SUITE 750
WASHINGTON DC 20005-3934 US

MARK H SIDMAN
WEINER BRODSKY,SIDMAN & KIDER
1350 NEW YORK AVE., NW., STE. 800
WASHINGTON DC 20005-4797 US

WILLIAM W MILLAR
AMERICAN PUBLIC TRANSIT ASSOCIATION
1201 NEW YORK AVE., NW
WASHINGTON DC 20005-6141 US

ANDREW P GOLDSTEIN
MCCARTHY SWEENEY HARKAWAY, PC
1750 PENNSYLVANIA AVE NW, STE 1105
WASHINGTON DC 20006 US

ROBERT P VOM EIGEN
HOPKINS AND SUTTER
888 16TH STREET N W STE 700
WASHINGTON DC 20006 US

ANDREW R. PLUMP
ZUCKERT, SCOUTT & RASENBERGER. LLP
888 17TH ST., NW, STE. 600
WASHINGTON DC 20006 US

SCOTT M ZIMMERMAN
ZUCKERT SCOUTT & RASENBERGER L L P
888 SEVENTEENTH STREET NW
WASHINGTON DC 20006 US

JAMES R WEISS
PRESTON GATES ELLIS ET AL
1735 NEW YORK AVENUE NW SUITE 500
WASHINGTON DC 20006 US

DANIEL J SWEENEY
MCCARTHY SWEENEY & HARKAWAY P C
1750 PENNSYLVANIA AVE NW STE 1105
WASHINGTON DC 20006 US

ERIKA Z JONES
MAYER BROWN & PLATT
1909 K STREET, NW
WASHINGTON DC 20006-1101 US

RICHARD A ALLEN
ZUCKERT SCOUT RASENBERGER
888 17TH STREET N W STE 600
WASHINGTON DC 20006-3939 US

JOHN V EDWARDS, ESQ
ZUCKERT SCOUTT ET AL
888 17TH STREET N W STE 600
WASHINGTON DC 20006-3939 US

CHARLES A SPITULNIK
HOPKINS & SUTTER
888 SIXTEENTH ST NW
WASH DC 20006-4103 US

STEVEN J KALISH
MCARTHY SWEENEY & HARKAWAY
1750 PENNSYLVANIA AVE NW
WASHINGTON DC 20006-4502 US

SHERRI LEHMAN DIRECTOR OF CONGRESSIONAL AFFAI
CORN REFINERS ASSOC
1701 PA AV NW
WASH DC 20006-5805 US

ROBERT G. SZABO
V.NESS FELDMAN
1050 THO JEFFERSON STREET,NW
WASHINGTON DC 20007 US

DAVID K MONROE
GALLAND, KHARASCH, GREENBERT, FELLMAN & SWIRS
1054 THIRTY-FIRST STREET NW, STE 200
WASHINGTON DC 20007 US

CHRISTOPHER C O'HARA
BRICKFIELD BURCHETTE & RITTS PC
1025 THOMAS JEFFERSON ST NW EIGHTH FLOOR
WASHINGTON DC 20007 US

EDWARD D GREENBERG
GALLAND, KHARASCH, GREENBERT, FELLMAN & SWIRS
1054 THIRTY-FIRST STREET NW
WASHINGTON DC 20007-4492 US

MICHAEL F MCBRIDE
LEBOEUF LAMB GREENE & MACRAE
1875 CONNECTICUT AVENUE NW
WASHINGTON DC 20009-5728 US

PAUL M DONOVAN
LAROE, WINN, MOERMAN & DONOVAN
3506 IDAHO AVE NW
WASHINGTON DC 20016 US

JOHN D HEFFNER
REA CROSS & AUCHINCLOSS
1707 L STREET, NW, STE 570
WASHINGTON DC 20036 US

WILLIAM G. MAHONEY
HIGHSAW, MAHONEY & CLARKE
1050 SEVENTEENTH STREET NW SUITE 210
WASHINGTON DC 20036 US

DAVID H COBURN
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE NW
WASHINGTON DC 20036 US

KELVIN J DOWD
SLOVER & LOFTUS
1224 17TH STREET N W
WASHINGTON DC 20036 US

HELEN M. COUSINEAU
CARLOS RODRIGUEZ & ASSOCIATES
1710 RHODE ISLAND AVENUE, NW
WASHINGTON DC 20036 US

HAROLD P QUINN, JR
NATIONAL MINING ASSOCIATON
1130 17TH STREET NW
WASHINGTON DC 20036 US

JUDY CALDWELL
OPPNEHEIMER WOLFF & DONNELLY
1020 NINETEENTH ST NW STE 400
WASH DC 20036 US

STEPHEN H BROWN
VORYS SATER SEYMOUR AND PEASE
1828 L STREET N W
WASHINGTON DC 20036 US

KEITH G O'BRIEN
REA CROSS AND AUCHINCLOSS
1707 L STREET NW STE 570
WASHINGTON DC 20036 US

CHRISTOPHER A MILLS
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036 US

ROBERT A WIMBISH ESQ
REA CROSS & AUCHINCLOSS
1707 L STREET NW STE 570
WASHINGTON DC 20036 US

RICHARD S EDELMAN
O'DONNELL SCHWARTZ & ANDERSON PC
1900 L STREET NW SUITE 707
WASHINGTON DC 20036 US

GORDON P MACDOUGALL
1025 CONNECTICUT AVE NW SUITE 410
WASHINGTON DC 20036 US

PETER A GREENE
THOMPSON HINE FLORY
1920 N STREET N W, SUITE 800
WASHINGTON DC 20036 US

JOHN M CUTLER JR
MCCARTHY SWEENEY HARKAWAY PC
1750 PENNSYLVANIA AVE N W SUITE 1105
WASHINGTON DC 20036 US

TIMOTHY M WALSH
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE N W
WASHINGTON DC 20036-1795 US

SAMUEL M SIPE JR
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE N W
WASHINGTON DC 20036-1795 US

JOSEPH GUERRIERI, JR.
GUERRIERI, EDMOND & CLAYMAN, PC
1625 MASSACHUSETTS AVE., NW. STE 700
WASHINGTON DC 20036-2243 US

DEBRA L WILLEN
GUERRIERI EDMOND & CLAYMAN PC
1625 MASSACHUSETTS AVENUE, N.W., STE 700
WASHINGTON DC 20036-2243 US

DONALD G AVERY
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036-3003 US

WILLIAM L SLOVER
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036-3003 US

L PAT WYNNS
SUITE 210
1050 - 17TH STREET N W
WASHINGTON DC 20036-5503 US

EDWARD J FISHMAN
OPPENHEIMER WOLFF & DONNELLY
1020 NINETEENTH STREET NW SUITE 400
WASHINGTON DC 20036-6105 US

JOHN L OBERDORFER
PATTON BOGGS LLP
2550 M ST NW
WASHINGTON DC 20037-1301 US

SCOTT N STONE
PATTON BOGGS L L P
2550 M STREET NW 7TH FLOOR
WASHINGTON DC 20037-1346 US

ARVID E ROACH II
COVINGTON & BURLING
PO BOX 7566
1201 PENNSYLVANIA AVE N W
WASHINGTON DC 20044-7566 US

KEITH A KLINDWORTH
U S DEPT OF AGRICULTURE
P O BOX 96456
WASHINGTON DC 20090 US

EILEEN S STOMMES
P O BOX 96456
ROOM 4006-SOUTH BUILDING
WASHINGTON DC 20090-6456 US

JUDGE JACOB LEVENTHAL, OFFICE OF HEARINGS
FEDERAL ENERGY REGULATORY COMMISSION
888 - 1ST ST, N.E. STE 11F
WASHINGTON DC 20426 US

RICHARD E SANDERSON
OFFICE OF FEDERAL ACTIVITIES
US ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON DC 20460 US

HON. BARBARA A. MIKULSKI
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. JOSEPH BIDEN, JR.
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. JOSEPH I LIEBERMAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE RICHARD LUGAR
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON CHARLES E SCHUMER
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON DANIEL PATRICK MOYNIHAN
UNITED STATES SENATE
WASINGTON DC 20510 US

BYRON L DORGAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON BYRON L DORGAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON BYRON L DORGAN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON CHARLES SCHUMER
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE BOB GRAHAM
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. CHARLES ROBB
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON WILLIAM V. ROTH JR
U S SENATE
WASHINGTON DC 20510-0001 US

HON. JOHN W. WARNER
US SENATE
WASHINGTON DC 20510-0001 US

HON CHRISTOPHER J DODD
UNITED STATES SENATE
WASH DC 20510-0702 US

HONORABLE DANIEL P. MOYNIHAN
UNITED STATE SENATE
WASHINGTON DC 20510-0903 US

HONORABLE CONNIE MACK
UNITED STATES SENATE
WASHINGTON DC 20510-0904 US

HONORABLE JOHN BREAUX
UNITED STATES SENATE
WASHINGTON DC 20510-1803 US

HONORABLE J ROBERT KERREY
UNITED STATES SENATE
WASHIGTON DC 20510-2704 US

HON MIKE DEWINE
UNITED STATES SENATE
WASHINGTON DC 20510-3503 US

HON ARLEN SPECTER
UNITED STATES SENATE
WASHINGTON DC 20510-3802 US

HON RICK SANTORUM
UNITED STATES SENATE
WASHINGTON DC 20510-3804 US

HONORABLE JOHN H. CHAFEE
UNITED STATES SENATE
WASHINGTON DC 20510-3902 US

HON JACK REED
U S SENATE
WASHINGTON DC 20510-3903 US

HONORABLE ROBERT BYRD
UNITED STATES SENATE
WASHINGTON DC 20510-6025 US

HONORABLE JOHN J LAFALCE
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE CHIP PICKERING
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JESSE L. JACKSON, JR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE LUIS GUTIERREZ
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE DANNY K DAVIS
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON RALPH REGULA
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON SHERROD BROWN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NYDIA M VELAZQUEZ
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON ED TOWNS
U. S. HOUSE OR REPRESENTATIVES
WASHINGTON DC 20515 US

HON LOUISE M SLAUGHTER
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CHRISTOPHER SHAYS
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CHARLES RANGEL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MICHAEL MCNULTY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JAMES MALONEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON CAROLYN B MALONEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NITA LOWEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MAURICE HINCHEY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON MICHAEL FORBES
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON ELIOT L ENGEL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON GARY ACKERMAN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON JERROLD NADLER
U S HOUSE OF REPRESENTATIVES
WASH DC 20515 US

HONORABLE ROBERT W. NEY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE BOB WEYGAND
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE TED STRICKLAND
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON DENNIS J KUCINICH
UNITED STATES HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

HON. ED BRYANT
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. STEVE LATOURETTE
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE SAXBY CHAMBLISS,
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE TILLIE K FOWLER
US HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE FRANK MASCARA
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. ROBERT MENENDEZ
U S HOUSE OF REPRESENTATIVES
WASH DC 20515 US

HON MARCY KAPTUR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON JAMES TRAFICANT JR
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON BOB WISE
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. JOHN J. DUNCAN
U S HOUSE OF REPRESENTATIVESS
WASHINGTON DC 20515 US

HONORABLE PAUL E. GILLMOR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. JAMES L. OBERSTAR
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. WILLIAM O. LIPINSKI
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE BOB CLEMENT
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. THOMAS C SAWYER
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. TOM BLILEY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE PETER J. VISCLOSKY
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE MIKE DOYLE
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE JOHN D. DINGELL
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE BENJAMIN A. GILMAN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE SAM GEJDENSON
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. WILLIAM J. COYNE
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE MAJOR R. OWENS
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON NANCY JOHNSON
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HON. BUD SHUSTER
ATTN: MIKE RICK
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE ROD R BLAGOJEVICH
U. S. HOUSE OF REPRESENTATIVES
WASHINGTO DC 20515-1305 US

HONORABLE JAMES A. BARCIA
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-2205 US

JAMES L OBERSTAR
RANKING DEMOCRATIC MEMBER COMMITTEE ON TRANSP
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3222 US

HON JACK QUINN
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3230 US

HONORABLE RICHARD BURR
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3305 US

HONORABLE TOM DAVIS
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-4611 US

HONORABLE BOBBY L. RUSH
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-9997 US

MICHAEL P HARMONIS
DEPARTMENT OF JUSTICE
325 SEVENTH STREET, NW
WASHINGTON DC 20530 US

PAUL SAMUEL SMITH
US DEPARTMENT OF TRANSPORTATION
400 SEVENTH STREET SW, ROOM 4102 C-30
WASHINGTON DC 20590 US

JOSEPH R. POMPONIO
FEDERAL RAILROAD ADMIN.
400 7TH ST SW RCC-20
WASHINGTON DC 20590 US

DAVID G ABRAHAM
SUITE 400W
7315 WISCONSIN AVENUE
BETHESDA MD 20814 US

MITCHELL M. KRAUS
TRANSPORTATION -COMMUNICATIONS INTERNATIONAL
3 RESEARCH PLACE
ROCKVILLE MD 20850 US

JOHN M ROBINSON
9616 OLD SPRING ROAD
KENSINGTON MD 20895-3124 US

WILLIAM W WHITEHURST JR
W W WHITEHURST & ASSOCIATES INC
12421 HAPPY HOLLOW ROAD
COCKEYSVILLE MD 21030-1711 US

JOHN HOY
P O BOX 117
GLEN BURNIE MD 21060 US

ROBERT J WILL
UNITED TRANSPORTATION UNION
4134 GRAVE RUN RD
MANCHESTER MD 21102 US

JOHN F WING CHAIRMAN
CITIZENS ADVISORY COMMITTEE
601 NORTH HOWARD STREET
BALTIMOTE MD 21201 US

LINDA A JANEY J D
MARYLAND OFFICE OF PLANNING
301 WEST PRESTON STREET
BALTIMORE MD 21201-2365 US

CHARLES M CHADWICK
MARYLAND MIDLAND RAILWAY INC
P O BOX 1000
UNION BRIDGE MD 21791 US

GARRET G SMITH
MOBIL OIL CORPORATION
3225 GALLOWS RD RM 8A903
FAIRFAX VA 22037-0001 US

HENRY E. SEATON
7700 LEESBURG PIKE, STE 201
FALLS CHURCH VA 22043 US

PETER Q NYCE JR
U S DEPARTMENT OF THE ARMY
901 NORTH STUART STREET
ARLINGTON VA 22203 US

WILLIAM P. JACKSON, JR.
JACKSON & JESSUP, P. C.
P O BOX 1240
3426 NORTH WASHINGTON BLVD
ARLINGTON VA 22210 US

JENNIFER BRAUN
JACKSON & JESSUP
P O BOX 1240
3426 NORTH WASHINGTON BOULEVARD
ARLINGTON VA 22210 US

GERALD W FAUTH III
G W FAUTH & ASSOCIATES INC
116 SOUTH ROYAL STREET
ALEXANDERIA VA 22314 US

FRANCIS G MCKENNA
ANDERSON & PENDLETON
206 N WASHINGTON STREET SUITE 330
ALEXANDRIA VA 22314 US

KENNETH E SIEGEL
AMERICAN TRUCKING ASSOC INC
2200 MILL ROAD
ALEXANDRIA VA 22314-4677 US

ROBERT E MARTINEZ
VA SECRETARY OF TRANSPORTAITON
P. O. BOX 1475
RICHMOND VA 23218 US

HONORABLE GEORGE ALLEN
GOVERNOR, COMMONWEALTH OF VIRGINIA
STATE CAPITOL
RICHMOND VA 23219 US

GEORGE A ASPATORE
NORFOLK SOUTHERN CORP
THREE COMMEMERCIAL PLACE
NORFOLK VA 23510 US

L P KING JR
GENERAL CHAIRPERSON UTU
145 CAMPBELL AVE SW STE 207
ROANOKE VA 24011 US

HONORABLE JOHN WARNER
UNITED STATES SENATE
P.O.BOX 8817
235 FEDERAL BUILDING
ABINGDON VA 24210-0887 US

VAUGHN R GROVES
PITTSTON COAL COMPANY
PO BOX 5100
LEBANON VA 24266 US

TERRELL ELLIS
CAEZWV
P O BOX 176
CLAY WV 25043 US

R K SARGENT
GENERAL CHAIRPERSON UTU
1319 CHESTNUT STREET
KENOVA WV 25530 US

WILLIAM T BRIGHT
P O BOX 149
200 GREENBRIER ROAD
SUMMERSVILLE WV 26651 US

FRANK N JORGENSEN
THE ELK RIVER RAILROAD INC
P O BOX 460
SUMMERSVILLE WV 26651 US

SCOTT M SAYLOR
NORTH CAROLINA RAILROAD COMPANY
3200 ATLANTIC AV STE 110
RALIEGH NC 27604-1640 US

E NORRIS TOLSON
NC DEPT OF TRANSPORTATION
P O BOX 25201
1 S. WILINGTON STREET
RALEIGH NC 27611 US

HONORABLE DAVID M BEASLEY
GOVERNOR
P. O. BOX 11369
COLUMBIA SC 29211 US

PAUL R. HITCHCOCK
CSX TRANSPORTATION LAW DEPARTMENT
500 WATER STREET SC J-150
JACKSONVILLE FL 32202 US

CHARLES M ROSENBERGER
CSX TRANSPORTATION
500 WATER STREET - J150
JACKSONVILLE FL 32202 US

BOB HAULTER
CSX TRANSPORTATION INC
500 WATER STREET (J215)
JACKSONVILLE FL 32202 US

FRED R BIRKHOLZ
CSX TRANSPORTATION LAW DEPT - J-150
500 WATER STREET
JACKSONVILLE FL 32202 US

ROBERT V ALLEN
CSX TRANSPORTATION
500 WATER STREET J305
JACKSONVILLE FL 32202 US

J RANDALL EVANS
500 WATER STREET (J150)
JACKSONVILLE FL 32202 US

J L RODGERS
GENERAL CHAIRMAN UTU
480 OSCEOLA AVENUE
JACKSONVILLE FL 32250 US

J T REED
GENERAL CHAIRPERSON UTU
7785 BAYMEADOWS WAY STE 109
JACKSONVILLE FL 32256 US

PHILLIP L BELL
ERIE LACKAWANNA RAILROAD CO
PO BOX 1482
TALLAHASSEE FL 32302 US

JAMES L BELCHER
EASTMAN CHEMICAL COMPANY
PO BOX 431
KINGSPORT TN 37662 US

WILLIAM L OSTEEN
ASSOCIATE GENERAL COUNSEL TVA
400 WEST SUMMIT HILL DRIVE
KNOXVILLE TN 37902 US

J R BARBEE
GENERAL CHAIRPERSON UTU
P.O. BOX 9599
KNOXVILLE TN 37940 US

HONORABLE KIRK FORDICE, GOVERNOR
STATE OF MISSISSIPPI
P O BOX 139
JACKSON MS 39205 US

HONORABLE PAUL E. PATTON
GOVERNOR
700 CAPITOL AVENUE, STE. 100
FRANKFORT KY 40601 US

WILLIAM P HERNAN JR GENERAL CHAIRMAN
P O BOX 180
HILLIARD OH 43026 US

F R PICKELL
GENERAL CHAIRPERSON UTU
6797 NORTH HIGH ST STE 108
WORTHINGTON OH 43085 US

THOMAS M O'LEARY
OHIO RAIL DEVELOPMENT COMMISSION
50 W BROAD STREET 15TH FLOOR
COLUMBUS OH 43215 US

HONORABLE DEBORAH PRYCE
U. S. HOUSE OF REPRESENTATIVES
500 SOUTH FRONT STREET, ROOM 1130
COLUMBUS OH 43215 US

DOREEN C JOHNSON, CHIEF ANTITRUST SECTION
OHIO ATTY GENERAL OFFICE
140 EAST TOWN STREET, FIRST FLOOR
COLUMBUS OH 43215-6001 US

JAMES R JACOBS
JACOBS INDUSTRIES
2 QUARRY LANE
STONY RIDGE OH 43463 US

DAVID CHAPMAN
LAFARGE LIME OHIO INC
P O BOX 128
659 ANDERSON ROAD
WOODVILLE OH 43469-0128 US

ROBERT J COOPER
GENERAL CHAIRPERSON UTU
1238 CASS ROAD
MAUMEE OH 43537 US

ROBERT E GREENLESE
TOLEDO-LUCAS COUNTY PORT AUTHORITY
1 MARITIME PLAZA SUITE 700
TOLEDO OH 43604 US

DAVID DYSARD
TMACOG
PO BOX 9508
300 CENTRAL UNION PLAZA
TOLEDO OH 43697-9508 US

RON MARQUARDT
LOCAL UNION 1810 UMWA
R D #2
RAYLAND OH 43943 US

MAYOR VINCENT M URBIN
150 AVON BELDEN RD
AVON LAKE OH 44012 US

CHARLES S HESSE
CHARLES HESSE ASSOCIATES
7777 BAINBRIDGE ROAD
CHAGRIN FALLS OH 44023-2124 US

BARBARA O'KEEFE
VILLAGE OF WELLINGTON
115 WILLARD MEMORIAL SQ
WELLINGTON OH 44090 US

COLETTA MCNAMEE SR
CUDELL IMPROVEMENT INC
11500 FRANKLIN BLVD STE 104
CLEVELAND OH 44102 US

ANITA R BRINDZA
THE ONE FIFTEEN HUNDRED BUILDING
11500 FRANKLIN BLVD SUITE 104
CLEVELAND OH 44102 US

C L LITTLE
UNITED TRANSPORTATION UNION
14600 DETROIT AVE
CLEVELAND OH 44107 US

CLINTON J MILLER III GENERAL COUNSEL
UNITED TRANSPORTATION UNION
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

DANIEL R ELLIOTT III
ASST GENERAL COUNSEL UNITED TRANSPORTATION UN
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

C V MONIN
BROTHERHOOD OF LOCOMOTIVE ENGINEERS
1370 ONTARIO STREET
CLEVELAND OH 44113 US

CHRISTOPHER C MCCRACKEN
ULMER & BERNE LLP
1300 EAST NINTH STREET SUITE 900
CLEVELAND OH 44114 US

DAVID ROLOFF
GOLDSTEIN & ROLOFF
526 SUPERIOR AVENUE EAST SUITE 1440
CLEVELAND OH 44114 US

INAJO DAVIS CHAPPELL
ASHTA CHEMICALS INC
1300 EAST NINETH STREET SUITE 900
CLEVELAND OH 44114-1538 US

DAVID J MATTY
CITY OF ROCKY RIVER
21012 HILLIARD ROAD
ROCKY RIVER OH 44116-3398 US

MICHAEL J GARRIGAN
BP CHEMICALS INC
4440 WARRENSVILLE CTR RD
CLEVELAND OH 44128 US

C D WINEBRENNER
GENERAL CHAIRPERSON UTU
27801 EUCLID AV RM 200
EUCLID OH 44132 US

GARY A EBERT
CITY OF BAY VILLAGE
350 DOVER CENTER ROAD
BAY VILLAGE OH 44140 US

CHARLES ZUMKEHR
ROETZEL & ANDRESS CO LPA
75 EAST MARKET STREET
AKRON OH 44308 US

SYLVIA R. CHINN-LEVY
NEFCO
969 COPLEY ROAD
AKRON OH 44320 US

CHARLES E ALLENBAUGH JR
EAST OHIO STONE COMPANY
2000 W BESSON ST
ALLIANCE OH 44601 US

RANDALL C. HUNT
KRUGLIAK, WILKINS, GRIFFITHS & DOUGHERTY CO.
P O BOX 36963
4775 MUNSON ST NW
CANTON OH 44735-6963 US

D G STRUNK JR
GENERAL CHAIRPERSON UTU
817 KILBOURNE STREET
BELLEVUE OH 44811 US

R A GRICE
GENERAL CHAIRPERSON UTU
817 KILBOURNE ST
BELLEVUE OH 44811-9431 US

RICHARD E KERTH
CHAMPION INTERNATIONAL CORPORATION
101 KNIGHTSBRIDGE DRIVE
HAMILTON OH 45020-0001 US

BRAD F HUSTON
CYPRUS AMAX COAL SALES CORP
400 TECHNECENTER DRIVE STE 320
MILFORD OH 45150 US

ROBERT EDWARDS
EASTERN TRANSPORT AND LOGISTICS
1109 LANETTE DRIVE
CINCINNATI OH 45230 US

F RONALDS WALKER
CITIZENS GAS & COKE UTILITY
2020 N MERIDIAN STREET
INDIANAPOLIS IN 46202-1393 US

J PATRICK LATZ
HEAVY LIFT CARGO SYSTEM
PO BOX 51451
INDIANAPOLIS IN 46251-0451 US

HAMILTON L CARMOUCHE, CORPORATION COUNSEL
CITY OF GARY
401 BROADWAY 4TH FLOOR
GARY IN 46402 US

CARL FELLER
DEKALB AGRA INC
P. O. BOX 127
4743 COUNTY ROAD 28
WATERLOO IN 46793-0127 US

WILLIAM A BON, GENERAL COUNSEL
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
26555 EVERGREEN ROAD SUITE 200
SOUTHFIELD MI 48076 US

JAMES E SHEPHERD
TUSCOLA & SAGINAW BAY
PO BOX 550
OWOSSO MI 48867-0550 US

HON JOHN ENGLER
OFFICE OF THE GOVERNOR
P O BOX 30013
LANSING MI 48933 US

BYRON D OLSEN
FELHABER LARSON FENLON & VOGT PA
601 SECOND AVENUE SOUTH SUITE 4200
MINNEAPOLIS MN 55401-4302 US

THOMAS R BOBAK
313 RIVER OAKS DRIVE
CALUMET CITY IL 60409 US

FAY D DUPUIS
CITY OF CINCINNATI
801 PLUM STREET
CINCINNATI OH 45202 US

THOMAS R RYDMAN PRESIDENT
INDIAN CREEK RAILROAD COMPANY
3905 W 600 NORTH
ANDERSON IN 46011 US

MICHAEL P MAXWELL JR
MCHALE, COOK & WELCH
320 N MERIDIAN ST 1100 CHAMBER OF COMMERCE E
INDIANAPOLIS IN 46204 US

MICHAEL CONNELLY
CITY OF EAST CHICAGO
4525 INDIANAPOLIS BLVD
EAST CHICAGO IN 46312 US

HONORABLE PETER J. VISCLOSKY
U. S. HOUSE OF REPRESENTATIVES
215 WEST 35TH AVENUE
GARY IN 46408 US

CHRISTOPHER J BURGER, PRESIDENT
CENTRAL RAILROAD COMPANY OF INDIANAPOLIS
PO BOX 554
KOKOMO IN 46903-0554 US

NICOLE HARVEY
THE DOW CHEMICAL COMPANY
2020 DOW CENTER
MIDLAND MI 48674 US

LARRY B KARNES
TRANSPORTATION BUILDING
PO BOX 30050
425 WEST OTTAWA
LANSING MI 48909 US

T SCOTT BANNISTER
T SCOTT BANNISTER AND ASSOCIATES
1300 DES MOINES BLDG 405 SIXTH AVENUE
DES MOINES IA 50309 US

LEO J WASESCHA
GOLD MEDAL DIVISON - GENERAL MILLS OPERATIC
P.O.BOX 1113
NUMBER ONE GENERAL MILLS BULEVARD
MINNEAPOLIS MN 55440 US

GERALD J. VINCI
PRAIRIE GROUP
P. O.BOX 1123
7601 WEST 79TH STREET
BRIDGEVIEW IL 60455 US

RICHARD A GAVRIL
16700 GENTRY LANE NO 104
TINLEY PARK IL 60477 US

EDWARD WASHINGTON, II
CHIEF, PUBLIC UTILITIES BUREAU, ILL ATTORNEY
100 W RANDOLPH ST - 12TH FLOOR
CHICAGO IL 60601 US

CHRISTINE [illegible]. ROSSO
IL ASSISTANT ATTORNEY GENERAL
100 W RANDOLPH ST 13TH FLOOR
CHICAGO IL 60601 US

THOMAS J LITWILER
OPPENHEIMER WOLFF & DONNELLY
180 N STETSON AVE 45TH FLOOR
CHICAGO IL 60601 US

WILLIAM C SIPPEL
OPPENHEIMER WOLFF & DONNELLY
180 N STETSON AVE TWO PRUDENTIAL PLAZA 45TH F
CHICAGO IL 60601-6710 US

RICHARD F. FRIEDMAN, ESQ
EARL L NEAL & ASSOCIATES
111 WEST WASHINGTON STREET, STE 1700
CHICAGO IL 60602-2766 US

EDWARD C MCCARTHY
INLAND STEEL INDUSTRIES INC
30 WEST MONROE STREET
CHICAGO IL 60603 US

ROGER A SERPE
175 WEST JACKSON BOULEVARD SUITE 1460
CHICAGO IL 60604 US

SANDRA J. DEARDEN
MDCO CONSULTANTS, INC.
407 SOUTH DEARBORN, SUITE 1260
CHICAGO IL 60605 US

SHELDON A ZABEL
SCHIFF HARDIN & WAITE
7200 SEARS TOWER
CHICAGO IL 60606 US

THOMAS F MCFARLAND JR
MCFARLAND & HERMAN
20 NORTH WACKER DRIVE, SUITE 1330
CHICAGO IL 60606-3101 US

MYLES L TOBIN
ILLINOIS CENTRAL RAILROAD
455 NORTH CITYFRONT PLAZA DRIVE
CHICAGO IL 60611-5504 US

CHARLES D BOLAM
UNITED TRANSPORTATION UNION
1400-20TH STREET
GRANITE CITY IL 62040 US

SCOTT A RONEY
ARCHER DANIELS MIDLAND COMPANY
P O BOX 1470
4666 FARIES PARKWAY
DECATUR IL 62525 US

MERRILL L TRAVIS
ILLINOIS DEPT OF TRANSPORTATION
2300 S DIRKSEN PARKWAY RM 302
SPRINGFIELD IL 62764 US

IAN MUIR
BUNGE CORPORATION
P O BOX 28500
ST LOUIS MO 63146 US

JOHN JAY ROSACKER
KS DEPT OF TRANSP
217 SE 4TH ST 2ND FLOOR
TOPEKA KS 66603 US

HENRY T DART
PLAINTIFF MANGEMENT COMMITTEE
3748 NORTH CAUSEWAY BLVD SUITE 301
METAIRIE LA 70002 US

MIKE SPAHIS
FINA OIL & CHEMICAL CO.
6000 LEGACY DRIVE
PLANO, TX 75024-3601 US

DENNIS A. GUTH
WEST LAKE GROUP
2801 POST OAK BLVD
HOUSTON TX 77056 US

DAVID L HALL
COMMONWEALTH CONSULTING ASSOCIATES
13103 FM 1960 WEST SUITE 204
HOUSTON TX 77065-4069 US

MICHAEL P. FERRO
MILLENNIUM PETROCHEMICALS, INC.
P O BOX 2583
1221 MCKINNEY STREET SUITE 1600
HOUSTON TX 77252-2583 US

STEVE M COULTER
EXXON COMPANY USA
PO BOX 3272
HOUSTON TX 77253-3272 US

MONTY L PARKER
CMC STEEL GROUP
P O BOX 911
SEGUIN TX 78156 US

STEPHEN M UTHOFF
CONIGLIO & UTHOFF
60 ELM AVENUE, CONIGLIO PROFESSIONAL BLDG
LONG BEACH CA 90802-4910 US

JOHN D FITZGERALD
UTU, GENERAL CHAIRPERSON
400 E EVERGREEN BLVD STE 217
VANCOUVER WA 98660-3264 US

Records: 356