**TABLE OF CONTENTS**

**INTRODUCTION** ................................................. 3

**DISCUSSION AND CONCLUSIONS** ........................................ 7

**APPLICABLE STANDARDS** ........................................... 7

**APPLICANTS** ..................................................... 8

Stone Shippers' Loss of Single-Line Routings ...................... 8
Noise Conditions .................................................. 9
Access of CSX Intermodal to APL Contracts ....................... 10

**APL LIMITED** ................................................... 11

**THE NADLER DELEGATION** ......................................... 12

Zee Frank ....................................................... 12

**INDIANAPOLIS POWER & LIGHT COMPANY** ......................... 14

**THE FERTILIZER INSTITUTE** .................................... 16

**OHIO RAIL DEVELOPMENT COMMISSION** .......................... 16

**WISCONSIN CENTRAL LTD.** ..................................... 17

**WHEELING & LAKE ERIE RAILWAY COMPANY** ...................... 17

**STARK DEVELOPMENT BOARD** .................................... 18

**READING AND BLUE MOUNTAIN RAILROAD COMPANY** ............. 19

**THE FOUR CITY CONSORTIUM** ................................... 20

---

1 This decision covers the STB Finance Docket No. 33388 lead proceeding and one embraced proceeding: STB Finance Docket No. 33388 (Sub-No. 80), Responsive Application—Wheeling & Lake Erie Railway Company.
APPENDIX A: SUMMARY OF PLEADINGS
THE CSX/NS-209 PETITION
   Relief Sought By CSX and/or NS
   The CLEV-21 Reply
   The WYANDOT-7 Reply
   The NLS-10 Response
   ORDC’s September 1st Letter Respecting CSX/NS-209
THE CSX-160 PETITION
   Relief Sought By CSX
   The APL-28 Response
   CSX’s September 3rd Letter
THE APL-27 PETITION
   Relief Sought By APL
   The CSX-162 Response
THE NADLER DELEGATION’S APPLICATION
   Relief Sought By The Nadler Delegation
   The CSX/NS-216 Response
   The NYS-29 Reply
   The NYCH-5 Reply
   The NYAR No. 7 Reply
ZEE FRANK’S APPEAL
   Relief Sought By Ms. Frank
THE IP&L-15 PETITION
   Relief Sought By IP&L
   The CSX-163 Reply
   The ISRR-11 Reply
THE TFI-8 PETITION
   Relief Sought By TFI
   The IP&L-15 Petition
   The CSX/NS-211 Reply
   The CSX-163 Reply
ORDC’s JULY 29th LETTER
   Relief Sought By ORDC
   The CSX/NS-213 Reply
THE WC-19 PETITION
   Relief Sought By WCL
   The CSX/NS-215 Response
## INTRODUCTION

*Decision No. 89.* In Decision No. 89 (served July 23, 1998), we approved, subject to certain conditions, the acquisition of control of Conrail Inc. (CRR) and Consolidated Rail Corporation (CRC), and the division of the assets thereof, by (1) CSX Corporation (CSXC) and CSX Transportation, Inc. (CSXT), and (2) Norfolk Southern Corporation (NSC) and Norfolk Southern Railway Company (NSR). Acquisition of control of Conrail was effected by CSX and CSXC and CSXT and their wholly owned subsidiaries, and also the wholly owned CRC (continued...)

---

<table>
<thead>
<tr>
<th>Document</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prairie Group's August 31st Statement</td>
<td>53</td>
</tr>
<tr>
<td>The IMRL-9 Reply</td>
<td>53</td>
</tr>
<tr>
<td>IHB's September 2nd Response</td>
<td>54</td>
</tr>
<tr>
<td><strong>THE WLE-9 PETITION</strong></td>
<td>54</td>
</tr>
<tr>
<td>Relief Sought By W&amp;LE</td>
<td>54</td>
</tr>
<tr>
<td>The CSX/NS-212 Reply</td>
<td>56</td>
</tr>
<tr>
<td>ORDC's September 1st Letter Respecting WLE-9</td>
<td>56</td>
</tr>
<tr>
<td>Bayer's September 1st Letter</td>
<td>56</td>
</tr>
<tr>
<td><strong>THE SDB-15 PETITION</strong></td>
<td>57</td>
</tr>
<tr>
<td>Relief Sought By SDB</td>
<td>57</td>
</tr>
<tr>
<td>The CSX/NS-210 Reply</td>
<td>58</td>
</tr>
<tr>
<td><strong>THE RBMN-10 PETITION</strong></td>
<td>58</td>
</tr>
<tr>
<td>Relief Sought By RBMN</td>
<td>58</td>
</tr>
<tr>
<td>The CSX/NS-213 Reply</td>
<td>62</td>
</tr>
<tr>
<td><strong>THE FCC-18 PETITION</strong></td>
<td>63</td>
</tr>
<tr>
<td>Relief Sought By Four Cities</td>
<td>63</td>
</tr>
<tr>
<td>The CSX/NS-217 Response</td>
<td>69</td>
</tr>
<tr>
<td>Prairie Group's August 31st Statement</td>
<td>70</td>
</tr>
<tr>
<td>The IMRL-9 Reply</td>
<td>70</td>
</tr>
<tr>
<td><strong>NJT's AUGUST 12th LETTER</strong></td>
<td>70</td>
</tr>
<tr>
<td>Relief Sought By NJT</td>
<td>71</td>
</tr>
<tr>
<td>The CSX/NS-214 Reply</td>
<td>73</td>
</tr>
<tr>
<td><strong>LAL's AUGUST 4th LETTER</strong></td>
<td>74</td>
</tr>
<tr>
<td>Relief Sought By LAL</td>
<td>74</td>
</tr>
<tr>
<td><strong>CG&amp;C's JULY 22nd REQUEST</strong></td>
<td>74</td>
</tr>
<tr>
<td>Relief Sought By CG&amp;C</td>
<td>74</td>
</tr>
</tbody>
</table>

### APPENDIX B: REVISED ENVIRONMENTAL CONDITIONS

---

2 CSXC and CSXT and their wholly owned subsidiaries, and also the wholly owned CRC
NS on the Control Date, which was August 22, 1998 (the effective date of Decision No. 89). The division of the assets of Conrail has not yet been effected; it will be effected on a date not yet determined (that date is generally referred to as Day One; it has also been referred to as the Closing Date and the Split Date).

This Decision (Petitions). In this decision, we address the issues raised in the following pleadings, each of which seeks, in essence, either reconsideration and/or clarification of one or more aspects of Decision No. 89: the CSX/NS-209 petition for reconsideration, filed August 12, 1998, by CSX and NS; the CSX-160 petition for clarification, filed August 12, 1998, by CSX; the APL-27 petition for clarification, filed August 12, 1998, by APL Limited (APL); the undesignated application in the nature of a petition, filed August 12, 1998, by United States Rep. Jerrold Nadler and 23 other Members of the United States House of Representatives (referred to collectively as the Nadler Delegation); the undesignated appeal in the nature of a petition, filed August 24, 1998, by

2(...continued)

subsidiary to be known as New York Central Lines LLC (NYC), are referred to collectively as CSX. NSC and NSR and their wholly owned subsidiaries, and also the wholly owned CRC subsidiary to be known as Pennsylvania Lines LLC (PRR), are referred to collectively as NS. CRR and CRC, and also their wholly owned subsidiaries other than NYC and PRR, are referred to collectively as Conrail or CR. CSX, NS, and Conrail are referred to collectively as applicants (or, sometimes, the primary applicants).

3 The effective date of Decision No. 89 was August 22, 1998. See Decision No. 89, slip op. at 185 (ordering paragraph 83). The references elsewhere in that decision to a different effective date, see Decision No. 89, slip op. at 162-65 (indicating that the effective date would be August 23, 1998), were not correct.

4 The public will receive at least 14 days’ prior notice of the date that will be designated as Day One. See Decision No. 89, slip op. at 174 (ordering paragraph 3).

5 We do not address, in this decision, the issues raised in two additional pleadings: the INRD-1 petition for leave to intervene, filed August 12, 1998, by Indiana Rail Road Company (INRD); and the INRD-2 petition for reconsideration, filed August 13, 1998, by INRD. See Decision No. 93 (denying the INRD-1 petition for leave to intervene, and thereby effect vely rejecting the INRD-2 petition for reconsideration).

6 The CSX-160 pleading also seeks clarification of Decision No. 87.

7 The members of the Nadler Delegation, each of whom is a Member of the United States House of Representatives from either New York or Connecticut, are, as of August 12, 1998: the Hon. Jerrold Nadler, the Hon. Christopher Shays, the Hon. Charles Rangel, the Hon. Ben Gilman, (continued...)
Ms. Zee Frank; the TFI-8 petition for clarification or reconsideration, filed August 12, 1998, by The Fertilizer Institute (TFI); the IP&L-15 petition for clarification or reconsideration, filed August 12, 1998, by Indianapolis Power & Light Company (IP&L); the undesignated letter in the nature of a petition, filed July 29, 1998, by the Ohio Rail Development Commission (ORDC); the WC-19 petition for partial reconsideration of monitoring and reporting conditions, filed August 12, 1998, by Wisconsin Central Ltd. (WCL); the WLE-9 reconsideration/clarification petition, filed August 12, 1998, by Wheeling & Lake Erie Railway Company (W&LE); the SDB-15 petition for reconsideration, filed August 11, 1998, by the Stark Development Board, Inc. (SDB); the RBMN-10 petition to reopen and to clarify, filed August 12, 1998, by Reading Blue Mountain & Northern Railroad Company (RBMN); the FCC-18 petition for reconsideration, filed August 12, 1998, by the Four City Consortium (Four Cities, an association of the Four Cities of East Chicago, Hammond, Gary, and Whiting, IN); the undesignated letter in the nature of a petition, filed August 12, 1998, by the New Jersey Department of Transportation and New Jersey Transit Corporation; the

7 (...continued)

the Hon. Barbara Kennelly, the Hon. Nancy Johnson, the Hon. Charles Schumer, the Hon. Rosa DeLauro, the Hon. Michael Forbes, the Hon. Sam Gejdenson, the Hon. Nita Lowey, the Hon. Major Owens, the Hon. Thomas Manton, the Hon. Maurice Hinchey, the Hon. Ed Towns, the Hon. Carolyn B. Maloney, the Hon. Nydia M. Velazquez, the Hon. Gary Ackerman, the Hon. Eliot L. Engel, the Hon. Louise M. Slaughter, the Hon. John LaFalce, the Hon. Michael McNulty, the Hon. James Maloney, and the Hon. Gregory Meeks.

8 The letter filed July 29, 1998, by ORDC will hereinafter be referred to as ORDC's July 29th letter.

9 Although WCL previously filed a responsive application in STB Finance Docket No. 33388 (Sub-No. 59), the WC-19 petition has been filed in STB Finance Docket No. 33388, and not in the Sub-No. 59 sub-docket.

10 The WLE-9 petition was filed in STB Finance Docket No. 33388 (Sub-No. 80).

11 The SDB-15 petition purports to be filed in STB Finance Docket No. 33388 (Sub-No. 79), as if SDB had previously filed a responsive application in the Sub-No. 79 sub-docket. As has already been noted, however, the SDB-4 submission filed on or about October 21, 1997, has not been regarded as a responsive application. See Decision No. 55, slip op. at 3. We will therefore treat the SDB-15 petition as if it had been filed in STB Finance Docket No. 33388.

12 The New Jersey Department of Transportation is referred to as NJDOT. New Jersey Transit Corporation and its commuter rail operating subsidiary (New Jersey Transit Rail Operations, Inc., known as NJTRO) are referred to collectively as NJTC. NJDOT and NJTC are referred to collectively as NJT. See Decision No. 89, slip op. at 233 n.365. The letter filed August (continued...)
undesignated letter in the nature of a petition, filed August 4, 1998, by Livonia, Avon & Lakeville Railroad Corporation (LAL);\textsuperscript{13} and the undesignated request to withdraw comments in opposition, filed July 22, 1998, by Citizens Gas & Coke Utility (CG&C).\textsuperscript{14} The requests for relief contained in these pleadings, and the arguments advanced in support of such requests, are summarized in Appendix A.

This Decision (Replies). We have considered, in this decision, the following responsive pleadings:\textsuperscript{15} the CSX/NS-210, -211, -212, -213, and -214 replies, filed August 27, 1998, by CSX and NS; the CSX/NS-215, -216, and -217 responses, filed August 27, 1998, by CSX and NS; the CSX-162 response, filed August 27, 1998, by CSX; the CSX-163 reply, filed August 27, 1998, by CSX; the NYS-29 reply, filed August 31, 1998, by the State of New York, acting by and through its Department of Transportation (NYDOT); the undesignated statement filed August 31, 1998, by Prairie Group (hereinafter referred to as Prairie Group's August 31st statement); the IMRL-9 reply, filed September 1, 1998, by I & M Rail Link, LLC (I&M); the APL-28 response, filed September 1, 1998, by APL;\textsuperscript{16} the WYANDOT-7 reply, filed September 1, 1998, by Wyandot Dolomite Inc. (Wyandot); the NLS-10 response, filed September 1, 1998, by National Lime and Stone Company (NL&S); the NYCH-5 reply, filed September 1, 1998, by New York Cross Harbor Railroad (NYCH); the NYAR No. 7 reply, filed September 1, 1998, by New York & Atlantic Railroad (NYAR); the ISRR-11 reply, filed September 1, 1998, by Indiana Southern Railroad, Inc.

\textsuperscript{12}(...continued)

12. 1998, by NJT will hereinafter be referred to as NJT's August 12th letter.

13 Although LAL previously filed a responsive application in STB Finance Docket No. 33388 (Sub-No. 39), its undesignated letter filed August 4, 1998 (hereinafter referred to as LAL's August 4th letter), has been filed in STB Finance Docket No. 33388, and not in the Sub-No. 39 sub-docket.

14 The undesignated request filed July 22, 1998, by CG&C will hereinafter be referred to as CG&C's July 22nd request.

15 We do not consider, in this decision, two additional responsive pleadings: the IP&L-16 and -17 replies filed September 1, 1998, by IP&L. \textit{See} Decision No. 93 (denying and effectively rejecting, respectively, the two pleadings to which the IP&L-16 and -17 replies were responsive: the INRD-1 intervention petition and the INRD-2 reconsideration petition). Nor do we consider, in this decision, the undesignated letter filed September 1, 1998, by Empire Wholesale Lumber Co. This letter, which expresses support for the WLYE-9 petition, does not appear to have been served on all parties of record.

16 We have also considered the undesignated letter filed September 3, 1998, by CSX (this letter, which is in the nature of a response to APL-28, is hereinafter referred to as CSX's September 3rd letter).
DISCUSSION AND CONCLUSIONS

APPLICABLE STANDARDS. A proceeding may be reopened, and reconsideration granted, upon a showing of material error, new evidence, or changed circumstances. 49 U.S.C. 722(c); 49 CFR 1115.3(b). See, e.g., Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company—Control and Merger—Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver And Rio Grande Western Railroad Company, Finance Docket No. 32760 (UP/SP), Decision No. 60, slip op. at 4 (STB served Nov. 20, 1996).

A prior decision may be clarified in any instance in which there appears to be a need for a more complete explanation of the action taken therein. See, e.g., UP/SP, Decision No. 57, slip op. at 3 (STB served Nov. 20, 1996). A decision clarifying a prior decision is, in many respects, the

17 We have not considered, in this decision, the portion of the ISRR-11 reply (ISRR-11 at 9-11) that is responsive to the INRD-1 and -2 pleadings (the pleadings that were denied and effectively rejected, respectively, in Decision No. 93).

18 The letter addressing the WLE-9 petition will hereinafter be referred to as ORDC’s September 1st letter respecting WLE-9. The letter addressing the Wyandot/NL&S component of the CSX/NS-209 petition will hereinafter be referred to as ORDC’s September 1st letter respecting CSX/NS-209.

19 The letter filed September 1, 1998, by Bayer will hereinafter be referred to as Bayer’s September 1st letter.

20 “Indiana Harbor Belt Railroad Company” is apparently IHB’s correct name. See the undesignated response filed September 2, 1998, at 1 and 4 (this response, hereinafter referred to as IHB’s September 2nd response, is signed by IHB’s general counsel). Decision No. 89 referred to IHB by two names. See, e.g., Decision No. 89, slip op. at 32 (“Indiana Harbor Belt Railway”) and 90 (“Indiana Harbor Belt Railroad Company”).
functional equivalent of a declaratory order. Where appropriate, we have treated petitions for clarification as petitions for reconsideration.

APPLICANTS. In CSX/NS-209, applicants seek clarification of certain of our conditions related to (a) shippers who lose single-line service and (b) communities that will experience environmental harm from increased noise. In CSX-160, CSX seeks “clarification” that it can share confidential APL Limited contract information with its affiliate CSX Intermodal, Inc. (CSXI).

a. Stone Shippers’ Loss of Single-Line Routings. In Decision No. 89, we found that the transaction, by allocating Conrail’s route system to CSX and NS, would create about six times as many new single-line movements as it eliminated. We also found that, in general, the transaction would result in only modest harm to those shippers whose single-line Conrail service would be replaced by somewhat less efficient joint-line NS/CSX service. We explained that it would unduly interfere with applicants’ proposed operations and be a substantial overreach for us to require applicants to undertake a fundamental restructuring of the procompetitive transaction applicants had proposed by giving either CSX or NS trackage rights to permit those shippers access to two carriers simply to ensure continuation of single-line service. Instead, we determined that the appropriate remedy for this limited harm was the creative solution for transitional relief agreed to between applicants and the National Industrial Transportation League (NITL). Under that agreement, where Conrail single-line rates have been lost, CSX and NS must freeze existing rates for 3 years, and must work with affected shippers to provide fair and reasonable joint-line service.

We made only two exceptions to this general relief. In one instance, we permitted a Class III carrier to continue to provide service in combination with one Class I carrier rather than having to connect with a CSX/NS routing. We were able to do this without requiring CSX or NS to operate over each other’s track. Second, we provided remedies for the benefit of two aggregate shippers, National Lime and Stone (NL&S) and Wyandot Dolomite, Inc. (Wyandot), based largely on relief proposed by applicants.

Applicants raise an issue concerning the duration of our condition (ordering paragraph No. 43) governing certain movements of aggregates by Wyandot and NL&S. While this condition does not specify any time limit, applicants argue that the requirement that CSX and NS “must adhere to their offer to provide single-line service for all existing movements of aggregates” necessarily incorporates the 5-year time limit contained in applicants’ June 6, 1998 Proffer of Conditions.

---

21 The NITL agreement is the settlement agreement that applicants entered with the National Industrial Transportation League (NITL). See Decision No. 89, slip op. at 53-58, 248-52.

22 An inflation adjustment is permitted.
Wyandot and NL&S, supported by ORDC, disagree, arguing that the lack of any specific time frame in our condition indicates that we intended to give them the permanent relief that they had requested, and not simply a temporary remedy. Wyandot also characterizes applicants’ petition as a request for reconsideration, and argues that applicants have not shown material error or demonstrated that new evidence or changed circumstances warrant the relief that is sought.

We believe that this issue does require clarification. In Decision No. 89, we stated that we would “require applicants to provide single-line service for all existing movements of aggregates as offered at oral argument, provided they are tendered in unit trains or blocks of 40 or more cars.” We also recognized that “what was offered at oral argument is somewhat broader than what was offered in the proffers dated June 6, 1998.” Id. at 111. Thus, applicants’ “offer” referred to in Ordering Paragraph No. 43 is the one made at oral argument. There, in explaining why he believed Wyandot and NL&S were not satisfied with applicants’ offer — which had already been accepted by a similarly situated Ohio aggregate shipper, Martin Marietta Materials (MMM) — NS’ counsel stated: “I suppose that they [Wyandot and NL&S] want more and want to be able to have single-line service for the rest of time to wherever they want to go. We don’t, with all respect, think that’s a reasonable request.” Original Oral Arg. Tr. (June 4, 1998) at 374.

We did expand upon applicants’ written proffer by applying it to all qualifying existing movements of aggregates, and by extending some relief for new movements, and we believe that those expansions were appropriate. Nevertheless, we believe that permanent relief is unnecessary, would be contrary to the public interest, and would be inconsistent with applicants’ proffer. Accordingly, our condition will specifically include a 5-year term from Day 1, the term that was offered by applicants. This period should allow these shippers sufficient time to make adjustments to the altered business environment brought about by this transaction. Limiting the duration of the relief accorded Wyandot and NL&S is consistent with the MMM settlement and with the relevant terms of the NITL agreement. Permanent relief would unduly interfere with the operations of both applicants and impair their operating flexibility, which we believe is the real key to efficient, economical operations from which all shippers ultimately benefit. Nonetheless, because of the uniqueness of these shippers, and because we do not as yet have any firm projections of the inefficiencies the relief we have crafted will impose on the nation’s rail system and the public interest, we will permit these shippers the opportunity, during the course of our oversight of this transaction, to keep us apprised of their need for continued single-line service as measured against the costs and inefficiencies this would impose on CSX and NS.

b. Noise Conditions. Applicants also seek clarification of our Environmental Condition No. 11 imposing noise mitigation to address adverse impacts resulting from merger-related increases in train traffic. That condition directs that applicants’ noise mitigation should have an engineering design goal of a 10 decibel (dBA) reduction with a required noise reduction of 5 dBA. Applicants are concerned that Condition No. 11 could be read to specify a 10 dBA design goal for noise mitigation for those receptors on all rail line segments that meet the wayside noise mitigation criteria, even where the projected increase in noise level is less than 10 dBA. Applicants suggest
that we amend the condition to reduce that design goal to either 10 dBA or the projected increase in noise for the line segment, whichever is less. We continue to believe that the design goal in Condition No. 11 is reasonable and appropriate. Noise mitigation combining a design goal of a 10 dBA reduction with a requirement that noise actually be reduced by at least 5 dBA has become standard practice for federal agencies, including the Federal Highway Administration, the Federal Aviation Administration, and state departments of transportation. The 10 dBA noise reduction design goal provides assurance that the most severely affected noise receptors would experience an actual noise reduction of at least 5 dBA. To ensure that noise mitigation is effective and meaningful, we will retain the design goal of Condition No. 11.23

CSX further requests that we amend Environmental Condition No. 26(C) with respect to the required locations for Wheel Impact Load Detectors (WILDs) on the east and west of Cleveland. CSX states that it has an existing WILD located about 60 miles east of Cleveland in West Springfield, PA. CSX maintains that an additional WILD 20 miles east of Cleveland would provide little additional benefit, and the City of Cleveland concurs. CSX’s request seems reasonable and appropriate, and therefore, Environmental Condition No. 26(C) will be modified to delete this requirement.24

As for the WILD on the west side of Cleveland (which Condition No. 26(C) requires to be installed near Olmsted Falls, OH), CSX asks for flexibility on location of the WILD and additional time to complete its engineering evaluation. The City of Cleveland agrees that CSX should have flexibility as long as the WILD is located within 60 miles of Cleveland and is designed to inspect all tracks at that location (including double tracks). Given these circumstances, we will modify the condition to permit CSX to locate the required WILD anywhere on the line segment between Berea and Greenwich, if it is within 60 miles of Cleveland and is designed to inspect all tracks, including double tracks.25

c. Access of CSX Intermodal to APL Contracts. CSX seeks clarification that immediately after the control date it will be permitted to share confidential APL/Conrail contract information

23 CSX also notes in a footnote that the increase in traffic on the line segment between Toledo and Deshler, OH, is not acquisition-related and suggests, by inference, that Environmental Condition No. 11 should not apply to this rail line segment. As CSX did not specifically request that we amend any of our environmental mitigation for this line segment, we will not amend this condition.

24 The full text of our revised environmental conditions is attached as Appendix B.

25 If CSX’s engineering study ultimately determines that a WILD would be more efficient and effective at a different location, CSX would have to request approval for such a change. See Environmental Condition No. 26(C).
with its affiliate, CSXI. CSX points out that CSXI is the entity within the CSX corporate family that is responsible for the marketing and administration of all intermodal traffic. CSX claims that it would be inefficient to create special procedures to administer these functions without CSXI. It has agreed to a condition that CSXI shall use this confidential information only to administer the contract and not for any competitive purpose.

APL reluctantly agrees to this result, stating in its filing that it is "not interested in erecting artificial barriers that would prevent a railroad from providing the high standard of service required by APL." APL states that it "is willing to agree that the [contract information] could be made available to CSXI, but only so long as CSXI becomes a signatory [to the contracts] . . . ." 26 CSX has essentially agreed to do so.

Although we agree with APL that CSX is seeking reconsideration, not clarification, we believe that the relief that CSX seeks is appropriate. Provided CSX adheres to the condition it has agreed to concerning use of the information, and provided CSXI will agree to be bound, jointly and severally with CSXT to the performance of the contracts as requested by APL, we do not believe that commercially sensitive APL information will be compromised.

APL LIMITED (APL) seeks "clarification" that, under the provisions of Decision No. 89, 180 days27 after Day 1 shippers may invoke antiassignment clauses of their existing contracts without terminating the contract. In other words, it asks that shippers such as APL should be able to have a choice to begin applying existing contract terms to either CSX or NS. We thoroughly explained in Decision No. 91 (STB served Aug. 19, 1998), that we did not intend that result in Decision No. 89. Nor do we think that result would be appropriate. If APL seeks to exercise an antiassignment or other similar clause, it needs to invoke it.28 If it is successful in terminating the contract, then it is free to deal with either CSX or NS.29

26 See Decision No. 89, slip op at 285-89 (discussion of the APL/Conrail contract, which is sometimes referred to as a transportation services agreement or TSA). Although the record contains several references to multiple APL/Conrail "contracts," see, e.g., APL-27 at 1 (reference to "the existing [APL/Conrail] rail transportation contract").

27 APL points out that at times we refer to "180 days," and at other times we refer loosely to "6 months." In all cases, we mean 180 days.

28 If it wants to invoke that option, it must give 30 days' notice. It may give notice on the 150th day, or any time thereafter.

29 We remain unpersuaded that APL should be afforded special relief because the exercise of such a clause in the APL/Conrail transportation contract may result in the termination of APL's

(continued...
THE NADLER DELEGATION renews its requests that we impose numerous conditions to make New York City a shared assets area and to compel applicants and neutral railroads to participate in a plan to reroute rail traffic across the New York harbor that is now routed by way of Albany. Those arguments were adequately addressed and rejected in Decision No. 89, and we will not revisit them here. In this regard, we note that petitioner has presented no evidentiary basis for its argument that there is an “acknowledged failure” of the New York Cross Harbor Railroad (NYCH) to provide needed service over a substantial period of time. Neither the Interstate Commerce Commission (ICC) nor this Board (which has plenary jurisdiction over common carrier service issues) has found that NYCH has failed to respond to reasonable requests for service. No testimony by shippers has been provided indicating that NYCH’s service has been in any way inadequate. The lack of such evidence precludes a grant of the Nadler Delegation’s request that we grant a feeder line application to force a sale of NYCH to applicants under 49 U.S.C. 10907(c)(1). The situation appears to be that there has been relatively little demand for cross harbor rail service, not that NYCH has been unwilling or unable to provide it. Similarly, we continue to believe that no basis has been provided for requiring New York & Atlantic Railway (NYAR) to make its tracks available to CP or any other railroad as part of the plan that the Nadler Delegation proposes.

The Nadler Delegation now argues for the first time that any increase in emissions violates the State of New York’s state implementation plan (New York Plan) created to comply with the State’s responsibility under the Clean Air Act. As we pointed out in Decision No. 89, slip op. at 155-56 & n.248, the Clean Air Act General Conformity Rules (40 CFR 93, Subpart B) do not apply in this proceeding. As we explained there, the agency needs to make a determination whether the federal action conforms to the requirements of the state implementation plan only if those rules apply. And those rules are not applicable in this case because the Board does not exercise continuing program control over rail operations. Further, as noted in Decision 89, we have ample evidence demonstrating that the net air quality impacts here will be de minimis.

(...continued)

lease of a portion of Conrail’s South Kearney, NJ, yard. Again, as with any other contract subject to the override, whatever termination rights APL had immediately before the override, APL will have at the conclusion of the override period. And any uniqueness associated with the fact that Sea-Land Services, Inc., a part of CSX, is a competitor to APL has been addressed through conditions that have been imposed to protect the exchange of commercially sensitive information.

This petition is supported by a letter from Zee Frank who has requested a waiver of the requirement to serve all parties. That request will be denied as no justification has been presented for that relief, and her pleading will not be considered.

We have required applicants to file reports concerning truck traffic to and from their New Jersey and New England intermodal terminals that will permit us to monitor whether there are any

(continued...)
Moreover, our Section of Environmental Analysis (SEA) has now consulted with the New York Department of Environmental Conservation, Bureau of Air Quality Planning, concerning the New York Plan as it relates to truck traffic in the New York City metropolitan area. That agency advises that there are no current requirements in the New York Plan calling for a reduction in truck traffic in the area. SEA was also informed by that agency that a recently proposed revision of the New York Plan for ozone in the New York City area contains no requirement to reduce truck traffic. Therefore, there is no basis for the Nadler Delegation’s assertion that the relatively minor, localized increases in truck traffic related to this transaction would be inconsistent with the New York Plan.

The Nadler Delegation also argues that a ban has been imposed by the New York Metropolitan Transit Authority (NYMTA) barring garbage traffic from all NYMTA railways on Long Island, which means that the garbage has to go through minority neighborhoods in the South Bronx. NYMTA has apparently reached an agreement with NYAR for a temporary moratorium on garbage transport until December of 1999. This action is outside of our jurisdiction and control. The Nadler Delegation claims that we have made this situation worse by forcing all garbage traffic onto what it characterizes as a "circuitous" route, thus allegedly violating the Civil Rights Act of 1964. The transaction has no impact on the routing of this particular traffic; most of Conrail’s New York City traffic was routed north to Albany before the transaction, and most of applicants’ New York City traffic will continue to be routed that way. This argument is really just a variant of the Nadler Delegation’s argument that we should impose numerous conditions to encourage or force applicants to route more traffic across the New York Harbor, relief that has not been justified in this proceeding.

Finally, the Nadler Delegation requests that all action on its petition for reconsideration be stayed until July 20, 1999, to permit negotiation between the Nadler Delegation and applicants. We do not believe that any purpose would be served by such a stay. While we encourage the parties to continue to negotiate mutually beneficial settlements, we have already imposed ample relief for transaction-related harms in this area.\(^\text{31}\) It would not be in the public interest to delay the administrative finality of this proceeding for a year or more, especially when that could interfere with attempts by various parties to pursue judicial review.

\(^{31\text{(continued)}}\)

significant, unforeseen, transaction-related truck traffic increases over the George Washington Bridge.

\(^{32\text{ We also reject the Nadler Delegation’s claim that existing rail infrastructure east of the Hudson River is inadequate to support the additional rail access made possible through our merger conditions imposed in Decision No. 89. See id., at 83 n. 130, where we explained our view that the line from Fresh Pond to Albany has ample capacity for this purpose.}}\)
INDIANAPOLIS POWER & LIGHT COMPANY (IP&L), supported by Indiana Southern Railroad (ISRR), has raised a number of criticisms of Decision No. 89, and has requested additional conditions. Under the transaction, the Conrail line serving IP&L’s Stout plant has been allocated to CSX. While our decision required a new competitive NS rail routing into IP&L’s Stout plant via an interchange at milepost 6, IP&L now asserts for the first time that “there is no interchange point at milepost 6.0, nor could interchange occur there.” Similarly, ISRR states that an interchange at milepost 6 is “operationally impractical,” because there are no sidetracks at that point, and there is not sufficient right-of-way to construct any. IP&L explains that, while this is the point where ownership changes, the physical interchange between ISRR and Conrail has taken place at Crawford Yard, west of Indianapolis. IP&L wants assurance that ISRR and NS can continue to interchange the same way that Conrail and ISRR did. CSX indicates in response that Crawford Yard may not be an appropriate interchange point because it is a small, heavily used facility that might not be able to accommodate this traffic.

It was our intent in imposing relief at the Stout plant, including an interchange at milepost 6, to ensure efficient and competitive service, including service from coal origins on ISRR. DOJ, the primary advocate of the NS/ISRR interchange at milepost 6, explained that this remedy, together with direct access by NS at Stout, was necessary to permit NS to compete as Conrail does now at Stout. From the record before us, we cannot determine whether an interchange at milepost 6 is sufficient to provide the relief we contemplated. Accordingly, we will direct applicants and ISRR to negotiate a mutually satisfactory solution to this problem and report back to us in 60 days. If the parties are unable to agree on a solution, we will fashion one.

We continue to believe that no special relief has been justified at Perry K. We denied the specific relief requested by IP&L of permitting direct access to a second rail carrier to its Perry K

---

33 IP&L challenges our statement that it abandoned its merger premium studies on brief. Although IP&L did mention those studies in passing in its brief, it made no attempt to rebut the extensive criticisms of them contained in the verified statements submitted by applicants’ expert witnesses, criticisms that we continue to find persuasive. IP&L also renews its objection to the trackage rights fee of 29 cents per mile that applicants have agreed to charge where they operate over each other’s tracks to prevent a reduction in competition due to this transaction, but it provides no analysis to support its objection.

34 Despite the fact that the United States Department of Justice (DOJ) strongly advocated an interchange at milepost 6 on brief, neither IP&L nor ISRR raised this issue at oral argument.

35 IP&L requests a ruling that, if NS or ISRR serve Stout “directly,” neither CSX nor Indiana Rail Road Company (INRD) will be permitted to impose a switching charge at Stout. CSX concedes this point. We will revise our order in Decision No. 89 to reflect this change.
plant on the basis of the one-lump theory. Because Perry K was served by a single rail carrier at destination, vertical integration with one of the origin carriers would not create new market power. Decision No. 89, slip op. at 116. IP&L now argues that Perry K was not a bottleneck shipper because Conrail’s sole ownership of a “switching” segment did not create a bottleneck, or because motor competition precluded Perry K from being a bottleneck shipper. Neither argument advances IP&L’s position concerning Perry K.

First of all, whether Conrail’s rates were switching rates or divisions of joint rates, its ability to obtain any of the rents available from the movement was the same. And, as noted, IP&L also argues that it was not really a bottleneck shipper at Perry K before the merger because IP&L could bypass Conrail by moving coal in competitive rail service to Stout, then trucking it to Perry K. While Conrail’s rates to Perry K may have been effectively constrained by the threat of trucking coal from Stout to Perry K, that competition has been preserved through the merger conditions we have imposed. Stout will be served directly by two railroads, meaning the rail rate to Stout will be as competitive as before or more so. Thus, as necessary to provide competitive pressure, coal can continue to be transloaded at Stout for truck movement to Perry K. Given the small amount of coal used at Perry K and the shortness of the truck movement from Stout, this rail-truck competitive option that we have preserved makes unnecessary any further remedy specific to Perry K.

Moreover, the one-lump theory does not presuppose, as IP&L assumes, that a bottleneck rail carrier has any market power in the first place; it simply predicts that the merger of the bottleneck destination rail carrier with one or more origin rail carriers will not increase whatever market power it does have. The existence of rail-motor or other competitive options in no way undercuts this analysis. Perry K retains competitive access to two rail carriers, CSX (directly) and NS (through a cost-based switching condition with no term limit). The bottom line is that IP&L has not justified any remedy with regard to service at Perry K.

IP&L also seeks a clarification that its Perry K shipments moving over NS will not have to be routed through Hawthorne Yard. Although we did say in Decision No. 89 that IP&L might be able to take advantage of the interchange between NS and ISRR at milepost 6 for movements to Perry K as well as to Stout, we did not mean to create a right for IP&L to be able to dictate the interchange point for NS and CSX or its subsidiary, or to be able to insist on avoiding an interchange at Hawthorne Yard. This request for clarification will be denied.

IP&L also wants to avoid paying any switching charge at Perry K. Applicants have agreed to, and we have imposed, a condition guaranteeing cost based switching to Perry K (with a $250 ceiling, adjusted for inflation). IP&L has provided no basis for avoiding a switching charge altogether where CSX or INRD perform a switching service. This IP&L request will also be denied.
THE FERTILIZER INSTITUTE (TFI) contends that we are required by the statute to use the RCAF-A rather than the RCAF-U whenever an adjustment factor is included in one of our merger conditions, except with regard to switching charges, where it has agreed that an RCAF-U is appropriate. In particular, TFI claims that the RCAF-A must be used in connection with the trackage rights fee of 29 cents per mile that applicants have agreed to charge each other where they will operate over each other's lines to prevent a lessening of competition due to this transaction. TFI also claims that we were required by statute to apply an RCAF-A adjustment factor with regard to our condition imposing a 3-year freeze on certain interline rates that derives from the NITL agreement.

TFI's claim that section 10708 requires us to use one form or another of the RCAF to make inflation adjustments related to merger conditions is without merit. Section 10708 merely requires us to calculate and publish two indices, an RCAF-U and an RCAF-A index. That section does not require us to use that index for any particular statutory or regulatory purpose, much less does it prescribe limits to our merger conditioning power. Thus, we reject the assertion that we are not permitted to use any measure other than RCAF-A as an adjustment mechanism for rail rates and charges.

OHIO RAIL DEVELOPMENT COMMISSION (ORDC) has filed a letter petition requesting that we extend the single to joint-line relief originating in the NITL agreement to Class II railroads in addition to Class III railroads. We extended these protections to Class III railroads in furtherance of our general policy of giving these small railroads the same measure of protection in

---

36 IP&L endorses TFI's RCAF argument, and asks that we clarify that the RCAF-A must be the adjustment mechanism for the trackage rights fee that CSX will be charging to NS in the Indianapolis area.

37 The RCAF-A refers to the Rail Cost Adjustment Factor, adjusted to reflect productivity gains. The RCAF-U refers to the unadjusted index.

38 Those trackage rights agreements provide for a negotiated adjustment factor that is neither the RCAF-U nor the RCAF-A. We thoroughly examined trackage rights compensation in Decision No. 89, at 140-42, and found that it will permit these carriers to compete effectively with each other.

39 The NITL agreement itself expressly requires use of an RCAF-U adjustment for these interline rates.

40 TFI does not argue that it was inappropriate as a matter of policy for us to impose as a condition a negotiated solution for shippers affected by the loss of single-line service that incorporates a temporary rate freeze with an RCAF-U adjustment. This condition clearly benefits TFI's members and is in the public interest.
merger cases as the shippers that they serve. We see no reason to extend this level of protection to Class II railroads, which tend to be larger, and do not tend to be so strictly identified with a very small number of shippers on their lines.

WISCONSIN CENTRAL LTD. (WCL), supported by I&M Rail Link, LLC, Four City Consortium, and Prairie Group, asks that we make publicly available certain information required in reporting element No. 11 of our monitoring conditions relating to the Chicago switching district. As we noted in Decision No. 89, slip op. at 162, the purpose of our monitoring conditions is to generate information that will allow us to evaluate and respond to problems arising during implementation of this transaction, not to make all of the reporting information publicly available. We will place only reports filed pursuant to reporting elements 1, 2, 3, 4, 5, 6, 7, 8, 9, 13, and 14, which are not considered to be commercially sensitive, in the public docket.

WCL argues, however, that the information in reporting element 11 that it seeks to make public is really no different from the public information reported in element 7 concerning shared assets areas (SAAs). We disagree. The SAAs are jointly owned areas served only by applicants and operated by Conrail as their wholly owned subsidiary. Therefore, the operations within the SAAs are fully known to applicants, and not commercially sensitive.

The same cannot be said for the three Chicago area yards identified by WCL. Barr Yard is a wholly owned CSX facility and Gibson and Blue Island yards are owned and operated by Indiana Harbor Belt Railroad (IHB). Therefore, the services provided by CSX and IHB affect all of the carriers (and ultimately, shippers) in the Chicago terminal area through reciprocal switching, trackage rights, intermediate switching, interchange and train classification. Clearly, the data relating to these operations include service provided to carriers other than applicants, which makes information about those operations even more commercially sensitive. Further, we agree with IHB that the monitoring and reporting requirements sought by WCL could jeopardize that carrier's ability to compete with the other carriers operating in the Chicago switching district.

Finally, WCL, as with any other carrier or shipper such as Prairie Group, can recognize service deficiencies based on its own experience, and without any need for reporting, and it always can inform us of any problems or service failures. WCL's request to modify our decision to make public this commercially sensitive data will be denied.

WHEELING & LAKE ERIE RAILWAY COMPANY (W&LE) (supported by Stark Development Board, Bayer, and ORDC) claims that our statement concerning the magnitude of transaction-related losses it risks is understated. In Decision No. 89, we said that the $1.4 million revenue loss projected by applicants may be understated, and that the revenue loss is probably

41 The Director of our Office of Compliance and Enforcement is authorized to make appropriate changes to or supplement the data requirements based on review of the information.
between $1.4 and $3.0 million, which we continue to believe is an accurate estimate. W&LE claims the number should really be $4.2 to $6.6 million. W&LE’s petition is unusual in that it does not ask us to correct these supposed errors now, nor does it ask for us to impose any further relief. It merely asks for us to declare that we have understated the magnitude of its losses in aid of its ongoing negotiations with applicants concerning certain mutually beneficial arrangements that we ordered the parties to pursue in Decision No. 89. Meanwhile, it asks for us to stay any action on its petition.

In Decision No. 89, we recognized that the impact on W&LE might be substantial, and we accorded relief accordingly. Whether that traffic loss will be $3.0 million, as we estimated, or $4.2 million or more, as W&LE contends, makes no material difference. Our intention was not to indemnify W&LE against these losses dollar for dollar. Rather, our intent was to give W&LE the opportunity to obtain additional traffic in aid of its ability to continue to be able to provide essential services. W&LE has not challenged our determination of how much relief should be required for that purpose. We do not believe that any purpose would be served by holding this petition in abeyance to permit a future determination of issues that are not material to the amount of relief we granted; accordingly we will deny it now.42

STARK DEVELOPMENT BOARD (SDB) asserts that the relief we have granted to maintain the essential services provided by W&LE is insufficient, by itself, to protect SDB’s interest in the Neomodal terminal, an intermodal terminal built with public funds and located on a W&LE line in Stark County, OH. SDB states that Neomodal was the only significant intermodal terminal in Northeast Ohio that provided CSX and NS the opportunity to compete with Conrail for that region’s intermodal business, and that our approval of the transaction will directly result in severe operational and financial problems for Neomodal as CSX and NS prepare to implement plans to build competitive intermodal facilities at nearby locations.

Applicants state that, contrary to the impression left by SDB, our approval of the transaction will not result in the creation of any new intermodal terminals to serve Northeast Ohio, but will lead to improvements (and relocations) of existing facilities, which will benefit intermodal customers. And applicants note that SDB has offered no examples or explanations of how the transaction, as conditioned to ensure the continuation of the essential service provided by W&LE, will result in any lessening of competitive options for the region’s shippers. Applicants point out that W&LE has not requested the extensive conditions sought by SDB. Finally, applicants assert that these conditions would, in essence, make CSX and NS responsible for the operating and financial success of

42 Bayer’s pleading indicates that CSX has claimed that it is not required to negotiate any agreement with W&LE concerning shippers in the New Martinsville, WV, area because any such agreement could not be beneficial to CSX. Without commenting on the mutually beneficial nature of any such agreement that might be discussed, the Board expects that CSX will pursue negotiations in good faith regarding this shipper and any other shipper along CSX’s line between Benwood and Brookl Junction, WV.
Neomodal, which they characterize as a geographically disadvantaged facility\(^{43}\) that has failed to meet financial expectations since it was completed and whose siting was a by-product of a track relocation project whose primary purpose was to induce a major Stark County employer to retain and expand its facility in the county.

The Board's role here is to protect competition, not competitors. We find that intermodal shippers in Northeast Ohio will benefit from the transaction, and that Neomodal will benefit from the conditions we have imposed to protect the essential service offered by W&LE. No additional conditions are necessary or warranted.

READING AND BLUE MOUNTAIN RAILROAD COMPANY (RBMN) asks us to "clarify" that shippers on Class III lines will be able to invoke the Class III carrier protections set forth in ordering paragraph 20 of Decision 89. As the text of the decision makes clear, id. at 56, the Class III carrier at its option may invoke those protections. The reason we gave the Class III carriers this option is that it also would bind them, not just the applicants, to maintain existing rates and provide reasonable joint-line service. We were reluctant to impose the agreement among applicants and NITL on Class III carriers who were not parties to the agreement without their consent because we were concerned that this might have some adverse impact upon their ability to obtain adequate revenues. RBMN is free, as are all other Class III carriers, to use this condition for the benefit of its shippers if it so chooses. Accordingly, its request for clarification will be denied.\(^{**}\)

RBMN now claims for the first time that the blocking provisions in the contract under which it acquired its properties from Conrail were part of an allegedly nonassignable contract, the Lehigh Agreement. RBMN now claims that we erred in permitting applicants to override the nonassignability clauses contained in the Lehigh Agreement. This issue is not appropriate for reconsideration because it does not involve an allegation of material error, changed circumstances, or new evidence. The issue cannot be material error, since we never had occasion to rule on a request that the Lehigh Agreement be made an exception to applicants' request that all contracts would be valid and transferable regardless of nonassignability clauses. Accordingly, that clause in the Lehigh Agreement has been overridden. Further, this issue is not new evidence or changed

\(^{43}\) Applicants state that, solely as a result of its location on the W&LE tracks in Stark County, Neomodal suffers from increased transit times — a serious shortcoming for truck-competitive intermodal traffic — and from the absence of a large local market.

\(^{**}\) We will grant, however, RBMN's request that we clarify that, regardless of what entity holds the Lehigh Agreement, applicants will be precluded from expanding the blocking provisions.
circumstances. It is just a newly raised argument that could have been and should have been raised earlier. Accordingly, the petition for reconsideration of this issue will be denied.

THE FOUR CITY CONSORTIUM (Four Cities) argues that we committed procedural and substantive errors in our environmental review process. It seeks environmental mitigation conditions in addition to those we imposed for Four Cities in Decision No. 89. Applicants replied (CSX/NS-217).

Four Cities renews its contention that we should not have considered any information submitted to SEA after February 2, 1998, the close of the comment period on the draft environmental impact statement (Draft EIS). Four Cities has not presented any new arguments that warrant a reversal of Decision No. 83 (served May 27, 1998), where we previously rejected that argument, explaining that the environmental review process is a fluid and open one that encourages the broadest possible public participation. As the environmental review progresses, it is not unusual for an applicant to propose voluntary mitigation options and other changes to the applicant’s original operating plan that can affect projected train traffic levels, and benefit the environment. SEA normally considers, and indeed encourages, such mitigative changes as part of its ongoing environmental analysis and recommendations.

Only where changes in a proposal under consideration could potentially adversely affect parties’ rights (for example by increasing traffic) does SEA typically provide an opportunity for additional comment. Here, however, the change about which Four Cities complains is that CSX revised its original operating plan in April 1998 to reroute trains away from the Four Cities area (the line (C-023) between Pine Junction and Barr Yard through East Chicago). This will benefit Four

45 Because we have ensured that the transaction will result in no expansion of the scope of such blocking provisions, RBMN will in no way be harmed by a transfer of the Lehigh Agreement to one of the applicants.

46 Four Cities also supports the request of WCL to make public certain data reported to us concerning the Chicago switching district. We have already addressed WCL’s request.

47 We imposed environmental mitigation for the Four Cities area addressing grade crossing traffic delay and safety concerns. See Environmental Condition No. 21.

48 For example, SEA provided an additional comment period in the Final Environmental Impact Statement (Final EIS) for parties affected by NS’ proposed train traffic changes in the greater Cleveland area that could result in potential train traffic increases in Ohio and Pennsylvania.
Cities by reducing the anticipated traffic-related increase in the number of trains operating over this line from approximately six trains per day to about two trains per day.\textsuperscript{49}

Furthermore, Four Cities, like every other party, had an opportunity to raise any concerns about the adequacy of SEA's environmental review, and the adequacy of the environmental conditions recommended in the Final EIS that we have adopted and imposed. After public issuance of the Final EIS, Four Cities participated in the June 3-4, 1998 oral argument. Moreover, throughout the environmental review process and in Decision No. 89, we have advised all parties of the opportunity to bring any concerns about the Final EIS (including any environmental conditions) to our attention through an administrative appeal of our final written decision. Thus, there is no merit to Four Cities' contention that no opportunity was afforded for it to respond to matters presented for the first time in the Final EIS.

Four Cities urges us to clarify and require that applicants must adhere to their representations regarding the precise level of post-transaction train traffic in the Four Cities area. But Four Cities has not shown a need for that extraordinary relief.\textsuperscript{50} As applicants correctly note, traffic projections made by a merger applicant must be based on good faith traffic projections of the traffic patterns that will follow consummation of an acquisition. In this case, we reviewed applicants' operating plans and revisions and found them to be good faith projections of anticipated train traffic levels. Neither Four Cities nor any other party has shown that applicants' traffic projections for the Four Cities area are misleading or unfounded.

\textsuperscript{49} Nor was this new plan material to our decision concerning the appropriate amount of environmental mitigation in the Four Cities area. The Draft EIS evaluated the impacts on the Pine Junction/Barr Yard segment based on the originally projected 5.7 train-per-day increase on the segment and concluded that this level of traffic increases would not itself warrant any mitigation. In the Final EIS, SEA recommended mitigation for Four Cities based on certain unique local circumstances of those communities, not because of the level of traffic increases. Neither a 5.7 nor a 2 train-per-day increase is large when compared to the 30 trains per day that currently go through the area.

\textsuperscript{50} While we will not impose the specific environmental mitigation Four Cities seeks, our mitigation addresses its concerns. In Environmental Condition No. 21(f), we imposed mitigation requiring CSX to reroute traffic as much as practicable from the line segment between Pine Junction and Barr Yard. In addition, as agreed to by CSX, we have required CSX (1) to instruct its crews not to stop trains so as to block major crossings on the Pine Junction/Barr Yard segment, as practicable and consistent with safe operating practices, and (2) to work with Four Cities to coordinate train movements and emergency response. Environmental Condition No. 21(i) provides a forum for Four Cities to meet regularly with applicants to assess local traffic delay and other issues.
Moreover, while railroads do their best to predict the amount of post-transaction traffic likely to move over a given line, railroads need flexibility because the amount of traffic that actually moves over a particular line depends upon shipper demand. Indeed, a traffic cap could well interfere with applicants' ability to carry out their statutory obligation to provide common carrier service upon reasonable request. Therefore, neither we nor the ICC has imposed permanent caps on the number of trains the railroads can operate or specified that existing freight must be transported by a specific route. Rather, as SEA explained in the Final EIS (Vol. 3, at 5-69 to 5-71), railroads must be permitted to decide on a continuous and ongoing basis which routes are most efficient to meet their customers' needs.

In any event, Four Cities is not without recourse if there should be a material change from the post-transaction projections upon which we relied in formulating mitigation. Environmental Condition No. 50 permits us to reexamine the mitigation issue, if warranted, under those circumstances.

Four Cities also maintains that we erred in our conclusion that the transaction would not cause disproportionately high and adverse impacts on minority or low-income residents on two line segments in the Four Cities area, between Tolleston and Clark Junction (C-024) and between Warsaw and Tolleston Junction (C-026). Four Cities correctly points out that these two line segments were identified in the Draft EIS as meeting the threshold for further environmental justice analysis based on the demographics of the population in the relevant area. The Draft EIS, however, did not make any determination whether the transaction-related impacts from the projected operations on line segments C-026 and C-024 were disproportionately high and adverse and therefore could warrant additional mitigation. That analysis was left to the Final EIS.

After issuance of the Draft EIS, SEA conducted additional analysis of those segments. It first assessed the magnitude of the impacts, and then determined whether the minority and/or low-income populations on those line segments with "high" impacts — those exceeding SEA's thresholds for noise, hazardous materials transport, and highway/rail at-grade crossing safety and

51 In UP/SP, Decision No. 44 (STB served Aug. 12, 1996), we imposed a temporary rail traffic limit in Reno, NV, and Wichita, KS, for 18 months for the sole purpose of allowing the completion of environmental mitigation studies. This 18-month period was a stay to permit determination of appropriate local mitigation measures for these communities, not an exercise of continuing regulatory control over the level of traffic on particular lines.

52 SEA determined that further analysis was warranted where 50% or more of the residents in a geographic area surrounding a line segment were defined as low-income or minority, or the percentage of low-income or minority residents was at least 10% greater than that of the surrounding county. See Draft EIS, Vol. 5A, Appendix K, Table K-15, at K-22 to K-23.
delay — would be disproportionately affected. In the Final EIS, SEA discussed its methodology for determining whether there would be disproportionate impacts for rail line segments by county or region. SEA determined that there would be an increase in noise impacts along line segments C-026 and C-024, but that the total projected environmental impacts on the minority and/or low-income populations along those line segments were not disproportionately high and adverse. Therefore, SEA determined, and we agree, that the impacts would not be more severe or greater in magnitude when compared to other populations, and that no tailored environmental justice mitigation was warranted.

Four Cities has not presented any evidence or argument suggesting that our environmental justice analysis is incomplete or incorrect. There is no merit to Four Cities’ suggestion that we should stay implementation of the CSX operating plan on line segments C-026 and C-024 pending completion of further environmental justice analysis. As discussed above, we have already completed that analysis, and, contrary to Four Cities’ assertions, there is no inconsistency between the Draft and Final EIS.

Finally, Four Cities asks that we modify our decision to make public the confidential weekly reports that applicants will submit to us on Chicago Gateway Operations and on major yards and

53 SEA considered impacts to be disproportionate if they would be predominately borne by minority or low-income populations or would be more severe or greater in magnitude. We agree with this approach.

54 See Final EIS, Vol. 6C, Appendix M, Section M.2.4.

55 The increase in train traffic is only projected to be 4-5 trains per day, while the projected increases in traffic on line segments found to warrant focused mitigation for the unique needs of certain environmental justice communities ranged from 17 to 40 trains. In any event, our final mitigation addresses all communities and populations along line segments C-024 and C-026 likely to experience significant environmental impacts. For example, SEA determined that the noise levels on segment C-026 met its mitigation thresholds and recommended mitigation for three receptors. See Environmental Condition No. 11. No noise mitigation was recommended for segment C-024 because SEA’s analysis did not identify any receptors within its 70 decibel noise mitigation thresholds. SEA also found mitigation for train horn sounding at crossings along line segment C-024 unwarranted.

56 Moreover, Four Cities did not comport with our regulations by requesting a stay 10 days before the effective date of our decision; nor has it even attempted to meet the criteria for a stay. See 49 CFR 1115.3(f).
terminals (including Barr Yard) pursuant to Operational Monitoring Requirements 10 and 11. We agree with applicants that it would be inappropriate to require the disclosure of this commercially sensitive information, which is being submitted to our Office of Compliance and Enforcement on a confidential basis, to Four Cities or any other party. With respect to FCC’s concerns that Operational Monitoring Requirement 10 is insufficient because it appears not to include all traffic data, based on the Board’s use of the term “run through” trains instead of “through” trains, we did not intend such a distinction. Requirement 10 is intended to establish a measurement of the on-time performance of applicants’ trains moving to connecting carriers through the Chicago Gateway. For our monitoring purposes, we clarify that we define “through” and “run through” trains as expedited movements from origin to destination, which would generally be pre-blocked and would not require classification at Chicago. Instead, these trains would move directly to a connecting line haul center.

And in response to Four Cities’ request for additional monthly reporting for the line segments in the Four Cities area (C-023, C-024, C-026 and N-469), we will modify Environmental Condition No. 21(i), which requires applicants to conduct regularly scheduled meetings with representatives of Four Cities for 3 years. Our revised condition will require applicants at those meetings to provide a status report on average train traffic volumes and speeds on the applicable portions of the four rail line segments in the area and on the progress of operational and capital improvements required by us to address highway/rail at-grade crossing safety and delay issues in the Four Cities area.

THE NEW JERSEY DEPARTMENT OF TRANSPORTATION/NEW JERSEY TRANSIT COMMISSION (NJT) asks us to modify our hazardous materials transport condition (Environmental Condition No. 4(A)) for line segments between Ridgewood Junction, NJ, and Suffern, NY (designated as N-064), and between Croxton, NJ, and Ridgewood Junction (N-050). It believes that these segments should have been classified as “key routes.” Applicants do not object to NJT’s request, and we will grant it. The latest hazardous material transport information supplied by applicants shows that those line segments will become key routes warranting hazardous materials key route mitigation.

NJT also filed a letter asserting that our description in Decision No. 89 of certain lines being transferred from Conrail to CSX and NS was inaccurate. These descriptions are based upon descriptions presented by applicants in their original application, and, as applicants point out, NJT has never presented any evidence that these descriptions are wrong. Moreover, these descriptions are of no particular legal importance because we cannot authorize Conrail to transfer property it does not own.

The monthly status reports on construction and other capital projects required of applicants already are made public.

See Decision No. 89, slip op. at 165 (Requirement 15).

Prairie Group and I&M supported Four Cities’ request for modification of the operational monitoring condition, as discussed in the appendix.
not own. NJT should be reassured that whatever ownership rights it may have in any of these lines through deed or contract is unaffected by our decision. We need not settle these ownership issues, which turn on contract interpretation, not upon our grant of authority approving this transaction.

LIVONIA, AVON, AND LAKEVILLE RAILROAD CORPORATION (LAL) has by letter raised similar line description issues to those raised by NJT. No change in our decision is needed in response to this issue for the same reasons as noted with regard to NJT.

CITIZENS GAS AND COKE UTILITY (CG&C) wants us to incorporate the terms of a settlement agreement that it entered with CSX on June 3, 1998, into a formal merger condition. Neither the Settlement Agreement (under seal) nor a description of its essential points has been provided to us. Thus, there is no basis for us to find that it would be appropriate to incorporate this agreement in a merger condition. If CG&C submits the agreement to us, we will determine in a latter decision whether it would be appropriate for inclusion as a merger condition.

The action taken in this decision, as conditioned by the environmental mitigation conditions set forth in Appendix B, will not result in any significant adverse impacts either to the quality of the human environment or to the conservation of energy resources.

It is ordered:

1. Decision No. 89 is clarified to the extent, and in the manner, indicated in this decision.

2. Applicants must comply with the environmental mitigation conditions set forth in Appendix B.

3. The CSX/NS-209 petition for clarification or reconsideration is granted in part and denied in part, as indicated in this decision. The Wyandot/NL&S ordering paragraph (Decision No. 89, slip op. at 179, ordering paragraph 43) is revised to read as follows: “As respects Wyandot and NL&S, CSX and NS: must adhere to their offer to provide single-line service for all existing movements of aggregates, provided they are tendered in unit-trains or blocks of 40 or more cars; and in other circumstances including new movements, for shipments moving at least 75 miles, must arrange run-through operations (for shipments of 60 cars or more) and pre-blocking arrangements (for shipments of 10 to 60 cars). The requirements imposed on CSX and NS under the preceding sentence will expire at the end of the 5-year period commencing on Day One.”

It is unclear whether applicants were served with this pleading, to which they have not replied.
4. The CSX-160 petition for clarification is granted, with the understanding that CSXI will agree to be bound, jointly and severally with CSXT, to the performance of the Conrail contract (with respect to those origination/destination pairs/routes as may be allocated to CSXT under the processes of Section 2.2(c) of the Transaction Agreement) as fully as CSXT will be bound.

5. The APL-27 petition is granted insofar as APL has asked that we clarify that the time period referenced in Decision No. 89, slip op. at 175, ordering paragraph 10 (and throughout Decision No. 89) is 180 days, not 6 months, and is otherwise denied.

6. The application filed by the Nadler Delegation is denied.

7. The motion filed by Ms. Zee Frank is denied, and the appeal filed by Ms. Zee Frank is rejected.

8. The IP&L-15 petition for clarification or reconsideration is granted in part and denied in part, as indicated in this decision. In Decision No. 89, the second sentence of footnote 151 (Decision No. 89, slip op. at 94 n.151) is revised to read as follows: “As explained below in the section entitled Indianapolis Power and Light, the condition we are imposing on traffic to IP&L’s Stout plant will result in availability of direct NS service free of CSX and/or INRD switching charges.” CSX, NS, ISRR, and IP&L should attempt to negotiate a mutually satisfactory solution respecting any MP 6.0 interchange problems (and respecting any related problems that may be necessarily incidental to a MP 6.0 interchange problem), and should advise us, no later than December 18, 1998, of the status of their negotiations.

9. The TFI-8 petition for clarification or reconsideration is denied.

10. The clarification request embraced in ORDC’s July 29th letter is denied.

11. The WC-19 petition for partial reconsideration of monitoring and reporting conditions is denied.

12. The WLE-9 reconsideration/clarification petition is denied.

13. The SDB-15 petition for reconsideration is denied.

14. The RBMN-10 petition to reopen and to clarify is denied insofar as that petition raises issues concerning the NITL agreement’s Section III(E) and the Lehigh Agreement’s antiassignment clause. The RBMN-10 petition to reopen and to clarify is granted insofar as that petition raises an issue concerning the Lehigh Agreement’s blocking provision (orderng paragraph 39).

15. The FCC-18 petition for reconsideration is granted in part and denied in part, as indicated in this decision.
16. The requests embraced in NJT's August 12th letter are granted in part and denied in part, as indicated in this decision.

17. The request embraced in LAL's August 4th letter is denied.

18. CG&C's July 22nd request to withdraw comments in opposition "on condition that the Board order that approval of the Joint Application by the Board is subject to the terms of a Settlement Agreement entered into June 3, 1998, between Citizens Gas & Coke Utility and CSX" is denied. CG&C, however, may renew its July 22nd request, provided that CG&C submits, along with a renewed request, a copy of the CG&C/CSX settlement agreement.

19. This decision shall be effective on the date of service.

By the Board, Chairman Morgan and Vice Chairman Owen.

Vernon A. Williams
Secretary
APPENDIX A: SUMMARY OF PLEADINGS

THE CSX/NS-209 PETITION. CSX and/or NS seek reconsideration of three conditions imposed in Decision No. 89.

Relief Sought By CSX and/or NS. CSX and/or NS have advanced several arguments in support of the relief sought vis-à-vis Environmental Condition 11, Environmental Condition 26(c), and the Wyandot/NL&S condition.

(1) **Environmental Condition 11 (In General).** CSX and NS request clarification that Environmental Condition 11, see Decision No. 89, slip op. at 401-03, does not require them to reduce railroad noise levels below pre-existing levels. CSX and NS contend: that, although Environmental Condition 11 provides that the design goal for noise mitigation shall be a 10-decibel (dBA) noise reduction, most of the receptors identified as warranting mitigation are only projected to experience an increase of noise in the range of 5-10 dBA; that conditions should be narrowly tailored to remedy only adverse effects of the CSX/NS/CR transaction itself, and not pre-existing conditions not related to the CSX/NS/CR transaction; and that, therefore, we should clarify that the design goal for any line segment should be either 10 dBA or the projected increase in noise for that line segment as a result of the CSX/NS/CR transaction, whichever is less.

(1a) **Environmental Condition 11 (Toledo-Deshler Line Segment).** On the Toledo, OH-Deshler, OH line segment, 77 receptors have been identified as meeting the wayside noise mitigation criteria. See Decision No. 89, slip op. at 402 (Rail Line Segment ID C-065). CSX contends: that it resumed mainline traffic on this line segment in May 1997 independent of the CSX/NS/CR transaction; that there will be no further increase in traffic on this line segment as a result of the CSX/NS/CR transaction; and that, therefore, we erred in requiring CSX to mitigate noise on this line segment. CSX apparently seeks reconsideration of Environmental Condition 11 as respects the Toledo-Deshler line segment. See CSX/NS 209 at 6 n.3 (CSX does not explicitly seek reconsideration; but CSX's claim that the conclusion respecting the Toledo-Deshler line segment "is erroneous" is best understood as an implicit request for reconsideration).

(2) **Environmental Condition 26(C).** CSX requests amendment of Environmental Condition 26(C), see Decision No. 89, slip op. at 408-09, with respect to the location of the Wheel Impact Load Detectors (WILDs) required to be installed on the CSX line west and east of Cleveland. CSX contends: that the optimal location for the western WILD is likely farther west than Olmsted Falls, OH; that the appropriate location for the eastern WILD is at West Springfield, PA; and that, because the installation of WILDs was recommended for the first time in the Final Environmental Impact Statement (Final EIS), CSX did not have, prior to the issuance of the Final EIS, an opportunity to submit, to the Board's Section of Environmental Analysis (SEA), information respecting the engineering and operational criteria for siting WILDs. See also CSX/NS 209, V.S. Carter (new evidence respecting WILDs). CSX therefore asks that Environmental Condition 26(C) be modified: (1) to defer the determination of the location of the western WILD
until CSX has had the opportunity to present to the Board a recommendation based on a detailed evaluation of the relevant engineering and operating criteria; and (2) to replace installation of a new eastern WILD within 20 miles to the east of Cleveland with maintenance of the existing Conrail WILD at West Springfield, PA.

(3) Wyandot/NL&S Condition. CSX and NS urge clarification of the condition that was imposed for the benefit of two Ohio SL-to-JL aggregates shippers, Wyandot Dolomite, Inc. (Wyandot) and National Lime and Stone Company (NL&S). See Decision No. 89, slip op. at 109-11. See also Decision No. 89, slip op. at 179 (ordering paragraph 43). CSX and NS contend that this condition should be understood to involve transitional and temporary measures, like the settlement proposal from which this condition was extrapolated and like the SL-to-JL provisions in the NITL agreement. CSX and NS specifically request that we clarify or otherwise provide that the intention is that this condition will remain in effect only during the 5-year period beginning on the Split Date.

The CLEV-21 Reply. As respects Environmental Condition 26(C), the City of Cleveland agrees that CSX should be allowed to use its expertise to determine the appropriate location for the western WILD and that CSX should be allowed to rely on the existing eastern WILD at West Springfield, PA, provided, however: that the western WILD must be located within 60 miles of the City (i.e., no further away than Greenwich, OH); and that, where there are double tracks over which trains can be operated in both directions, a WILD, or any of the other devices required to provide an early warning ring around the City, must be placed on both tracks.

---

61 An “SL-to-JL” shipper is a shipper whose pre-transaction Conrail single-line route will be replaced by a post-transaction CSX-NS joint-line route. Applicants refer to such shippers as “one-to-two” shippers. See, e.g., CSX/NS-209 at 3. We refer to such shippers as “SL-to-JL” shippers. See, e.g., Decision No. 89, slip op. at 251 n.406 (explaining that we have accorded a different meaning to the “1-to-2” concept; we regard a “1-to-2” shipper as a shipper that presently has access to a single railroad but that will have, post-transaction, access to two railroads).

62 See Decision No. 89, slip op. at 111 & n.172. See also CSX/NS-209 at 13.

63 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 53-58 and 248-52. See, especially, Decision No. 89, slip op. at 56 and 251 (discussion of the NITL agreement’s SL-to-JL provisions, under the heading “Interline Service”).
The WYANDOT-7 Reply. Wyandot contends that, even though we should have imposed the conditions it sought and even though the Wyandot/NL&S condition we did impose is not likely to work, Wyandot has chosen to take a “wait and see” approach to the CSX/NS/CR transaction and has not sought reconsideration of Decision No. 89. Wyandot further contends: that the Wyandot/NL&S condition is clearly worded and properly reflects our specific intention to impose a condition broader in scope and more lasting in duration than the condition that had been “proffered” by applicants; that, because we recognized that the harms the Wyandot/NL&S condition were intended to address would not be transitory, we did not impose a time limitation upon that condition; and that a time limitation of the sort urged by applicants would make the Wyandot/NL&S condition entirely ineffective. Wyandot therefore urges denial of the Wyandot/NL&S component of the CSX/NS-209 petition.

The NLS-10 Response. NL&S contends: that we erred in rejecting the conditions it sought; that the Wyandot/NL&S condition we imposed will alleviate only a small portion of the harms NL&S expects to experience; that imposition of the time limit sought by applicants would magnify the inadequacy of the Wyandot/NL&S condition; that the Wyandot/NL&S condition should therefore stay in effect for at least 5 years; and that, at the end of that initial 5 year period, the Wyandot/NL&S condition should remain in effect, unless and until applicants obtain permission from the Board to abandon service to NL&S. NL&S therefore urges denial of the Wyandot/NL&S component of the CSX/NS-209 petition.

ORDC's September 1st Letter Respecting CSX/NS-209. ORDC, which urges denial of the Wyandot/NL&S component of the CSX/NS-209 petition, contends that, unless the single-line routes that Wyandot and NL&S enjoyed pre-transaction are preserved, these companies will suffer considerable and permanent injuries; there is nothing in the record, ORDC claims, to establish that these injuries will abate over time. ORDC therefore insists that we should, at the very least, preserve the scope of the relief that was awarded to Wyandot and NL&S in Decision No. 89.

THE CSX-160 PETITION. CSX seeks clarification of Decision Nos. 87 and 89 with respect to its right to share confidential information in the APL/Conrail contract and information

---

64 See Decision No. 89, slip op. at 299-301.

65 See Decision No. 89, slip op. at 179 (ordering paragraph 43).

66 Wyandot insists that joint-line rail transport for aggregates, especially at the relatively short distances involved, is uneconomical and impractical.

67 See Decision No. 89, slip op. at 295-96.
contained in or touching or concerning that contract. See Decision No. 87, wherein we modified the previously issued protective order to provide: that, on and after June 11, 1998, Conrail could share with CSX and NS information regarding transportation contracts to which Conrail was a party; that, however, until August 22, 1998, such information could be shared solely for certain specified purposes; and that, for the protection of APL and its subsidiaries, “disclosure protection satisfactory to APL shall be provided by applicants so that neither contracts of Conrail with APL nor any confidential information contained in or touching or concerning such contracts shall be made available” to CSX Intermodal, Inc. (CSXI, a stacktrain affiliate of CSXT) or Sea-Land Service, Inc. (Sea-Land, an ocean carrier affiliate of CSXT), or any of the subsidiaries, officers, or employees of CSXI or Sea-Land. See also Decision No. 89, slip op. at 114: “[T]he confidentiality provisions that we have imposed should prevent any access by CSX’s water and intermodal affiliates to confidential contract information about APL.” See also Decision No. 89, slip op. at 176 (ordering paragraph 16; applicants must comply with all of the conditions imposed in Decision No. 89, whether or not such conditions are specifically referenced in the ordering paragraphs).

Relief Sought By CSX. CSX contends: that CSXI is the entity within the CSX corporate family that is responsible for marketing and administering the transportation of intermodal traffic transported by CSXT; that, indeed, CSXI is the entity with which APL officials have on numerous occasions discussed implementation of the CSX/NS/CR transaction relative to APL traffic; and that any continued (i.e., post-Control Date) restriction on the ability of CSXI officials to review the APL/Conrail contract would require the making of special, and less efficient, arrangements respecting the transportation of APL intermodal traffic transported by CSXT (arrangements, CSX notes, that would be applicable with respect to only one intermodal user: APL). CSX concedes that it would be possible to make such arrangements (which would require CSXT officials, whose regular responsibilities do not embrace intermodal traffic, to act in lieu of CSXI officials, whose regular responsibilities do embrace such traffic). CSX claims, however: that such arrangements would be inconsistent with CSX’s normal business practices, and would require needlessly prolonged and complicated CSX/APL discussions; that, in any event, such arrangements would

---

68 See Decision No. 89, slip op. at 285-89 (discussion of the APL/Conrail contract, which is sometimes referred to as a transportation services agreement or TSA). Although the record contains several references to multiple APL/Conrail “contracts,” see, e.g., CSX-160 at 8 n.11, there appears to be only one APL/Conrail contract, see, e.g., APL-27 at 1 (reference to “the existing [APL/Conrail] rail transportation contract”).

69 See Decision No. 89, slip op. at 285 (APL claims that it competes head-to-head with SeaLand and CSXI as respects the transportation of time-sensitive commodities from points in Asia and the Pacific Rim to points in the Eastern United States; APL further claims that it competes head-to-head with CSXI in every major transportation corridor within the United States).
serve no legitimate purpose; and that, under Decision Nos. 87 and 89, such arrangements are simply not required.

CSX acknowledges that, during the course of this proceeding, it represented that it would be willing to place restrictions on access to the APL/Conrail contract by CSX's ocean carrier affiliates (i.e., Sea-Land and its ocean carrier subsidiaries). And, CSX adds, it understands that it must adhere to the representations it made during the course of this proceeding. See Decision No. 89, slip op. at 176 (ordering paragraph 19). Insisting, however, that it never made any such representation with respect to CSXI, CSX asks that we affirm that, on and after August 22, 1998, it can share with CSXI confidential information in the APL/Conrail contract, and information contained in or touching or concerning that contract. CSX adds that, to remove any concerns APL might have, CSX is willing to accept a condition that would provide that, from and after the Control Date, CSXI “shall not use confidential information contained in or relating to the Conrail contracts with APL for any purposes other than placing information about such contracts in its information systems, testing such systems, planning and preparation of operations under the contracts, and the performance of the contracts, and not for any other business, commercial or competitive purposes.” CSX-160 at 10.

---

70 CSX cites our determination that APL’s discrimination concerns do not warrant the imposition of any conditions. See Decision No. 89, slip op. at 113-14.

71 CSX argues, in essence: that the relevant restrictions contained in the protective order were not intended to survive past the Control Date; that the restrictions provided for in Decision No. 87 were not intended to survive past the Control Date either; and that, although the conditions provided for in Decision No. 89 were intended to survive past the Control Date, the fact of the matter is that we did not impose, in Decision No. 89, any condition restricting access by CSXI to Conrail contract information. CSX concedes that we remarked, in Decision No. 89 (slip op. at 114, citing Decision No. 87, emphasis added), that “the confidentiality provisions that we have imposed should prevent any access by CSX’s water and intermodal affiliates to confidential contract information about APL.” CSX contends, however, that this remark should not be interpreted “as imposing any new or different disclosure obligations beyond those imposed by the Protective Order, as amended by Decision No. 87.” CSX-160 at 7.

72 CSX indicates that it is prepared to maintain the confidentiality of APL/Conrail information as respects Sea-Land, and Sea-Land’s subsidiaries, officers, or employees as well. The terms suggested by CSX would provide that “[n]o confidential information contained in or touching the APL/Conrail contracts shall at any time be made available to Sea-Land Service, Inc., or any of its subsidiaries, officers or employees.” See CSX-160 at 8 n.11.

73 CSX claims that nothing in the CSX/APL agreement implementing “disclosure protection satisfactory to APL,” Decision No. 87, slip op. at 3, bars post-Control Date disclosure to CSXI of APL/Conrail contract information. See CSX-160 at 3 n.2.
The APL-28 Response. APL contends that we should either deny the CSX-160 clarification request or condition CSXI’s access to the TSA on CSXI becoming a signatory to the TSA.

(i) The CSX-160 Clarification Request Should Be Denied. APL insists that, in order to protect APL from the harms that would occur if its direct competitors (Sea-Land and CSXI) were accorded access to APL’s confidential commercial information, we had in mind, in Decision No. 89, that the protections we had ordered in Decision No. 87 would be carried forward past the Control Date, and would (unless the parties agreed otherwise) endure until the expiration of the TSA. APL therefore contends: that Decision No. 89 bars CSX from sharing with CSXI confidential information in the APL/Conrail contract, and information contained in or touching or concerning that contract; and that, because the “clarification” sought in the CSX-160 petition is at odds with the language and intent of Decision No. 89, the CSX-160 clarification request should be denied.

(ii) CSXI’s Access To The TSA Should Be Conditioned On CSXI Becoming A Signatory To The TSA. APL insists that, if we do not deny the CSX-160 petition, we must, at the very least, order CSX to require CSXI to become a party to the TSA (inclusive of all supplements and addendums) before obtaining access to the TSA. APL contends: that, because CSXI will administer the TSA operationally and functionally while CSXT will simply perform the underlying rail service, it is necessary that CSXI be bound by all of the terms of the TSA; that, if CSXI is to receive the benefits of the TSA, it should also accept the responsibilities and obligations which Conrail currently has under the TSA; and that it is important that CSXI be a party to the TSA so that, if APL sees any actions by CSXI that violate either the TSA or the standards to which CSXI has committed, APL will be able to bring such actions to our attention, and to take any other steps necessary to protect itself.

74 APL cites Decision No. 89, slip op. at 114 (emphasis added): “[T]he confidentiality provisions that we have imposed should prevent any access by CSX’s water and intermodal affiliates to confidential contract information about APL. See Decision No. 87 in this proceeding.”

75 APL notes that its APL-28 response is premised upon its understanding that, under Section 2.2(c) of the Transaction Agreement, CSXT will become, and remain, a party to the TSA, no matter what decision we make with respect to the CSX-160 petition. See APL-28 at 1 n.2.

76 As respects “the standards to which [CSXI] has committed,” APL-28 at 7, APL indicates that, if we decide that CSXI must have access to the TSA and the right to administer the TSA with respect to the traffic to be allocated to CSXT under Section 2.2(c), APL will accept CSXI’s representations that CSXI will not disadvantage APL through the use of the confidential information contained in the TSA, provided, however, that we require CSXI to become a party to the TSA. See CSX-160, V.S. Passa at 3 (“[w]e are prepared to stipulate that on and after the Control Date, CSX (continued...
CSX's September 3rd Letter. CSX indicates that it is willing to provide that, if we grant the CSX-160 petition, CSXI will agree to be bound, jointly and severally with CSXT, to the performance of the Conrail contract (with respect to those origination/destination pairs/routes as may be allocated to CSXT under the processes of Section 2.2(c) of the Transaction Agreement) as fully as CSXT will be bound. CSX adds that this joint and several obligation will include all obligations and undertakings of Conrail in the contract, limited, however, to the origination/destination pairs/routes that are allocated to CSXT. 77

THE APL-27 PETITION. APL asks that we clarify the effect that Decision No. 89 will have on the APL/Conrail contract79 after the last day of the 180-day period beginning on Day One.79 See Decision No. 89, slip op. at 175 (the second sentence of ordering paragraph 10; as respects any CRC transportation contract in effect as of Day One that contains an antiassignment or other similar

76(continued)
Intermodal will not use any confidential information in the APL/Conrail contract for any purpose other than placing information about such contract in its information systems, testing such systems, planning and preparation of operations under the contract, and the performance of the contract, and not for any other business, commercial or competitive purposes”). See also CSX-159 (filed August 10, 1998). V.S. Passa at 2 (“Our goal is to develop a solid business relationship built on the provision of excellent service to APL, and to be responsive to its operational and other requirements.”). APL adds that it expects that CSXI, as a party to the TSA, will be able to negotiate those changes or modifications which can be negotiated under the TSA regarding rates, service, or other terms. See APL-28 at 7.

77 CSX also adds that it assumes that physical reexecution of the Conrail contract will not be required.

78 See Decision No. 89, slip op. at 285-89 (discussion of the APL/Conrail contract). See also APL-27 at 12 (the APL/Conrail contract has created a network of rail service between 15 points: Chicago, IL, Boston, MA, Springfield, MA, Worcester, MA, Cleveland, OH, Columbus, OH, Toledo, OH, Baltimore, MD, Allentown, PA, Pittsburgh, PA, Morrisville, PA, Harrisburg, PA, St. Louis, MO, Syracuse, NY, and South Kearny, NJ). See also Decision No. 89, slip op. at 285 n.466 (APL notes: that South Kearny is the major Conrail intermodal yard in Northern New Jersey; that Conrail serves APL from South Kearny; that Conrail leases a portion of South Kearny to APL for APL’s exclusive use; and that this portion is variously referred to as the APL Terminal and APINY). See also APL-27 at 2 (under the APL/Conrail lease, APL pays $1 a year rental for APINY). See also Decision Nos. 78, 84, 87, 90, and 91 (respecting other aspects of the APL/CSX controversy).

79 The last day of that 180-day period will hereinafter be referred to as Day 180. The first day after Day 180 will hereinafter be referred to as Day 181.
clause: at the end of the 180-day period beginning on Day One, a shipper with such a contract may elect either (a) to continue the contract until the expiration thereof under the same terms with the same carrier that has provided service during the 180-day period, or (b) to exercise whatever termination rights exist under the contract, provided the shipper gives 30 days' written notice to the serving carrier). See also Decision No. 89, slip op. at 17 n.27 (similar statement). See also Decision No. 89, slip op. at 73 and 113 (similar statements).80

Relief Sought By APL. APL admits, in essence, that Decision No. 89 (and, in particular, the second sentence of ordering paragraph 10, see Decision No. 89, slip op. at 175) can be read as providing that, at the end of the 180-day period beginning on Day One, APL may exercise whatever termination rights it has under the APL/Conrail contract.81 APL, however, suspects that, if it exercises its termination rights under the APL/Conrail contract, CSX, to which APINY has been allocated, will most likely exercise its own termination rights under the APL/Conrail lease.82 APL believes that the requirement that the shipper must give 30 days' written notice to the serving carrier means that such notice can be given on Day 150 (i.e., on the 150th day of the 180-day period beginning on Day One). See APL-27 at 12-13.

This, of course, is a reading that APL does not favor. See APL-27 at 3 n.8 (APL's analysis of ordering paragraphs 1, 8, and 10; APL notes that the approval of the CSX/NS/CR application in ordering paragraph 1 is "subject to the imposition of the conditions discussed in this decision"; APL also notes that NYC and PRR have the rights described in ordering paragraph 8, and that CSXT and NSR have, with respect to CRC's existing transportation contracts, the rights described in the first sentence of ordering paragraph 10, "except as otherwise provided in this decision"; and APL apparently concludes that the rule stated in the second sentence of ordering paragraph 10 is somehow affected by the "subject to" phrase in ordering paragraph 1 and the "except as otherwise provided" phrase in ordering paragraph 8 and in the first sentence of ordering paragraph 10).

APL indicates that the lease will terminate 90 days after the termination of the contract either by the lessor or by the lessee. See APL-27 at 2 n.6. We will assume, for present purposes, that, as APL has indicated, the contract and the lease are linked in that, pursuant to the terms of the lease, APL's exercise of its termination rights under the contract will enable CSX (as successor to Conrail) to exercise its own termination rights under the lease. APL warns: that termination of the lease would likely result in the loss of a critical operational facility (APINY), not to mention the loss of APL's $25 million investment in that facility; and that, although the Transaction Agreement gives both CSX and NS access to APINY, the termination of the lease, by terminating APL's access to APINY, would effectively bar NS from serving APL at that facility, see APL-27 at 12.
would like to enjoy, as soon as possible, the benefits of CSX vs. NS competition; but, given the link between the contract and the lease, and given the especially favorable terms (i.e., the $1 a year rental) of the lease, APL would like to enjoy the benefits of CSX vs. NS competition without exercising its termination rights under the contract. And, APL claims, it reads Decision No. 89 as providing that it will be able to enjoy the benefits of that competition without exercising its termination rights under the APL/Conrail contract. APL concedes, however, that Decision No. 89 is subject to other readings as well.

APL insists that its reading of Decision No. 89 (i.e., a reading that would allow APL to enjoy the benefits of the new CSX vs. NS competition without exercising its termination rights under the APL/Conrail contract): would put contract shippers in the same position on Day 181 as those shippers would have been in on Day One but for the antiassignment override and the approval of Section 2.2(c) of the Transaction Agreement; would recognize that, at the time the APL/Conrail contract was negotiated, neither APL nor Conrail envisioned the break-up and sale of Conrail to two carriers; would recognize that APL is the innocent party in this proceeding; and would extricate

83 APL notes that, after Day One, CSX and NS will both serve the six “Dual Points” of Chicago, Cleveland, Columbus, Baltimore, St. Louis, and South Kearny. It is, APL indicates, for service between these points that APL expects CSX and NS to compete to serve APL beginning on Day 181.

84 APL cites this statement in support of its reading: “After [Day 180], APL will have the right to exercise all of its contractual rights and, if they permit, contract with both NS and CSX in this region.” See Decision No. 89, slip op. at 113. And, APL adds, we must have had the APL/Conrail lease in mind when we referred to contracting “in this region.” See APL-27 at 3 n.7.

85 APL claims that multiple readings are possible because the seven (by APL’s count) references to the subject in Decision No. 89 are not entirely consistent. APL cites Decision No. 89, slip op. at: 17 n.27 (second sentence); 54 (last sentence of the first full paragraph); 56 (first paragraph); 73 (second full paragraph); 113 (the first paragraph in the APL section); 168 (second paragraph); and 175 (second sentence of ordering paragraph 10).

86 The Transaction Agreement governs the CSX/NS/CR transaction. See Decision No. 89, slip op. at 22-23. Section 2.2(c) of the Transaction Agreement provides for the allocation, between CSX and NS, of Conrail’s Existing Transportation Contracts. See Decision No. 89, slip op. at 250. APL claims that, on Day One, were it not for the antiassignment override and the approval of Section 2.2(c): CSX and NS would jointly assume the obligation to serve APL under the APL/Conrail contract; and APL would have the right to select which of the two carriers it wished to use at Dual Points under the APL/Conrail contract.

87 APL indicates that, had such a scenario been envisioned, it would have negotiated a (continued...)
APL from the no-win situation it will be in if it must risk the loss of the APL/Conrail lease in order to achieve the benefits of CSX vs. NS competition with respect to traffic now moving under the APL/Conrail contract. APL adds that a contrary reading of Decision No. 89 (i.e., a reading that would require APL to exercise its termination rights under the APL/Conrail contract in order to take advantage of the new CSX vs. NS competition) would fracture the contract cornerstone of the Staggers Act by effectively voiding a negotiated contract; would, by allowing CSX and NS to allocate the traffic under the APL/Conrail contract, unfairly accord these newcomers to the contract greater rights with respect thereto than are accorded to APL, one of the original parties to the contract; and would allow Section 2.2(c) to prohibit competition between CSX and NS for Dual Point traffic after the end of the 180-day period beginning on Day One.

APL asks that we take the following action to clarify Decision No. 89. (1) APL asks that we affirm that the right of CSX and NS to allocate traffic to Dual Points under Section 2.2(c) will terminate on Day 180. (2) APL asks that we affirm: that, beginning on Day 181, it will be able to select the railroad that will serve it at Dual Points; and, in particular, that it will be able to make that selection without invoking the APL/Conrail contract’s antiassignment provision, invocation of which would terminate the APL/Conrail contract. (3) APL, noting that Decision No. 89 references “180 days” and “six months” as if the two meant precisely the same thing, suggests that it would be helpful if we would clarify that the time period referenced in ordering paragraph 10 (and throughout Decision No. 89) is 180 days, not 6 months.

87(...continued)

provision specifically governing the partition of the contract.

88 APL explains, in this connection, that it was not a party to the division of Conrail.

89 APL claims that it is particularly important that APL have the right to select its own carrier in view of the fact that CSX owns two of APL’s key competitors (i.e., Sea-Land and CSXI).

90 APL adds that it is prepared to negotiate a market-based lease of APINY with CSX, so long as APL is reimbursed for its $25 million investment; and retains continued use of APINY, whether served by CSX or NS. See APL-27 at 14 n.20.

91 APL cites Decision No. 89, slip op. at 17, 56, 73, 75, 76, 113, 175, and 187.

92 APL contends that, for all concerned, it will probably be easier to calculate the first day following the last day of a 180-day period than to calculate the first day following the last day of a 6-month period.
**The CSX-162 Response.** CSX, citing the “plain meaning” of ordering paragraph 10, contends that Decision No. 89 is unambiguous in all pertinent respects and does not need clarification, and that the APL-27 petition should therefore be denied. CSX adds, however, that it agrees with APL, and would therefore not be opposed to clarification by the Board, that the period intended by ordering paragraph 10 is 180 days, not 6 months.

**THE NADLER DELEGATION’S APPLICATION.** The Nadler Delegation contends that we erred in not imposing the conditions it has heretofore requested. See Decision No. 89, slip op. at 309-12 (summary of the evidence and arguments, and the related requests for affirmative relief, contained in the Nadler Delegation’s submissions). See also Decision No. 89, slip op. at 312-18 (summary of the evidence and arguments, and the related requests for affirmative relief, submitted by: the State of New York, acting by and through its Department of Transportation (NYDOT); and the New York City Economic Development Corporation (NYCEDC), acting on behalf of the City of New York). See also Decision No. 89, slip op. at 79-84 (our analysis of the “east of the Hudson” issues raised by NYDOT, NYCEDC, and the Nadler Delegation). See also Decision No. 89, slip op. at 177-78 (ordering paragraphs 22, 28, 29, 30, and 31).

**Relief Sought By The Nadler Delegation.** (1) Reconsideration Request. The Nadler Delegation argues, in general, that we erred in not imposing the conditions it requested. See Decision No. 89, slip op. at 311-12 (conditions requested by the Nadler Delegation). The Nadler Delegation argues, in particular, that we erred: in finding a lack of traffic in the “east of the

---

93 See CSX-162 at 3.

94 These ordering paragraphs: (22) require applicants to monitor origins, destinations, and routings for the truck traffic at their intermodal terminals in Northern New Jersey and in the Commonwealth of Massachusetts; (28) require CSX to attempt to negotiate, with CP (Canadian Pacific Railway Company, Delaware and Hudson Railway Company, Inc., Soo Line Railroad Company, and St. Lawrence & Hudson Railway Company Limited are referred to collectively as CP), an agreement pursuant to which CSX will grant CP either haulage rights or trackage rights over the east-of-the-Hudson Conrail line that runs between Selkirk (near Albany) and Fresh Pond (in Queens); (29) require CSX to make an offer to the City of New York to establish a committee intended to develop ways to promote the development of rail traffic to and from the City; (30) require CSX to cooperate with the New York interests in studying the feasibility of upgrading cross-harbor float and tunnel facilities to facilitate cross-harbor rail movements, and, in particular, require CSX to participate in New York City’s Cross Harbor Freight Movement Major Investment Study; and (31) require CSX to discuss with Providence and Worcester Railroad Company (P&W) the possibility of expanded P&W service over trackage or haulage rights on the line between Fresh Pond, NY, and New Haven, CT.
in anchoring potential future operations by CP and/or P&W to Fresh Pond Yard and Harlem River Yard; in leaving NYCH’s facilities in NYCH’s control; in requiring only CSX, and not both CSX and NS, to participate in a solution of the cross-harbor access problem; in not imposing specific defined tasks and goals, the existence of which would allow us to measure compliance with our directives; in not requiring the establishment of NS RoadRailer operations via the Hudson and East River tunnels; in not bringing the CSX/NS/CR transaction into compliance with the Clean Air Act; and in not bringing the CSX/NS/CR transaction into compliance with Title VI of the Civil Rights Act of 1964.

95 See Decision No. 89, slip op. at 80 & n.124. The market, the Nadler Delegation claims, is huge.

96 The Nadler Delegation claims that Fresh Pond Yard (in Queens) is: the smallest facility in the region; the one facility most hemmed in by a residential neighborhood; and the least expandable of the region’s remaining railway yards. The Nadler Delegation further claims that the entire capacity of Harlem River Yard (in the Bronx) is intended for garbage transloading and for servicing the Hunt’s Point produce market, and that its remaining capacity, if any, is totally inadequate to support both CSX and CP intermodal services. The Nadler Delegation would prefer that CP and/or P&W be allowed access to the 65th Street Yard (in Brooklyn), which (the Nadler Delegation claims): is but 11 miles from Fresh Pond Yard, via the nearly unused Bay Ridge Line; is on the Brooklyn waterfront, an industrial area; and is not in the middle of a residential neighborhood.

97 The Nadler Delegation claims that NYCH has failed to provide needed services over a substantial period of time.

98 See Decision No. 89, slip op. at 178 (ordering paragraph 30).

99 See, apparently, Decision No. 89, slip op. at 178 (ordering paragraphs 30 and 31).

100 The Nadler Delegation claims that, because the New York-New Jersey metropolitan region’s severe air quality problems are related directly to overdependence on cross-harbor trucking, it is irrational to confine NS RoadRailer services to the west side of the Hudson River.

101 The Nadler Delegation insists: that the CSX/NS/CR transaction will add hundreds of trucks across the Bronx and Manhattan every day; and that, in a region already suffering the extreme adverse health effects of excessive air pollution, no increase in truck traffic is lawful under the Clean Air Act.

102 The Nadler Delegation contends: that the New York Metropolitan Transportation Authority’s (NYMTA’s) pre-transaction ban on garbage traffic on NYAR bars all such traffic from (continued...)

39
(2) Stay Request. The Nadler Delegation adds: that applicants and the Nadler Delegation have agreed to enter into discussions in an attempt to resolve the issues raised by the Nadler Delegation; that these discussions will include all rail carriers in the affected region; and that it would be best if we would defer action on the Nadler Delegation's reconsideration request until sufficient time has elapsed to determine if these discussions will be successful. The Nadler Delegation therefore asks that its application for reconsideration be marked as timely filed but that all action thereon be stayed until July 20, 1999, or until such earlier time as any party shall move to reopen the matter.

The CSX/NS-216 Response. As respects the Nadler Delegation's reconsideration request, CSX and NS contend: that the action we took in Decision No. 89 went further than our precedents permitted us to go in dealing with proposals for increased rail service made by civic and governmental groups in a rail merger proceeding; that the issues raised by the Nadler Delegation in its reconsideration request are essentially attempts to reargue matters that were brought forward before and on which we have already passed; and that the Nadler Delegation has not made the showing contemplated by our regulations (i.e., material error, new evidence, or changed circumstances). CSX and NS therefore urge the denial of the Nadler Delegation's reconsideration request.

As respects the Nadler Delegation's stay request, CSX and NS contend: that they are interested in having discussions, with the Nadler Delegation and with other parties as well, with

---

102(...continued)

all NYMTA railways on Long Island; that Decision No. 89 provides for competitive access only by CP via the Hudson Division (the Hudson Division is Conrail's east-of-the-Hudson line, running between Albany and New York City); that, in view of the NYMTA ban, the practical effect of Decision No. 89 will be to make the minority neighborhoods of the South Bronx the only location in the entire New York Metropolitan Area at which garbage can be loaded on rail cars for export from the region; and that, therefore, Decision No. 89, by failing to provide access to NYAR facilities and access to the South via the cross-harbor floats, will create a disparate impact on minority residential areas.

103 The reference is to the conditions embraced in ordering paragraphs 22, 28, 29, 30, and 31.

104 CSX and NS have indicated, however, that they have accepted the conditions embraced in ordering paragraphs 22, 28, 29, 30, and 31. See CSX/NS-216 at 4-5.

105 CSX and NS add that the allegation that the NYMTA, in imposing a ban on garbage traffic at points on Long Island, has manifested racial bias, does not seem to raise an issue within our jurisdiction.
respect to the provision of improved rail service to New York City; that it is to be hoped that such discussions will yield agreements that will launch private and public initiatives that may, over time, bring increased use of rail services to New York City and the rest of the “East of the Hudson” region; that, however, a year’s stay of consideration of the Nadler Delegation’s reconsideration request would serve no purpose and would not contribute to orderly procedure; and that the public interest will be amply protected by the conditions we imposed, and also by our retained powers over the CSX/NS/CR transaction and our general powers to enforce the pertinent statutes. CSX and NS therefore urge the denial of the Nadler Delegation’s stay request.

The NYS-29 Reply. NYDOT indicates that, in general, it neither supports nor opposes the Nadler Delegation’s requests for reconsideration and stay. NYDOT adds, however: that it is vitally important that our disposition of these requests should not be allowed to delay, or otherwise adversely affect, full and timely implementation of the procompetitive east-of-the-Hudson conditions we adopted in Decision No. 89; that, in any event, the Nadler Delegation’s arguments are in error insofar as such arguments rest on the notion that the “east of the Hudson” rail infrastructure is inadequate to support the procompetitive rail access contemplated by Decision No. 89; and that NYDOT does not subscribe to the charge that the limited moratorium on the movement of municipal solid waste via NYAR was motivated by racial bias.

The NYCH-5 Reply. NYCH, which claims that it is capable of providing an effective cross-harbor rail service, contends that the Nadler Delegation’s remarks concerning NYCH are incorrect and defamatory. NYCH further contends: that, although the Nadler Delegation would like to include NYCH’s assets in a Shared Assets Area, the Nadler Delegation has not demonstrated that NYCH’s rail services are in financial or operating jeopardy; and that, although the Nadler Delegation would like to force the acquisition of NYCH’s assets under 49 U.S.C. 10907(c), the

---

106 The reference, again, is to the conditions embraced in ordering paragraphs 22, 28, 29, 30, and 31. See CSX/NS-216 at 7.

107 See Decision No. 89, slip op. at 173 (ordering paragraph 1; we expressly reserved jurisdiction to implement the 5-year oversight condition).

108 The reference is to the conditions embraced in ordering paragraphs 22, 28, 29, and 30. See NYS-29 at 2 and 4.

109 The reference is to the conditions embraced in ordering paragraphs 28 and 29. See NYS-29 at 3 & n.5.

110 NYDOT also claims that this charge is beyond the scope of our jurisdiction.

111 See Decision No. 89, slip op. at 218-19 (summary of the evidence and arguments, and the related requests for affirmative relief, submitted by NYCH).
Nadler Delegation has not identified an applicant for such acquisition. NYCH therefore urges the denial of the relief sought by the Nadler Delegation.112

The NYAR No. 7 Reply. NYAR contends that the Nadler Delegation's reconsideration request should be denied insofar as that request concerns NYAR's Bay Ridge Line; joint use of the Bay Ridge Line, NYAR insists, is simply not feasible, neither operationally, nor economically, nor legally. See, generally, Decision No. 89, slip op. at 217-18 (summary of the evidence and arguments submitted by NYAR). NYAR adds: that the Nadler Delegation's reconsideration request, insofar as it seeks to insert CP onto the Bay Ridge Line, seeks, in essence, a new condition not previously sought; that Metro-North Commuter Railroad Company (MNCR)113 has not banned municipal solid waste traffic over NYAR; that, in fact, the only "ban" on municipal solid waste traffic over NYAR is a temporary moratorium that exists at the request of the Governor of New York, and that will expire in December 1999; that, although NYAR would be willing to participate in discussions regarding the improvement of rail service east of the Hudson, NYAR should not have to face uncertainty as to critical portions of its franchise while any such discussions are conducted; and that we should therefore act now on, and not stay our consideration of, that portion of the Nadler Delegation's reconsideration request that concerns the Bay Ridge Line and/or NYAR.

ZEE FRANK'S APPEAL. Ms. Frank's appeal is focused upon issues concerning rail facilities in the Bronx.

112 NYCH adds that, because Decision No. 89 does not appear to address the 49 U.S.C. 10907(c) issue, we should, in our decision addressing the Nadler Delegation's reconsideration/stay requests, "affirmatively address" and deny the Nadler Delegation's request for relief under 49 U.S.C. 10907(c). See NYCH-5 at 5. We did not explicitly address this issue in Decision No. 89, see Decision No. 89, slip op. at 84 (our discussion of the issues raised by NYCH), because NYCH, which "declined to participate extensively in these proceedings after December 1997," see NYCH-5 at 2, did not raise this issue in a timely fashion. See also Decision No. 89, slip op. at 219 n.328 (we rejected NYCH's late-filed reply to the Nadler Delegation's brief; although the Nadler Delegation's brief was filed February 23, 1998, NYCH's reply thereto was not tendered for filing until May 29, 1998). But see Decision No. 89, slip op. at 81 (we indicated that proposals such as the Nadler Delegation's would "likely be[] outside of our authority to grant" vis-à-vis use of the rail property of NYCH).

113 MNCR is an NYMTA subsidiary. See Decision No. 89, slip op. at 317 n.525.
Relief Sought By Ms. Frank. Ms. Frank contends, in essence, that we erred in not protecting the public interest in rail access to Oak Point Yard and Harlem River Yard and the public interest in rail operations via Oak Point Link. 114

(1) The Merits. Ms. Frank claims: that the public money that has been invested in the Oak Point and Harlem River Yards and in the Oak Point Link has not been properly used; that, in fact, this money has been diverted to the benefit of certain private interests; that these private interests have arranged that facilities that should have been used for rail purposes have been used for non-transportation purposes instead; that this diversion of public money by and to private interests has had adverse economic consequences 115 and adverse environmental consequences as well; 116 and that, in Decision No. 89, we failed to take the action needed to rectify these injustices.

(2) Ancillary Relief. Ms. Frank has submitted, with her appeal, a motion: to join her appeal with the "appeal" filed by Rep. Nadler; and to waive the requirement that she serve copies of her appeal on all parties.

THE IP&L-15 PETITION. IP&L seeks reconsideration and/or clarification of Decision No. 89 as respects our treatment of IP&L’s request for the imposition of conditions regarding coal traffic moving to its Perry K and Stout plants, both of which (IP&L contends) could be served pre-transaction by two railroads: Indiana Southern Railroad, Inc. (ISRR); and Indiana Rail Road Company (INRD, an 89%-owned CSX subsidiary). See Decision No. 89, slip op. at 264-69 (summary of the evidence and arguments, and the related requests for affirmative relief, contained in IP&L’s submissions). See also Decision No. 89, slip op. at 212-14 (summary of the evidence and arguments, and the related requests for affirmative relief, contained in ISRR’s submissions). See also Decision No. 89, slip op. at 116-17 (our discussion of IP&L’s relevant issues) and at 93-95 (our overlapping discussion of Indianapolis issues). See also Decision No. 89, slip op. at 177 (ordering paragraph 23).

114 Oak Point Yard and Harlem River Yard are rail facilities located in the Bronx. Oak Point Link (so called because it will end at Oak Point Yard) is a $200 million rail bypass track that has been constructed on a trestle in the Harlem River, that will enable freight trains to avoid congestion at Mott Haven Junction and nearby locations. See Decision No. 89, slip op. at 314 n.518.

115 The cited adverse economic consequences reflect the frustration of public efforts to improve New York City’s rail infrastructure.

116 The cited adverse environmental consequences reflect the health effects (asthma, etc.) of excessive reliance on truck transport. These health effects are alleged to be particularly serious in the minority communities of the South Bronx.
STB Finance Docket No. 33388

Relief Sought By IP&L. (1) Perry K. In Decision No. 89, we stated “that no remedy is required at Perry K,” see Decision No. 89, slip op. at 116, but, in fact, we did provide a remedy at Perry K: we ordered applicants “to amend their agreements to permit NS to interchange with ISRR at its existing milepost 6 for movements to Stout and Perry K,” see Decision No. 89, slip op. at 117 (emphasis added). See also Decision No. 89, slip op. at 177 (ordering paragraph 23; emphasis added: applicants “must allow for the creation of an NS/ISRR interchange at MP 6.0 on ISRR’s Petersburg Subdivision for traffic moving to/from either the Stout plant or the Perry K plant”). IP&L asks that we clarify and/or reconsider our intentions vis-à-vis the routing of its Perry K trains and its obligations to pay a switching charge for its Perry K trains.117

As respects the routing matter, IP&L contends: that the pre-transaction CR/ISRR Perry K interchange is at Crawford Yard;118 that, under applicants’ proposed approach, the post-transaction CSX/ISRR Perry K interchange will be at Hawthorne Yard, which will require IP&L’s Perry K trains to pass by Crawford Yard and to proceed in an easterly direction past Perry K to Hawthorne Yard, and then to return in a westerly direction from Hawthorne Yard to Perry K; and that the pre-transaction Crawford Yard interchange is far more efficient than the contemplated post-transaction Hawthorne Yard interchange. And, IP&L adds, it suspects that it will be required to pay for this inefficiency by reimbursing CSX, directly or indirectly, for its switching services (the reimbursement anticipated by IP&L would consist of a trackage rights fee for a movement to Hawthorne Yard, and a switch charge for the movement from Hawthorne Yard to Perry K). IP&L, insisting that we could not have intended to require IP&L to pay more for a less efficient service, asks that we clarify that its Perry K trains will be routed post-transaction as they were pre-transaction (i.e., through Crawford Yard directly into Perry K, and not through Hawthorne Yard).119

As respects the switching charge matter, IP&L’s position reflects its belief that, as matters now stand, CSX, which will be the only rail carrier with direct access to Perry K and which will also control INRD, will be able to eliminate IP&L’s competitive options at Perry K.120 IP&L contends:

117 As discussed below in connection with IP&L’s requests vis-à-vis Stout, IP&L has also asked that we clarify that the NS/ISRR interchange that applicants must allow must be at Crawford Yard, and not at MP 6.0.

118 IP&L indicates that Crawford Yard is also known as GM Yard.

119 IP&L adds that, if we did indeed intend for Perry K trains to be routed through Hawthorne Yard, we should reconsider this aspect of Decision No. 89.

120 IP&L insists that we erred in applying our “bottleneck” presumption to Perry K. See Decision No. 89, slip op. at 116 (we agreed with applicants that “Conrail is already a bottleneck (continued...)

44
that, with the current movement options to Perry K (either ISRR/CR or INRD via Conrail switch), IP&L is not required to pay both a trackage rights fee and a switching charge; and that, because it is not obligated to pay both a trackage rights fee and a switching charge pre-transaction, it should not be obligated to pay both a trackage rights fee and a switching charge post-transaction. IP&L therefore asks that we clarify that movements to Perry K will be charged only a trackage rights fee and not a switching fee. IP&L adds that the most practical way to ensure that its pre-transaction Perry K competitive options are preserved and that IP&L does not have to pay inappropriate switching charges and trackage rights fees would be to clarify that NS (or ISRR) may serve Perry K directly from Crawford Yard.

(2) Stout. In Decision No. 89, we provided several remedies at Stout. We stated that applicants: must allow IP&L to choose between having Stout served by NS directly or via switching by INRD; must allow for the creation of an NS/ISRR interchange at MP 6.0 on ISRR’s Petersburg Subdivision for traffic moving to/from Stout; and must provide conditional rights for either NS or ISRR to serve any build-out to the Indianapolis Belt Line. See Decision No. 89, slip op. at 117 & n.180; see also Decision No. 89, slip op. at 177 (ordering paragraph 23). IP&L asks that we clarify and/or reconsider our intentions vis-à-vis the location of the NS/ISRR interchange and IP&L’s obligations to pay a switching charge for its Stout trains.

As respects the NS/ISRR interchange, IP&L contends that, in fact, there is not now, and there cannot be, an interchange at MP 6.0. IP&L claims: that, although legal title in the Petersburg Subdivision passes from ISRR to Conrail at MP 6.0, the CR/ISRR interchange is at Crawford Yard and not at MP 6.0; that there is no interchange point at MP 6.0; and that, as a practical matter, interchange simply cannot occur at MP 6.0. IP&L therefore asks that we preserve the pre-

120(...continued)
carrier controlling rail access” to Perry K). IP&L contends, in essence, that, although Conrail is the only rail carrier with direct access to Perry K, Conrail does not actually have bottleneck power vis-à-vis Perry K. (i) IP&L claims that, whereas Conrail is neutral as between ISRR and INRD (the carriers that originate Perry K’s coal), CSX, which has an 89% controlling interest in INRD, will not be neutral as between ISRR and INRD. (ii) IP&L further claims: that, as a practical matter, Conrail cannot exercise bottleneck power vis-à-vis Perry K, because IP&L can ship coal to Perry K via a rail/truck movement not involving Conrail (INRD to Stout; truck to Perry K); but that CSX will be able to exercise bottleneck power vis-à-vis Perry K, because CSX controls INRD (which is to say that the rail/truck option that does not involve Conrail will involve CSX).

121 IP&L claims that, as respects Perry K coal originated by ISRR, IP&L pays neither a switching charge nor a trackage rights fee but only a single through rate (because, IP&L indicates, Conrail once owned the ISRR line and entered into a contract with IP&L prior to the sale of the line to ISRR). IP&L claims that, as respects Perry K coal originated by INRD, IP&L pays only a switching charge, but not a trackage rights fee, for INRD movements to Perry K via Conrail.
transaction status quo by clarifying that applicants must allow for the creation of an NS/ISRR interchange at Crawford Yard. 

As respects the switching charge matter, IP&L notes that we stated that the condition we were imposing vis-à-vis Stout “will result in availability of direct NS service presumably free of CSX switching charges,” Decision No. 89, slip op. at 94 n.151 (emphasis added). IP&L contends: that there is no logical reason for imposition of a CSX or INRD switch charge if NS or ISRR serves Stout directly, because, under such circumstances, neither CSX or INRD would perform a switch service; and that IP&L is entitled to a clear ruling that neither CSX nor INRD will be permitted to impose a switching charge at Stout if either NS or ISRR provides direct service at Stout. IP&L therefore asks that we delete the word “presumably” from footnote 151.

The CSX-163 Reply. CSX, which has accepted our IP&L conditions as set forth in ordering paragraph 23, insists that, with these conditions, IP&L will be better off post-transaction than it was pre-transaction.

(1) Perry K. As respects the routing matter, CSX contends: that, because CSX will provide the same service post-transaction that Conrail provided pre-transaction, it is hard to see why IP&L’s Perry K coal routings would become less efficient; that, in addition, although only one carrier (Conrail) can access Perry K pre-transaction, two carriers (CSX and NS) will be able to access Perry K post-transaction; and that IP&L only stands to gain by having NS access Perry K. CSX therefore argues: that, for these reasons, we were correct in concluding “that no remedy is required at Perry K,” Decision No. 89, slip op. at 116; and that, also for these reasons, IP&L’s routing matter request should be denied.

122 Although this clarification request is included in the portion of IP&L’s petition concerning Stout, see IP&L-15 at 2, we assume that IP&L intended this clarification request to apply both to Stout and to Perry K.

123 We have defined “CSX” as including CSX’s wholly owned subsidiaries. See Decision No. 89, slip op. at 11 n.3. IP&L defines “CSX” as also including, for purposes of the IP&L-15 petition, CSX’s 89%-owned INRD subsidiary. See IP&L-15 at 3 n.2. The relief requested by IP&L vis-à-vis footnote 151, using our terminology, would require the relevant clause to be revised to read: “the condition we are imposing on traffic to IP&L’s Stout plant will result in availability of direct NS service free of CSX and/or INRD switching charges.”

124 See Decision No. 89, slip op. at 177 (ordering paragraph 23).

125 CSX concedes, however, that, for operational reasons, it will route Perry K-bound coal cars through Hawthorne Yard.
As respects the switching charge matter, CSX contends: that, even if it were true that INRD movements to Stout compete with Conrail movements to Perry K, the fact of the matter is that, whereas one carrier (Conrail) exercised total control over rail movements to Perry K pre-transaction, two carriers (CSX and NS) will have access to Perry K post-transaction; and that, even if it were true that CSX will favor INRD over ISRR as a source-serving carrier for Perry K movements, such vertical integration by a destination carrier does not justify relief under applicable precedent. CSX further contends: that it is entitled to compensation for the NS line-haul movement over the CSX-allocated line into Hawthorne Yard; and that it is also entitled to "cost-based" compensation, see Decision No. 89, slip op. at 116, for the switching movement out of Hawthorne Yard, on non-CSX traffic bound for delivery to Perry K. CSX therefore argues: that, for these reasons, we were correct in concluding "that no remedy is required at Perry K," Decision No. 89, slip op. at 116; and that, also for these reasons, IP&L’s switching charge request should be denied.

(2) Stout. As respects the NS/ISRR interchange, CSX contends that, whereas an NS/ISRR interchange at MP 6.0 could be accomplished, an NS/ISRR interchange at Crawford Yard might well disrupt CSX’s operations at that small and heavily used facility, with severe negative repercussions for service to other shippers throughout the Indianapolis area. And, CSX adds, the fact that the pre-transaction CR/ISRR interchange is at Crawford Yard does not mean that the post-transaction NS/ISRR interchange must also be at Crawford Yard. CSX therefore asks that we deny IP&L’s NS/ISRR interchange request.

As respects the switching charge matter, CSX indicates that it does not oppose the deletion of the word "presumably" from footnote 151.

The ISRR-11 Reply. ISRR urges us to grant the relief sought in the IP&L-15 petition.

(1) Perry K. As respects the routing matter, ISRR contends: that, as a practical matter, the pre-transaction Conrail was not a bottleneck carrier at Perry K (because IP&L’s Perry K options were not limited to rail-to-rail competition); that, however, the post-transaction CSX will be a bottleneck carrier at Perry K (because CSX will control all of Perry K’s routing options); that,

126 CSX notes that it is willing to grant NS trackage rights to permit an NS/ISRR interchange at MP 6.0 on the same basis that CSX has granted NS other trackage rights in Indianapolis.

127 CSX notes, in this regard, that whereas Conrail has a financial interest in the CR/ISRR interchange (because Conrail gets a portion of the revenues), CSX will have no similar financial interest in the NS/ISRR interchange.

128 See Decision No. 89, slip op. at 212-13 (the carryover paragraph at 212-13, and the first full paragraph at 213).
therefore, the CSX/NS/CR transaction will significantly reduce competition at Perry K;\(^{129}\) that NS' single-line access to Perry K via a CSX switch cannot possibly be competitive with any of the routing options Perry K enjoys today (because NS, unlike CSX, will have no nearby single-line coal sources); that, therefore, NS will be able to provide a competitive option at Perry K only if NS can deliver coal originated by ISRR; that, however, if the NS/ISRR interchange is at Hawthorne Yard, any coal movements from ISRR origins via NS will be inefficient and uneconomical (because NS would have to move its locomotives west from Hawthorne Yard past Perry K to MP 6 for interchange with ISRR, and proceed back east past Perry K to Hawthorne Yard for an interchange with CSX, whereupon CSX would have to proceed back west to Perry K); and that, furthermore, Hawthorne Yard is not conducive to an efficient interchange of unit coal trains. ISRR therefore insists: that, to preserve IP&L's competitive options at Perry K, we should condition the CSX/NS/CR transaction by requiring that NS (or ISRR) be given trackage rights into Perry K; and that we should clarify that, except as varied by agreement of the parties, the NS/ISRR interchange should take place either at Crawford Yard or at Transfer Yard, but not at Hawthorne Yard.

As respects the switching charge matter, ISRR's remarks suggests that ISRR agrees with IP&L that movements to Perry K should be charged only a trackage rights fee and not a switching fee.

(2) Stout. As respects the NS/ISRR interchange, ISRR contends: that there has not been a CR/ISRR interchange at MP 6; that, in fact, a MP 6 interchange is not operationally practicable;\(^{130}\) that, at present, the CR/ISRR interchange, for IP&L coal traffic and for all other traffic as well, is at Crawford Yard; and that, in view of the significant operational changes that may occur in Indianapolis post-transaction, it would be best to allow CSX, NS, and ISRR an opportunity to agree upon an interchange arrangement that is optimally efficient for all concerned. ISRR adds, however, that we should clarify that, in the absence of an agreement, the NS/ISRR interchange (for movements to Stout and Perry K) should take place at either Crawford Yard or Transfer Yard.

As respects the switching charge matter, ISRR's remarks suggests that ISRR would support the deletion of the word "presumably" from footnote 151.

THE TFI-8 PETITION. TFI seeks a definitive ruling on its assertion (hereinafter referred to as TFI's RCAF assertion) that, with one exception, we are simply not permitted to use any

\(^{129}\) ISRR indicates that it "supports IPL's request for reconsideration of the Board's finding that there will be no loss of competition at the Perry K Plant." See ISRR-11 at 2.

\(^{130}\) ISRR claims: that its track at MP 6 consists of a single main line with no sidings; and that, in view of the narrow width of the right-of-way at MP 6, no sidings can be constructed at that point.
measure other than the RCAF-A as an adjustment mechanism for railroad rates or other charges.\textsuperscript{131} \textit{See} Decision No. 89, slip op. at 248 n.401 (TFI contends that the RCAF-A is, whereas the RCAF-U is not, the rail cost adjustment factor provided for by 49 U.S.C. 10708; that, for this reason, and with the one exception noted in the next clause, we must use the RCAF-A in any adjustment mechanism adopted in this proceeding;\textsuperscript{132} but that, in view of the special circumstances applicable to the reduction in “switching rates” pursuant to the NITL agreement, an adjustment factor other than the RCAF-A may apply as to such rates).\textsuperscript{133}

\textbf{Relief Sought By TFI.} TFI, although conceding that we may have addressed its RCAF assertion \textit{sub silentio},\textsuperscript{134} insists that we did not address that assertion explicitly; and TFI adds that, having properly raised the issue, it is entitled to a ruling (i.e., an explicit ruling) with respect thereto. TFI concedes that, in view of our rejection of the market dominance presumption urged by TFI and certain other parties, we had no compelling reason to address TFI’s RCAF assertion in that context.\textsuperscript{135} TFI claims, however, that, because its RCAF assertion applies to all applications of an inflation-adjusted mechanism (with the one exception previously noted), we were required to address TFI’s RCAF assertion despite our rejection of the market dominance presumption. TFI argues, in this regard, that its RCAF assertion must be addressed: with respect to the adjustment mechanism applicable to the trackage rights fee agreed upon by CSX and NS;\textsuperscript{136} and with respect to the

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{131} The Rail Cost Adjustment Factor is referred to as the RCAF. The Rail Cost Adjustment Factor adjusted for productivity is referred to as the RCAF-A. The Rail Cost Adjustment Factor unadjusted for productivity is referred to as the RCAF-U. \textit{See} Decision No. 89, slip op. at 251 n.404.
\item \textsuperscript{132} \textit{See} Decision No. 89, slip op. at 56 n.85 (discussion of RCAF-A, RCAF-U, and 49 U.S.C. 10708). \textit{See also} TFI-8 at 3 (line 3 reference is apparently to Decision No. 89, slip op. at 56 n.85).
\item \textsuperscript{133} TFI is apparently using the terms “switching rates” and “switching charges” interchangeably. \textit{Compare} Decision No. 89, slip op. at 248 n.401 (line 6) with TFI-8 at 3 (line 9). TFI indicates that the “special circumstances” reflect: (i) the agreement by applicants to reduce the Conrail switching charges substantially from pre-transaction levels; and (ii) the fact that such charges are not typically adjusted every quarter or even every year. \textit{See} TFI-8 at 1 n.1.
\item \textsuperscript{134} \textit{See} Decision No. 89, slip op. at 184 (ordering paragraph 81; all conditions that were requested by any party but that have not been specifically approved are denied).
\item \textsuperscript{135} \textit{See} Decision No. 89, slip op. at 66-67 (rejecting the market dominance presumption).
\item \textsuperscript{136} \textit{See} Decision No. 89, slip op. at 142 n.216 (we noted that a significant shift in either total costs or total car miles could mean that the trackage rights fee would have to be adjusted; we did (continued...)}
\end{itemize}
\end{footnotesize}
adjustment mechanism provided for by Section III(E) of the NITL agreement. TFI therefore contends: that we should clarify Decision No. 89 by making explicit our ruling on TFI’s RCAF assertion; and that, if in fact we intended to reject TFI’s RCAF assertion, we should reconsider that aspect of Decision No. 89.

The IP&L-15 Petition. IP&L endorses TFI’s RCAF assertion, and asks that we clarify that the RCAF-A must be the adjustment mechanism for the trackage rights fee that CSX will be charging in the Indianapolis area. See IP&L-15 at 7 n.6.

The CSX/NS-211 Reply. CSX and NS urge denial of the TFI-8 petition. CSX and NS contend, in essence, that, as respects the two adjustment mechanisms referenced by TFI (the mechanism applicable to the trackage rights fee agreed upon by CSX and NS, and the mechanism provided for by Section III(E) of the NITL agreement), TFI’s RCAF assertion was addressed in Decision No. 89. See Decision No. 89, slip op. at 174-75 (ordering paragraph 7; we approved, “except as otherwise provided,” the agreements respecting acquisition of trackage rights; this, CSX and NS contend, clearly requires application of the adjustment mechanism provided for by such agreements). See also Decision No. 89, slip op. at 176 (ordering paragraph 20; we required applicants to adhere to all of the terms of the NITL agreement, with certain exceptions not presently relevant; this, CSX and NS contend, clearly requires application of the adjustment mechanism provided for by Section III(E) of the NITL agreement). CSX and NS further contend that TFI’s RCAF assertion is simply wrong; nothing in 49 U.S.C. 10708, CSX and NS insist, requires application of an RCAF-A adjustment mechanism to all of the rates and charges involved in this proceeding.

136 (...continued)
not, however, indicate what the adjustment mechanism might be; TFI claims that the adjustment mechanism must be the RCAF-A).

137 See Decision No. 89, slip op. at 251 (this section, which is applicable to transportation services to Conrail shippers on routes over which at least 50 cars were shipped in the calendar year prior to the Control Date in single-line Conrail service which will become joint-line CSX-NS service after the Closing Date, provides that, upon request of an affected shipper, CSX and NS, for a period of 3 years, will work with the shipper to provide fair and reasonable joint-line service, and will maintain the Conrail rate, subject to RCAF-U increases; TFI claims that the adjustment mechanism must be the RCAF-A).

138 CSX and NS note that these agreements provide for an adjustment mechanism that employs neither the RCAF-A nor the RCAF-U. See, e.g., CSX/NS-25, Volume 8B at 256-58. See also Decision No. 89, slip op. at 140 (we examined the issue of trackage rights compensation, and found that the agreed upon level of compensation “will allow the carriers receiving trackage rights to compete effectively”)

50
The CSX-163 Reply. As respect IP&L's endorsement of TFI's RCAF assertion, the CSX-163 reply to the IP&L-15 petition adopts the arguments set forth in the CSX/NS-211 reply to the TFI-8 petition. See CSX-163 at 5.

ORDC's JULY 29th LETTER. ORDC urges clarification respecting our extension of the single-line to joint-line relief provided for in Section III(E) of the NITL agreement.

Relief Sought By ORDC. Section III(E), which applies to transportation services to Conrail shippers on routes over which at least 50 cars were shipped in the calendar year prior to the Control Date in single-line Conrail service which will become joint-line CSX-NS service after the Closing Date, provides that, upon request of an affected shipper, CSX and NS will, for a period of 3 years, (a) maintain the Conrail rate (subject to RCAF-U increases), and (b) work with the shipper to provide fair and reasonable joint-line service. See Decision No. 89, slip op. at 251. In Decision No. 89, we extended Section III(E) to single-line to joint-line situations involving a third carrier that is a Class III railroad. "Where a Class III railroad could provide [pre-transaction] through service connecting solely with Conrail, but will now have to provide a three-carrier connecting service with both CSX and NS, the Class III carrier, at its option, will be able to invoke the single-line to joint-line protections set forth in the NITL agreement." Decision No. 89, slip op. at 56. See also Decision No. 89, slip op. at 72 (further discussion of single-line to joint-line issues). ORDC, which supports the extension of Section III(E) to shortline railroads, contends that the same reasons that justify that extension of Section III(E) also justify a further extension of Section III(E) to regional railroads and the shippers served by such regional railroads. ORDC therefore asks that we clarify that regional railroads and the shippers they serve are included within the single-line to joint-line relief we adopted in Decision No. 89.

The CSX/NS-213 Reply. CSX and NS, which oppose the clarification sought by ORDC, contend: that, because Class III railroads are often surrogates for one or a few shippers, our extension of Section III(E) to such railroads appears to have been premised on the notion that Class III-Conrail service is similar, if not equivalent, to single-line Conrail service; but that, because regional railroads are generally larger than Class III railroads, the fact of the matter is that regional-Conrail service is more like conventional joint-line service and is not at all like single-line Conrail service. And, CSX and NS add, an extension of Section III(E) to regional railroads would tend to preserve inefficient routings in ways that are inappropriate and unwarranted. See CSX/NS-213 at 3 n.3.

THE WC-19 PETITION. WCL contends that reports filed by applicants pursuant to reporting element 11 of the operational monitoring condition imposed in Decision No. 89 should be placed in the public docket as they are filed.

Relief Sought By WCL. The operational monitoring condition that we imposed in Decision No. 89 requires applicants to file periodic status reports and progress reports. See Decision No. 89, slip op. at 162-65. See also Decision No. 89, slip op. at 176 (ordering paragraph 18). We
indicated that most, though not all, of these reports, and certain incidental transmittal letters as well, will be placed in the docket (i.e., the public docket) as they are filed. See Decision No. 89, slip op. at 165 (reporting element 15).

The WC-19 petition is focused upon reporting element 11, which requires applicants to report on activities at certain yards. See Decision No. 89, slip op. at 164-65 (reporting element 11). See also Decision No. 89, slip op. at 424 (lists the yards covered by reporting element 11). The WC-19 petition is particularly focused upon the reports that will be submitted under reporting element 11 with respect to one CSX yard (Barr Yard in Chicago, IL) and two IHB yards (Blue Island Yard in Chicago, IL, and Gibson Yard in Hammond, IN). WCL’s grievance, as expressed in the WC-19 petition, is that the reports submitted under reporting element 11, and, in particular, the reports submitted thereunder respecting Barr Yard, Blue Island Yard, and Gibson Yard, will not be made public. There is, WCL insists, no reason to keep these reports secret; WCL claims that the information contained in the reports that will be submitted under reporting element 11 will not be commercially sensitive, and, in any event, will not be any more commercially sensitive than the substantially similar information contained in the reports that will be submitted under reporting element 7 with respect to operations in the Shared Assets Areas (SAAs). And, WCL contends, given the importance of post-transaction operational issues in the Chicago switching district and on the IHB, WCL and other end-users of switching and terminal services in the Chicago area must have access to the information that applicants will be reporting under reporting element 11.

WCL therefore asks that we revise Decision No. 89 by providing that reports filed by applicants pursuant to reporting element 11 will be placed in the public docket as they are filed.

The CSX/NS-215 Response. Applicants, urging denial of the WC-19 petition, contend: that the reports that will be submitted pursuant to reporting element 11 will contain commercially sensitive information; that this information, if it were publicly available, could be used by applicants’ competitors to applicants’ commercial disadvantage; that there is no inconsistency

---

139 IHB is a 51%-owned Conrail subsidiary. The CSX/NS/CR transaction contemplates that Conrail’s IHB stock will continue to be owned by Conrail. See Decision No. 89, slip op. at 32.

140 See Decision No. 89, slip op. at 163-64 (reporting element 7). The SAA reports submitted under reporting element 7 will be made public. See Decision No. 89, slip op. at 165 (reporting element 15).

141 Applicants suggest, by way of example, that a competitor could use this information to suggest to a shipper that the Barr, Blue Island, and Gibson Yards are congested, and that the shipper should therefore make alternate arrangements with the competitor. And, applicants note, the shipper will have no way of comparing the congestion problems of applicants, on the one hand, and their (continued...)

between the determination that certain information should be held confidential and the determination that other information should be made public; and that, in any event, WCL has demonstrated no need for the information it seeks. And, applicants add, WCL’s adversarial demand for commercially sensitive information from IHB, a carrier in which NS is acquiring an indirect financial interest, is inconsistent with undertakings entered into by WCL in its settlement agreement with NS.

**Prairie Group’s August 31st Statement.** Prairie Group, an end-user of switching and terminal services in the Chicago area, urges approval of the WC-19 petition. Communities, shippers, and receivers, Prairie Group claims, should have access to the information they will need to monitor applicants’ progress toward achieving promised improvements in rail operations.

**The IMRL-9 Reply.** I&M, a Class II railroad whose interests in this proceeding are focused upon intermediate switching services in the Chicago switching district, urges approval of the WC-19 petition. I&M contends that public availability of the information to be provided on rail competitors, on the other hand (because their competitors will not be filing reports under reporting element 11).

Applicants claim that the yards to be operated in the SAAs are provided special treatment because of the unique status of the SAAs; there are, applicants concede, “heightened public concerns about service in these innovative service districts.” CSX/NS-215 at 4. And, applicants add, because the SAAs (unlike the Chicago switching district) will generally be served only from yards controlled by applicants, competitive harm is much less likely to follow from public disclosure of information about yard operations in the SAAs.

Applicants claim that the information about yard operations sought by WCL is not relevant to WCL’s concern with IHB’s status as an independent switching carrier, see Decision No. 89, slip op. at 229-30 (discussion of WCL’s concerns); and that the effect of IHB’s management change on its role as a neutral switching carrier will be monitored as part of the general oversight condition, see Decision No. 89, slip op. at 161. And, applicants add, WCL will not need the information it seeks in order to assess how its own business is being handled; WCL, applicants point out, will obviously be able to monitor its own traffic directly.

See Decision No. 89, slip op. at 229 n.360 (alludes to the WCL/NS settlement agreement).

See Decision No. 89, slip op. at 297 (discussion of Prairie Group’s concerns).

See Decision No. 89, slip op. at 208-09.
operations in the Chicago terminal and on the IHB is essential if our oversight and monitoring conditions are to be effective and credible.

**IHB’s September 2nd Response.** IHB, urging denial of the WC-19 petition, contends: that, despite the CSX/NS/CR transaction, it will continue to exist as a neutral switching carrier; that the monitoring and reporting conditions imposed in Decision No. 89 are adequate to protect the public interest in railroad competition in the Chicago switching district; that the monitoring and reporting requirements sought by WCL would jeopardize IHB’s ability to compete with the other carriers that operate in the Chicago switching district; that, because the ownership of IHB itself (as opposed to the ownership of IHB’s majority owner) will not change as a result of Decision No. 89, there is no justification for the imposition of the monitoring and reporting requirements sought by WCL; and that this consideration alone justifies the determination to treat information regarding IHB’s operations as commercially sensitive and entitled to protection from disclosure.

**THE WLE-9 PETITION.** W&LE contends that the remedies we required applicants to provide to W&LE to prevent further erosion of W&LE’s financial viability are insufficient. See Decision No. 89, slip op. at 107-09 (our analysis of the issues raised by W&LE). See also Decision No. 89, slip op. at 181 (ordering paragraph 68). See also Decision No. 89, slip op. at 226-29 (summary of the evidence and arguments, and the related requests for affirmative relief, submitted by W&LE).

**Relief Sought By W&LE.** The WLE-9 petition consists of: a reconsideration/clarification request; and a “hold in abeyance” request.

1. **Reconsideration/Clarification Request.** We stated, in Decision No. 89, that “a substantial amount of traffic, probably between $1.4 and $3.0 million, could be diverted from W&LE because of this transaction.” See Decision No. 89, slip op. at 108. W&LE insists that we drastically underestimated the post-transaction revenue losses that W&LE will confront. W&LE contends: that, even by applicants’ estimates, W&LE’s losses will be over $2.0 million; that, taking into account W&LE’s projected $1.8 million Huron Dock losses, W&LE’s losses will be over $3.8 million; that, taking into account W&LE’s projected $4.8 million losses on traffic that

---

147 W&LE notes that $2.0 million is substantially greater than the $1.4 million we have used as a minimum.

148 W&LE insists that NS will have both the ability and the incentive to deprive W&LE of $1.8 million in annual revenue derived from traffic hauled from/to the Huron Docks.

149 This figure ($3.8 million) equals the sum of $2.0 million (the losses conceded by applicants) and $1.8 million (the Huron Dock losses projected by W&LE). W&LE notes that $3.8 (continued...)
now moves in W&LE/NS joint-line service, W&LE’s losses will be over $8.6 million;\(^{150}\) and that, by W&LE’s own calculations, its losses will be either $9.1 million (excluding certain intermodal train losses and certain projected traffic increases), $12.7 million (accounting for the intermodal train losses but excluding the projected traffic increases), or $15.0 million (accounting for the intermodal train losses and the projected traffic increases).\(^{151}\) W&LE further contends that our underestimate of the magnitude of W&LE’s losses is material to the scope and terms of the relief which is to be negotiated by the parties.\(^{152}\)

(2) “Hold In Abeyance” Request. W&LE contends that, at this point, we need not recalculate our W&LE loss estimate. Such a recalculation, W&LE fears, would prove time-consuming, and might jeopardize private negotiations among the parties. W&LE therefore asks: that we recognize that we understated the magnitude of the losses facing W&LE; and that we hold in abeyance further determinations as to the scope of such losses, until such time as the parties announce that negotiations have failed to produce a settlement.\(^{153}\)

\(^{149}\) (...continued)

\(^{150}\) This figure ($8.6 million) equals the sum of $3.8 million (the sum of the losses conceded by applicants and the Huron Dock losses projected by W&LE) and $4.8 million (the joint-line losses projected by W&LE). We stated, in Decision No. 89, that “it is inaccurate to assume, as W&LE uniformly does here, that NS single-line service will always replace a joint NS/W&LE service. If the W&LE routing and service is more efficient, as W&LE contends, then it is likely that NS would continue to use that service.” \(^{151}\) See Decision No. 89, slip op. at 108. W&LE insists, however: that the record, and particularly applicants’ own argument and testimony, simply does not support the proposition that shippers will continue to select NS/W&LE joint-line service where NS single-line service will become available; and that we erred in supposing otherwise.

\(^{152}\) See WLE-9 at 3 n.2. See also WLE-9, V.S. Pinkerton at 1 (Table 1). See also WLE-9 at 2 (assertion that, even using applicants’ methodology, W&LE’s annual losses will be at least between $4.2 million and $6.6 million).

\(^{153}\) See Decision No. 89, slip op. at 181 (ordering paragraph 68). W&LE contends, in essence, that, if we had made a more realistic assessment of the magnitude of W&LE’s losses, we would have awarded W&LE greater relief.

\(^{155}\) Although W&LE suggests “that it is unnecessary for the Board to rule on [the WLE-9] petition at this time,” WLE-9 at 3, W&LE apparently has in mind: that we should rule, at this time, that we committed material error in understating the magnitude of the losses facing W&LE; but that, for the present, we should hold in abeyance further determinations as to the scope of such losses and the nature of appropriate remedial measures to mitigate such losses.
The CSX/NS-212 Reply. Applicants, urging denial both of W&LE's reconsideration/clarification request and of its "hold in abeyance" request, contend: that W&LE's claim that Decision No. 89 made erroneous findings regarding the impact of the CSX/NS/CR transaction on W&LE is simply wrong; and that, in any event, because W&LE has not actually sought reconsideration of any of the relief granted in Decision No. 89 or of any of the conditions therein imposed, there is no basis for W&LE's request for reconsideration of our findings. Applicants dispute W&LE's claim that our estimate of the magnitude of W&LE's losses is material to the scope and terms of the relief which is to be negotiated by the parties; there is, applicants insist, no reason to believe that the discussion in Decision No. 89 of the transaction's impact on W&LE will have any impact on the negotiations (which, applicants indicate, have already commenced) among applicants and W&LE regarding the detailed terms of the trackage or haulage rights and the extension of the Huron Dock lease that the Board ordered applicants to provide to W&LE. And, applicants add, there is no reason to hold the WLE-9 petition in abeyance; holding the petition in abeyance, applicants insist, would not facilitate negotiations, but would merely leave the finality of Decision No. 89 uncertain for an indefinite period.

ORDC's September 1st Letter Respecting WLE-9. ORDC, which supports the WLE-9 petition, contends: that we substantially understated the magnitude of loss facing W&LE as a result of the CSX/NS/CR transaction; that the remedial measures afforded W&LE must be adequate to assure that it can remain viable; and that a clearer statement of our intentions concerning the scope of specific arrangements that are to be negotiated could well serve to motivate appropriate private solutions in the interest of all concerned.

Bayer's September 1st Letter. Bayer, which supports the WLE-9 petition, contends: that CSX has claimed that we did not grant any rights to W&LE to serve Bayer at its facility at New Martinsville (Natrium), WV, which is located on the CSX line between Benwood and Brooklyn Junction, WV; that CSX has claimed, rather, that it is only required to negotiate with W&LE if there is some mutual benefit to CSX; and that CSX has therefore claimed that it is not required to negotiate any agreement with W&LE concerning shippers in the New Martinsville area.

154 "Since W&LE is satisfied to accept the conditions the Board imposed in its favor, what else the Board may have said about the impact of the transaction on W&LE is irrelevant; it has no effect on W&LE's substantive rights." CSX/NS-212 at 5.

155 See Decision No. 89, slip op. at 181 (ordering paragraph 68; we directed applicants and W&LE to "attempt to negotiate an agreement concerning mutually beneficial arrangements, including allowing W&LE to provide service to aggregates shippers or to serve shippers along CSX's line between Benwood and Brooklyn Junction, WV"). See also Decision No. 89, slip op. at 109 (similar statement).

156 See, e.g., CSX/NS-212 at 6 n.4.
because any such agreement could not be beneficial to CSX. Bayer suggests: that we should hold the WLE-9 petition in abeyance until such time as negotiations between applicants and W&LE reach an impasse; and that, if negotiations do reach an impasse, we should clarify Decision No. 89 by directing applicants to negotiate with W&LE, within a specific time frame, to permit W&LE to serve Bayer and other shippers on the line between Benwood and Brooklyn Junction.

THE SDB-15 PETITION. SDB contends that we erred in denying the protective conditions that it sought. See Decision No. 89, slip op. at 184 (ordering paragraph 81; all conditions that were requested but not specifically approved are denied). See also Decision No. 89, slip op. at 339 (summary of the evidence and arguments, and the related requests for affirmative relief, submitted by SDB).

Relief Sought By SDB. In Decision No. 89, we did not specifically explain our rationale for denying the conditions requested by SDB. SDB suspects, however, that we may have been under the impression that its requested conditions were addressed to a preexisting problem. See Decision No. 89, slip op. at 78 ("Many of the conditions requested have been denied because they are addressed to a preexisting problem."). SDB argues that, in reality, its requested conditions were not addressed to a preexisting problem; the threat the CSX/NS/CR transaction poses to SDB’s Neomodal Terminal, SDB insists, reflects the fact that the post-transaction CSX and the post-transaction NS will prefer to work with intermodal facilities located on their own lines." See Decision No. 89, slip op. at 339. SDB contends: that, pre-transaction, Neomodal was the only significant intermodal terminal in Northeast Ohio via which CSX and NS could compete with Conrail for Northeast Ohio and Western Pennsylvania intermodal business; that, however, the CSX/NS/CR transaction will allow CSX and NS to construct new intermodal terminals of their own in Northeast Ohio and/or Western Pennsylvania; and that, therefore, the real problems facing Neomodal are the post-transaction plans of applicants (which, by definition, are not "preexisting" problems). SDB further contends: that Neomodal provides valuable competitive intermodal service to Northeast Ohio shippers and represents a competitive alternative to applicants’ intermodal service; that, if SDB had known "that CSX and NS were secretly buying Conrail in the time period prior to the start of the construction of Neomodal," SDB would not have expended $11.2 million in public funds to build Neomodal, SDB-15 at 4; and that SDB is entitled to protective conditions157 to

157 The conditions previously requested by SDB are summarized in Decision No. 89, slip op. at 339. The slightly different conditions requested in the SDB-15 petition are as follows:
(1) written assurance, with remedies for 10 years, that at least one CSX intermodal train operating East and one CSX intermodal train operating West will stop daily at its Willard, OH, Yard and daily pick up and/or drop off cars to W&LE and Neomodal; (2) written assurance that CSX will connect W&LE directly into its Collingwood, OH, Yard and provide timely, reliable, daily access thereto; (3) written assurance, with remedies for 10 years, that at least one NS intermodal train passing through its Bellview, OH, Yard, in all directions, will daily stop and pick up or drop off cars to
insure the continued viability of Neomodal and the preservation of the essential service (i.e., the competitive intermodal service) provided by Neomodal.\textsuperscript{158}

\textbf{The CSX/NS-210 Reply.} CSX and NS contend: that the cause of Neomodal's problems is its poor location, not the CSX/NS/CR transaction; that CSX and NS were not "buying Conrail in the time period prior to the start of the construction of Neomodal"; that there was little secrecy surrounding the efforts of CSX and NS to buy Conrail; that neither CSX nor NS induced SDB to build Neomodal at its present location; that intermodal shippers in Northeast Ohio will benefit from the CSX/NS/CR transaction; that Neomodal will benefit from the conditions we imposed in favor of W&LE, on whose tracks Neomodal is located; and that the conditions sought by SDB would significantly improve Neomodal's situation beyond that which existed pre-transaction. CSX and NS therefore urge denial of the SDB-15 petition.

\textbf{THE RBMN-10 PETITION.} RBMN seeks clarification of ordering paragraphs 8, 10, 20, and 39. \textit{See} Decision No. 89, slip op. at 175-78.

\textbf{Relief Sought By RBMN.} The RBMN-10 petition raises issues concerning Section III(E) of the NITL agreement (ordering paragraph 20), an antiassignment clause (ordering paragraphs 8 and 10), and a blocking provision (ordering paragraph 39).

(1) \textbf{The Section III(E) Issue: Ordering Paragraph 20.} Section III(E) of the NITL agreement, which applies to transportation services to Conrail shippers on routes over which at least 50 cars were shipped in the calendar year prior to the Control Date in single-line Conrail service which will become joint-line CSX-NS service after the Closing Date, provides that, upon request of

\textsuperscript{157}(...continued)

W&LE and Neomodal; (4) written assurance, with remedies, that CSX and NS will provide W&LE and Neomodal with competitive, timely schedules and reliable service within the CSX and NS systems; (5) written assurance, with remedies for 10 years, that CSX and NS will quote a levelized, total intermodal system haulage rate for CSX Collingwood, NS Cleveland, NS Pittsburgh, and W&LE/Neomodal CSX and NS, such that W&LE and Neomodal are not placed at a disadvantage in the Northeast Ohio marketplace vis-à-vis other CSX and NS Ohio and Western Pennsylvania terminals; (6) written assurance, with remedies, that CSX and NS will provide a steady, timely supply of empty containers and trailers and intermodal rail cars to Neomodal, as required; (7) a requirement that CSX and/or NS will enter into guaranteed 10-year take or pay lift contract(s) with Neomodal at a 1998 level of 20,000 lifts per year, at $30.00 per lift (both of which figures shall escalate at 5\% per year, compounded, for the 10-year period); and (8) written assurances that CSX and NS will aggressively market and sell Neomodal as if it were their own terminal.

\textsuperscript{158} SDB insists that the conditions we granted to protect W&LE will not mitigate the harmful impacts confronting SDB.
an affected shipper, CSX and NS will, for a period of 3 years, (a) maintain the Conrail rate (subject to RCAF-U increases), and (b) work with the shipper to provide fair and reasonable joint-line service. Section III(E) further provides: that, if a shipper objects to the routing employed by CSX and NS, or to the point selected by them for interchange of its traffic, the disagreement over routing or interchange, or both, shall be submitted to binding arbitration under the procedures adopted in STB Ex Parte No. 560; that the arbitrator shall determine whether the route or the point of interchange, or both, satisfies the requirements of 49 U.S.C. 10705; and that, upon a determination that such requirements have not been satisfied, the arbitrator may award a different route or point of interchange for such traffic. See Decision No. 89, slip op. at 251.

In Decision No. 89, we determined that the Section III(E) remedies should be extended to single-line to joint-line situations involving a third carrier that is a Class III railroad. "Where a Class III railroad could provide through service connecting solely with Conrail, but will now have to provide a three-carrier connecting service with both CSX and NS, the Class III carrier, at its option, will be able to invoke the single-line to joint-line protections set forth in the NITL agreement." See Decision No. 89, slip op. at 56. See also Decision No. 89, slip op. at 176 (ordering paragraph 20; applicants must adhere to the terms of the NITL agreement, subject to our modifications). See also Decision No. 89, slip op. at 176 n.264 (our modifications of the terms of the NITL agreement include the extension of the single-line to joint-line protections to reach shortlines that connect with Conrail and the shippers served by such shortlines).

RBMN contends that there is an ambiguity in our extension of Section III(E), in that, whereas Section III(E) provides remedies exercisable by shippers, our extension of Section III(E) provides remedies exercisable either: by Class III carriers, see Decision No. 89, slip op. at 56 (last sentence of the third paragraph); or by both Class III carriers and the shippers served by such Class III carriers, see Decision No. 89, slip op. at 176 n.264 (item b).

RBMN, which believes that we would be best advised to allow the Section III(E) remedies to be exercisable both by Class III carriers and by the shippers served by such Class III carriers, asks that we clarify ordering paragraph 20 and/or the discussion at page 56 to provide that the single-line to joint-line protections provided by Section III(E) will apply to, and that the Section III(E) remedies will therefore be exercisable by, both Class III railroads and the shippers served by such Class III railroads.

(2) The Antiassignment Clause Issue: Ordering Paragraphs 8 and 10. Ordering paragraph 8 states that, except as otherwise provided in Decision No. 89, NYC and PRR shall have, upon consummation of the authorized control and the NYC/PRR assignments, all of such right,  

159 The assignment of certain assets of CRC to NYC to be operated as part of CSXT's rail system and the assignment of certain assets of CRC to PRR to be operated as part of NSR's rail (continued...)
title, interest in and other use of the assets assigned to NYC and PRR, respectively, as CRC itself had, notwithstanding any provision in any law, agreement, order, document, or otherwise, purporting to limit or prohibit CRC’s unilateral transfer or assignment of such assets to another person or persons, or purporting to affect those rights, titles, interests, and uses in the case of a change of control. See Decision No. 89, slip op. at 175 (ordering paragraph 8). Ordering paragraph 10 states that, except as otherwise provided in Decision No. 89, CSXT and NSR may use, operate, perform, and enjoy the Allocated Assets and the assets in Shared Assets Areas consisting of assets other than routes (including, without limitation, the Existing Transportation Contracts), as provided for in the application and pursuant to 49 U.S.C. 11321, to the same extent as CRC itself could, notwithstanding any provision in any law, agreement, order, document, or otherwise, purporting to limit or prohibit CRC’s assignment of its rights to use, operate, perform, and enjoy such assets to another person or persons, or purporting to affect those rights in the case of a change of control. See Decision No. 89, slip op. at 175 (ordering paragraph 10). RBMN concedes, in essence: that the “notwithstanding” clauses in ordering paragraphs 8 and 10 can be read as an invocation of the immunizing power of 49 U.S.C. 11321(a); and that this invocation of that power has the effect of overriding any provision (e.g., any antiassignment clause) in any law, agreement, etc., that would otherwise have limited or prohibited CRC’s unilateral transfer or assignment of the rights covered by ordering paragraphs 8 and 10.

RBMN contends: that, as of June 10, 1997, certain CRC assets had not been allocated to NYC or PRR; that one such CRC asset that had not been allocated as of June 10, 1997, was the RBMN/CR agreement dated August 19, 1996 (the Lehigh Agreement, concerning the acquisition by RBMN of its Lehigh Division); and that, as far as RBMN knows, the Lehigh Agreement has still not been allocated.

RBMN further contends: that the Lehigh Agreement contains an antiassignment clause; that applicants, although they sought a general override of antiassignment clauses, did not specifically seek an override of the Lehigh Agreement’s antiassignment clause; that applicants have not

159(...continued)

system are referred to collectively as the NYC/PRR assignments. See Decision No. 89, slip op. at 167.


161 See CSX/NS-25, Volume 8B at 10, 17-18, 19, and 23 (definition of Allocated Assets, NYC-Allocated Assets, PRR-Allocated Assets, and Unallocated Assets, respectively). The Transaction Agreement contemplates that, in general, the Unallocated Assets (i.e., the assets that had not been allocated as of June 10, 1997) will be allocated to NYC or PRR, or, if appropriate, to CRC, prior to the Closing Date. See CSX/NS-25, Volume 8B at 29 (Section 2.2(e)).
demonstrated any necessity for an override of the Lehigh Agreement's antiassignment clause; and that, because overrides of negotiated contractual terms are not favored, we should not override antiassignment clauses in agreements that applicants have not yet allocated, and we should not override such clauses at all unless applicants demonstrate than an override is necessary to implementation of the CSX/NS/CR transaction.

RBMN therefore asks: (i) that we clarify ordering paragraph 8 to provide that contracts such as the Lehigh Agreement that were not specified as Allocated Assets in the Transaction Agreement may not be assigned unilaterally to NYC or PRR where a valid antiassignment clause is present, without the consent of the other party to the contract or a showing that the contract is essential to the CSX/NS/CR transaction; and (ii) that we clarify ordering paragraph 10 to provide that CSX and NS may not use or operate such a contract without the consent of the other party to the contract or a showing that the contract is essential to the CSX/NS/CR transaction.

(3) The Blocking Provision Issue: Ordering Paragraph 39. Ordering paragraph 39 provides that, "as respects any shortline, such as RBMN, that operates over lines formerly operated over by CSX, NS, or Conrail (or any of their predecessors), and that, in connection with such operations, is subject to a 'blocking' provision: CSX and NS, as appropriate, must enter into an arrangement that has the effect of providing that the reach of such blocking provision is not expanded as a result of the CSX/NS/CR transaction." See Decision No. 89, slip op. at 178 (ordering paragraph 39). See also Decision No. 89, slip op. at 77 (our analysis of the blocking provision issue). The Lehigh Agreement includes a blocking provision. See Decision No. 89, slip op. at 223-25 (summary of the evidence and arguments, and the related requests for affirmative relief, submitted by RBMN).

RBMN claims that, although it expects that the Lehigh Agreement will either be retained by CRC or allocated to PRR, RBMN is uncertain as to the identity of the appropriate party with which it is to enter into an arrangement pursuant to ordering paragraph 39. RBMN therefore asks that we clarify that, as respects RBMN, ordering paragraph 39: will apply to whichever entity (presumably either CRC or PRR) is ultimately determined to hold the Lehigh Agreement; and, if

---

162 RBMN adds that no such demonstration would have been possible, because, at the time the CSX/NS/CR application was filed, applicants did not know whether the Lehigh Agreement would be: allocated to NYC; allocated to PRR; or retained by CRC.

163 The CSX/NS/CR application envisions that all of the Conrail lines with which RBMN connects will be assigned to NS. See Decision No. 89, slip op. at 224.
that entity is PRR, will also apply to NSR to the extent NSR uses and operates the Lehigh Agreement. 164

The CSX/NS-213 Reply. CSX and NS urge denial of the RBMN-10 petition.

1 The Section III(E) Issue. CSX and NS, which argue that Decision No. 89 requires no clarification as respects our extension of Section III(E), cite: Decision No. 89, slip op. at 176 n.264 (which indicates that our extension provides remedies exercisable both by Class III carriers and by the shippers served by such Class III carriers); and Decision No. 89, slip op. at 56 (which indicates that our extension provides remedies exercisable by Class III carriers). See CSX/NS-213 at 3. 165

2 The Antiassignment Clause Issue. CSX and NS, which oppose the clarification sought by RBMN, contend: that the relief encompassed in ordering paragraphs 8 and 10 is necessary to permit the unrestricted assignment of Conrail’s assets to NYC and PRR (for use and operation by CSX and NS, respectively); and that the clarification sought by RBMN would cloud the rights of CSX and NS to acquire control of and to use an undetermined but potentially large portion of Conrail’s assets. CSX and NS further contend: that the relief encompassed in ordering paragraphs 8 and 10 was sought in the application filed June 23, 1997, and has never previously been opposed by RBMN; that RBMN was fully aware that CSX and NS intended, and were seeking Board authorization, to succeed to Conrail’s contractual rights and obligations, including those under the Lehigh Agreement, notwithstanding any relevant antiassignment provision; that, if RBMN had any objection to that relief in connection with the Lehigh Agreement, it should have voiced that objection when it filed its comments and requested conditions; that RBMN has not, until now, requested a condition that would effectively terminate, or allow RBMN to terminate, the Lehigh Agreement; and that RBMN should not be allowed to request such a condition at this stage of the proceeding.

3 The Blocking Provision Issue. CSX and NS, which oppose the clarification sought by RBMN, contend: that, although the basic intent of ordering paragraph 39 is clear, the identity of the

---

164 See Decision No. 89, slip op. at 30 (NSR: will use and operate the PRR-Allocated Assets; will have the right to receive the benefits of PRR under any contract or agreement included in the PRR-Allocated Assets; and, with the consent of PRR, will have the right to modify or amend any such contract or agreement on behalf of PRR).

165 CSX and NS apparently prefer the “176 n.264” reading. See CSX/NS-213 at 3 (line 10; CSX and NS have underlined the “and the shippers served by such shortlines” clause in Decision No. 89, slip op. at 176 n.264).

166 CSX and NS insist that Conrail’s rights under contracts such as the Lehigh Agreement are to be allocated either to NYC or to PRR (and therefore, presumably, will not be retained by CRC). See CSX/NS-213 at 4-5 (carryover paragraph).
proper parties to the arrangements required by ordering paragraph 39 cannot be specified in advance, but will depend on the terms and circumstances of particular agreements and on the entities to which the agreements are allocated; and that we should not become involved in the application of ordering paragraph 39 to particular agreements unless and until some interested party complains that ordering paragraph 39 is not being observed.

THE FCC-18 PETITION. Four Cities contends that the environmental mitigation conditions we imposed in Decision No. 89 do not adequately address the environmental and safety-related operational impacts that the CSX/NS/CR transaction will inflict on the people of the Four Cities region. See Decision No. 81, slip op. at 405-06 (Environmental Condition 21). See also Decision No. 81, slip op. at 176 (ordering paragraph 17; applicants must comply with the environmental mitigation conditions set forth in Appendix Q). See also Decision No. 81, slip op. at 333-34 (summary of the evidence and arguments, and the related requests for affirmative relief, submitted by Four Cities). Four Cities further contends that we have committed, in this proceeding, several material errors (both procedural and substantive in nature) that must be corrected.167

Relief Sought By Four Cities. The FCC-18 petition raises issues concerning: CSX's representations respecting the B&OCT line segment;168 environmental justice impacts respecting restoration of rail service on the Clarke Jct.-Hobart line segment;169 the requirement that applicants must adhere to their representations; and the operational monitoring condition.

(1) CSX's Representations Respecting The B&OCT Line Segment. Four Cities contends: that between March 5, 1998, and May 12, 1998, CSX submitted to SEA certain supplemental

167 Four Cities asks that we take corrective action for the reasons stated in its FCC-18 petition and also for the reasons stated in its May 18, 1998, Motion to Strike and in its July 7, 1998, Petition for Clarification and Modification. See FCC-18 at 4 n.2. But see also: Decision No. 83 (explaining our denial of the May 18th motion); and Decision No. 89, slip op. at 21 n.37 (explaining why we did not act, and will not act, upon the requests for clarification or reconsideration that were submitted after the voting conference but before the service date of Decision No. 89).

168 The C-023 (Bart Yard-Pine Jct.) line segment is herein referred to as The Baltimore and Ohio Chicago Terminal Railroad Company (B&OCT) line segment.

169 The Clarke Jct.-Hobart line segment, which Four Cities refers to as "the former PRR line" (because it was once a Pennsylvania Railroad line), consists of: (1) the C-024 (Clark Jct.-Tolleston) line segment; and (2) the Tolleston-Hobart portion of the C-026 (Tolleston-Warsaw) line segment.
materials pertaining to traffic movements in the Four Cities region;\(^{170}\) that, under the procedural schedule applicable to environmental submissions in this proceeding, these supplemental materials should not have been submitted by CSX and should not have been accepted by SEA;\(^ {171}\) that, by motion to strike filed May 18, 1998, Four Cities sought to strike the CSX-submitted supplemental materials which (Four Cities claims) had altered the very data upon which Four Cities had relied in assembling its case;\(^ {172}\) that, however, Four Cities’ motion was denied by the Board;\(^ {173}\) and that the supplemental materials that had been submitted by CSX were incorporated into both the Final EIS\(^ {174}\) and Decision No. 89.\(^ {175}\) Four Cities further contends: that we erred in denying Four Cities an

\(^{170}\) Four Cities claims that the supplemental materials submitted by CSX included: a supplemental environmental report containing material changes to CSX’s operating plan, including its post-transaction operations for the B&OCT line segment; and a supplemental verified statement clarifying CSX’s operating plan.

\(^{171}\) See Notice of Final Scope of Environmental Impact Statement, 62 FR 51500, 51503 (Oct. 1, 1997) (“Environmental comments not received in accordance with the 45-day comment period for the Draft EIS will not be incorporated into the Final EIS.”). See also Decision No. 62, slip op. at 1 (the Draft EIS was served on December 12, 1997; public comments on the Draft EIS were due to SEA by February 2, 1998).

\(^{172}\) Four Cities, which argued that it had not had an adequate opportunity to review the supplemental materials and to respond to them, and that it would therefore be severely prejudiced by SEA’s acceptance of these supplemental materials, asked that the Board: strike the supplemental materials from the record; or hold in abeyance completion and publication of the Final EIS and the Board’s oral argument and voting conference in order to allow Four Cities an opportunity to obtain additional information and to file a response. Four Cities also argued that its rights had been violated, and its predicament aggravated, by CSX’s failure to supplement its prior discovery responses (a failure, Four Cities claimed, that violated the applicable discovery rules).

\(^{173}\) See Decision No. 83.

\(^{174}\) The Final EIS was served on May 22, 1998. Four Cities contends that SEA’s recommended mitigation for the Four Cities region was based, at least in part, on its conclusion that CSX’s newly submitted revised daily train traffic figures would help remedy the critical rail/highway grade crossing congestion situation on the B&OCT line segment.

\(^{175}\) See Decision No. 89, slip op. at 153 & n.239 (noting, in general, that applicants had proposed voluntary mitigation options addressing environmental concerns of certain affected communities, which SEA had considered in developing final mitigation recommendations in the Final EIS; and noting, in particular, that, in the Four Cities region, CSX had agreed to make operational improvements and had offered to reroute trains away from the Barr Yard-Pine Jct. line (continued...)
opportunity to submit additional comments of its own in time to affect the outcome of the Final EIS and Decision No. 89; and that, because the supplemental materials submitted by CSX were included in the Final EIS, and were incorporated in Decision No. 89 and used to help justify the environmental conditions we imposed in Decision No. 89, we must ensure that CSX is held accountable for its representations respecting the B&OCT line segment. Four Cities therefore asks that we clarify that CSX will be held to its revised representations (i.e., the representations contained in the supplemental materials that Four Cities sought to strike) respecting train traffic levels on the B&OCT line segment.

(2) Environmental Justice Impacts Respecting Restoration Of Rail Service On The Clarke Jct.-Hobart Line Segment. Four Cities contends: that the Clarke Jct.-Hobart line segment, which runs through the heart of Gary, has been inactive for 10 years; that the CSX/NS/CR transaction contemplates the restoration, by CSX, of rail service on this line segment; and that restoration of rail service on this line segment will have significant environmental justice impacts on minority and low-income populations in Gary. Four Cities further contends that we have totally ignored, for mitigation purposes, these significant environmental justice impacts, even though it would be possible (Four Cities claims) to fully mitigate such impacts. Four Cities therefore insists: that we should require applicants to suspend any action to restore the Clarke Jct.-Hobart line segment to service, at least until we have conducted an investigation of the appropriate mitigation action necessary to remedy the environmental justice impacts of such restoration; and that, at the very least, we should impose safety and noise mitigation at the Roosevelt Manor low- to moderate-income housing project site (which, Four Cities indicates, is bounded on the north by the Clarke Jct.-Hobart line segment).

(3) Requirement That Applicants Must Adhere To Their Representations. We indicated, in Decision No. 89, that applicants will be required to adhere to all of the representations they made during the course of this proceeding, whether or not such representations are specifically referenced in Decision No. 89. See Decision No. 89, slip op. at 176 (ordering paragraph 19). See also Decision No. 89, slip op. at 17 n.26 (similar statement). Four Cities, which believes that this requirement lacks specificity, contends that, to ensure the success of the environmental mitigation

---

175 (...continued)

176 See Decision No. 89, slip op. at 334 (the second prong of Four Cities' Alternative Routing Plan addresses Four Cities' concerns respecting restoration of rail service on the Clarke Jct.-Hobart line segment).

177 See also Decision No. 89, slip op. at 21 n.36 (our oversight will include applicants' adherence to the various representations they made on the record during the course of this proceeding). See also Decision No. 89, slip op. at 161 and 174 n.262 (similar statements).
we imposed in Decision No. 89\textsuperscript{178} and to protect the Four Cities region from the harms associated with post-transaction rail traffic volumes above the levels represented by applicants both in their Operating Plans and in their later filings, it is imperative that applicants be held to their representations with respect to rail traffic volumes and daily train frequencies on critical line segments. Four Cities therefore asks that we clarify that, to the extent that applicants and the Four Cities cannot negotiate a mutual resolution as to individual line segment traffic levels, applicants will be held to their representations as to post-transaction traffic levels and daily train frequencies "at least on the most critical line segments in the Four Cities\textsuperscript{179} where the Board has determined that the transaction will cause significant environmental impacts." FCC-18 at 13-14.\textsuperscript{180}

(4) Operational Monitoring Condition. Four Cities contends that the operational monitoring condition we imposed in Decision No. 89 is deficient in several crucial respects. See Decision No. 89, slip op. at 162-65 (our operational monitoring condition requires applicants to file periodic status reports and progress reports). See also Decision No. 89, slip op. at 176 (ordering paragraph 18).

(4a) Operational Monitoring Condition: Elements 10 and 11: Public Filing. Four Cities notes that most of the reports, and certain incidental transmittal letters as well, that will be submitted by applicants will be placed in the docket (i.e., the public docket) as they are filed.\textsuperscript{181} Four Cities further notes, however: that the reports and transmittal letters submitted under reporting element 11 (yards and terminals) will not be placed in the public docket; and that, although the transmittal

\textsuperscript{178} See, especially, Decision No. 89, slip op. at 405-06 (Environmental Condition 21).

\textsuperscript{179} Four Cities has in mind that the B\&OCT line segment is one of these “most critical” line segments. See FCC-18 at 12.

\textsuperscript{180} The clarification sought by Four Cities with regard to CSX’s representations respecting the B\&OCT line segment (hereinafter referred to as the B\&OCT clarification) and the clarification sought by Four Cities with regard to the requirement that applicants must adhere to their representations (hereinafter referred to as the general clarification) are similar but different. The two sought clarifications are similar in that, as respects the B\&OCT line segment, the two seek essentially the same relief: a statement that CSX will be held to its representations respecting the B\&OCT line segment. The two sought clarifications are different in two respects: (1) the B\&OCT clarification applies only to the B\&OCT line segment, whereas the general clarification applies to the B\&OCT line segment and other critical line segments; and (2) the B\&OCT clarification is premised upon the notion that we erred in denying Four Cities’ May 18th motion to strike, whereas the general clarification is premised upon our Decision No. 89 requirement that applicants adhere to their representations.

\textsuperscript{181} See Decision No. 89, slip op. at 165 (reporting element 15).
letters submitted under reporting element 10 (Chicago gateway operations) will be placed in the public docket, the reports submitted under reporting element 10 will not be placed in the public docket. Four Cities contends that the public dissemination of the construction and operational information required by reporting elements 10 and 11 will be vital in keeping communities, the media, public officials, etc., apprised of important service performance indicators, and may assist communities such as the Four Cities: in monitoring applicants’ progress toward achieving promised improvements in rail operations; and in making decisions concerning corrective actions that may be needed to remedy any problems that develop. Four Cities therefore asks that we modify Decision No. 89 by requiring that the reports and transmittal letters submitted under reporting elements 10 and 11 be placed in the public docket.

(4b) Operational Monitoring Condition: Element 10: Scope. Four Cities notes that reporting element 10 requires applicants to report weekly on the number and on-time delivery of run-through trains delivered to western carriers via the Chicago gateway. Four Cities claims, however, that, by requiring applicants to report only on run-through trains interchanged with western carriers, and not on all through (non-local) trains, we will not be seeing the entire picture on system flow and the state of traffic congestion in the region. Four Cities therefore asks that we augment reporting element 10 by requiring applicants to report on all through train operations in the Chicago area.

(4c) Operational Monitoring Condition: Rail Lines In Northwest Indiana. Four Cities contends: that our refusal to impose all of the environmental mitigation measures requested by Four Cities was largely based on applicants’ assurances that certain planned operational and construction-related improvements will more than offset the transaction’s harms in the Four Cities region; that, furthermore, the environmental mitigation measures we adopted, as applicable to the Four Cities region, are to a large degree either non-binding on applicants or qualified by language such as “to the extent practicable”; and that, given these circumstances, the reporting requirements we imposed in Decision No. 89 are too limited to allow Four Cities to determine whether either the improvements promised by applicants or the mitigation measures we imposed are actually being implemented. Four Cities therefore asks that we require applicants to provide, on a monthly basis,

---

182 See Decision No. 89, slip op. at 164-65 (reporting elements 10, 11, and 15).

183 Four Cities does not explicitly reference “reporting elements 10 and 11,” but it is clear that these are the reporting elements that Four Cities has in mind. See FCC-18 at 15-16.

184 See Decision No. 89, slip op. at 164 (reporting element 10).

185 Four Cities does not explicitly reference “reporting element 10,” but it is clear that this is the reporting element that Four Cities has in mind. See FCC-18 at 16-17.
reports containing the following additional information: (1) on a daily average basis (calculated monthly), the number of trains per day (run through and local) operated in both directions, and separately in each direction, over four critical line segments; (2) on a daily average basis (calculated monthly), the average speed of trains (run through and local) operating over the State Line Tower-Pine Jct. portion of the C-023 (Barr Yard-Pine Jct.) line segment; (3) the status of CSX’s project to restore to service and upgrade the C-024 (Clarke Jct.-Tolleston) line segment and the Tolleston-Hobart portion of the C-026 (Tolleston-Warsaw) line segment, in the event that we determine, based on further review, that these currently inactive line segments may be restored to service; and (4) a detailed description of applicants’ compliance with the environmental conditions we imposed at Appendix Q of Decision No. 89, including the nine sub-parts of Environmental Condition 21, and also including Environmental Conditions 1, 6, and 8 as applicable.

Four Cities contemplates that these reports would either be submitted to the Four Cities or filed publicly.

Four Cities insists that only with this additional information will the Four Cities be able to determine whether applicants are complying fully with Decision No. 89 and fulfilling their pledge to mitigate transaction-related environmental impacts in northwest Indiana.

The specified line segments are: the State Line Tower-Pine Jct. portion of the C-023 (Barr Yard-Pine Jct.) line segment; the C-024 (Clarke Jct.-Tolleston) line segment; the Tolleston-Hobart portion of the C-026 (Tolleston-Warsaw) line segment; and the State Line Tower-Hobart portion of the N-469 (Burnham Yard-Hobart) line segment.

Four Cities adds: that, for westbound trains, the speed should be calculated on an average miles-per-hour basis based on the recorded time of train departure from Pine Jct. and the recorded time of train passing through the interlocker at State Line Tower, divided by the length of the line segment; and vice versa for eastbound trains.

See Decision No. 89, slip op. at 382-423.

See Decision No. 89, slip op. at 405-06.

See Decision No. 89, slip op. at 382-84.

See Decision No. 89, slip op. at 390-92.

See Decision No. 89, slip op. at 393-99.
The CSX/NS-217 Response. CSX and NS urge denial of the FCC-18 petition.

(1) CSX's Representations Respecting The B&OCT Line Segment. CSX and NS contend: that the revisions contained in the supplemental materials submitted by CSX did not materially affect our analysis; that, furthermore, the revised figures, much like the original figures, were only projections of traffic changes, not ironclad commitments; and that, in any event, Four Cities has had, in its FCC-18 petition, ample opportunity to respond to the substance of the revisions contained in the supplemental materials. And, CSX and NS add, Environmental Condition 50 should assure Four Cities that it will not be without recourse even if (as Four Cities fears) CSX's projection of traffic on the Barr Yard-Pine Jct. line segment (either the original projection or the revised projection) turns out not to be accurate.195

(2) Environmental Justice Impacts Respecting Restoration Of Rail Service On The Clarke Jct.-Hobart Line Segment. CSX and NS contend: that SEA correctly evaluated the relevant environmental justice impacts;196 that, as SEA concluded, the projected impacts on minority and/or low-income populations will not be disproportionately high; and that, in any event, Four Cities has not properly sought a stay of Decision No. 89, insofar as that decision permits implementation of operations over the Clarke Jct.-Hobart line segment. CSX and NS add: that, because operations will be conducted in compliance with Environmental Conditions 21(b) and 21(d)197 and all applicable regulations, the Four Cities will not be harmed by rehabilitation of, and subsequent operations over, the Clarke Jct.-Hobart line segment; that, however, because this line segment is a portion of the Fort Wayne Line and because the Fort Wayne Line is an important component of CSX's operating plan for its Chicago terminal area traffic flows, CSX would be seriously harmed if it were unable to use the Clarke Jct.-Hobart line segment; and that the public interest in efficient train operations through the Chicago terminal area does not support a stay of operations over the Clarke Jct.-Hobart line segment.

(3) Requirement That Applicants Must Adhere To Their Representations. CSX and NS insist that their "representations" respecting traffic projections were good-faith projections, not ironclad commitments to which they must adhere forever more, and that the imposition of a cap on

---

195 Environmental Condition 50 provides that "[i]f there is a material change in the facts or circumstances upon which the Board relied in imposing specific environmental mitigation conditions in this Decision, and upon petition by any party who demonstrates such material changes, the Board may review the continuing applicability of its final mitigation, if warranted." See Decision No. 89, slip op. at 420.

196 CSX and NS insist that there is, as respects such impacts, no inconsistency between the Draft EIS and the Final EIS.

197 See Decision No. 89, slip op. at 406.
the number of trains that they may operate over their various lines through the Four City area would impose unworkable constraints on fundamental common carrier requirements.

(4) **Operational Monitoring Condition.** As respects Four Cities' request that the reports and transmittal letters submitted under reporting elements 10 and 11 be placed in the public docket, CSX and NS contend: that this information is commercially sensitive, and could be used to the disadvantage of CSX and NS by competitors not subject to similar disclosure requirements; that we should not allow our operational monitoring requirements to be used for purposes other than assessing service performance; and that, in any event, Four Cities has no legitimate need for most of this information, because our operational monitoring requirements are designed to assess the quality of rail service, not vehicle delay on particular line segments. As respects Four Cities' requests that reporting element 10 be augmented and that applicants be required to provide monthly reports containing certain additional information, CSX and NS contend that we should, at the present time, allow CSX, NS, and Four Cities to work out appropriate information reporting requirements under the auspices of Environmental Condition 21(i).\(^{198}\)

**Prairie Group's August 31st Statement.** Prairie Group indicates that it supports Four Cities' request for modification of the operational monitoring condition. Public dissemination of the information required under reporting element 11, Prairie Group claims, is vital to keeping the shipping communities, the media, and public officials apprised of important service performance indicators.\(^{199}\)

**The IMRL-9 Reply.** I&M urges approval of Four Cities' request for modification of the operational monitoring condition insofar as that request relates to the public availability of information to be reported by applicants on the Chicago switching district and the IHB. Public dissemination of this information, I&M claims, is essential if our stated intentions with respect to the IHB\(^ {200}\) are to be effectively and credibly carried out.

**NJT's AUGUST 12th LETTER.** NJT seeks: correction of certain asserted factual errors; and modification of Environmental Condition 4(A).

---

\(^{198}\) See Decision No. 89, slip op. at 406.

\(^{199}\) It is not entirely clear whether Prairie Group's support for Four Cities' request for modification of the operational monitoring condition extends beyond public disclosure of the information required under reporting element 11.

\(^{200}\) See Decision No. 89, slip op. at 92: "Applicants have represented that IHB will continue to be managed as a neutral switching carrier, just as it was managed by Conrail before this transaction. We will hold applicants to that representation."
Relief Sought By NJT. (1) North Jersey Terminal: Factual Errors. NJT notes that, in Decision No. 89, our descriptions of the NYC-Allocated Assets and the PRR-Allocated Assets include references to routes originating or terminating at NJ Terminal, North NJ Terminal, and North Jersey Terminal. NJT asks that Decision No. 89 be clarified to reflect that Conrail does not have rights over, and that, therefore, the cited references do not include, the two-mile segment of NJT-owned railroad between West End, NJ, and Hoboken, NJ.

(2) North Jersey Lines: Factual Errors. NJT notes that, in Decision No. 89, our description of the PRR-Allocated Assets includes the following segments of Conrail's “NJ Terminal to Crestline” route: “(a) North NJ Terminal to Allentown, PA, via Somerville, NJ, (b) Little Falls, NJ, to Dover, NJ (TR), (c) Orange, NJ, to Denville, NJ (TR), (d) Dover to Rockport (TR), (e) Rockport to E. Stroudsburg via Phillipsburg, NJ, (f) Allentown Terminal, (g) Orange to NJ Terminal (TR), (h) NJ Terminal to Little Falls (TR), (i) Bound Brook to Ludlow, NJ (TR).” See Decision No. 89, slip op. at 26 (these are the first nine sub-items of item 1; routes assertedly operated by Conrail pursuant to trackage rights have been designated “TR”).

NJT contends that sub-items (a), (c), (d), (g), and (i) should be modified and/or clarified.

As respects sub-item (a), NJT claims that Somerville is part of the NJT Raritan Valley Line; and is included in the segment described in sub-item (i). NJT therefore insists that sub-item (a) should be revised to read: “North NJ Terminal to Allentown, PA, via Bound Brook/Port Reading Jct./Royce.”

As respects sub-item (c), NJT claims that Conrail does not have rights between Orange and Summit. NJT therefore insists that sub-item (c) should be revised to read: “Summit, NJ, to Denville, NJ (TR).”

As respects sub-item (d), NJT claims that Conrail has trackage rights over the segment between Dover and Netcong; and owns the segment between Netcong and Rockport. NJT therefore insists that sub-item (d) should be revised to read: “Dover to Netcong (TR); Netcong to Rockport.”

201 See Decision No. 89, slip op. at 24-28.
202 See Decision No. 89, slip op. at 26 (item 1).
203 See Decision No. 89, slip op. at 25 (items 1 and 6) and 26 (item 1).
204 See Decision No. 89, slip op. at 27 (item 7).
As respects sub-item (g), NJT claims that Conrail does not have rights over the segment between Orange and Roseville Avenue. NJT therefore insists that sub-item (g) should be revised to read: “Roseville Avenue to NJ Terminal (TR).”

As respects sub-item (i), NJT claims that Conrail does not have rights over the segment between High Bridge and Ludlow, which segment (NJT adds) is part of NJT’s Raritan Valley Line. NJT therefore insists that sub-item (i) should be revised to read: “Bound Brook to High Bridge, NJ (TR).”

(3) Environmental Condition 4(A). Environmental Condition 4(A) provides that applicants, before increasing the number of rail cars carrying hazardous materials on the line segments that will become “key routes” as a result of the CSX/NS/CR transaction, and for a period of at least 3 years from the effective date of Decision No. 89, must certify to the Board compliance with the key route guidelines of the Association of American Railroads (AAR). See Decision No. 89, slip op. at 386-88. NJT contends: that, based on data submitted by applicants, Environmental Condition 4(A) has not been made applicable to the line segments between Suffern, NY, and Croxton, NJ; that, however, there appears to be a major inaccuracy in these data, in that these data assume, in essence, that none of the hazardous materials carloads that will traverse the Campbell Hall-Suffern segment will also traverse the segments between Suffern and Croxton; and that this assumption is simply implausible. NJT therefore seeks modification of Environmental Condition 4(A) to include two additional line segments: the N-064 (Suffern, NY-Ridgewood Jct., NJ) line segment; and the N-050 (Ridgewood Jct., NJ-Croxton, NJ) line segment. NJT argues that this extension of Environmental Condition 4(A) is necessitated by safety concerns which are particularly important in the densely populated area between Suffern and Croxton where NS freight trains and NJT commuter trains will both operate.

NJT adds, in passing, that it would appear that the Bound Brook-High Bridge segment has been allocated both to PRR and to the North Jersey SAA. Compare Decision No. 89, slip op. at 26 (item 1, sub-item (i), as revised by NJT, indicates that the PRR-Allocated Assets include the Bound Brook-High Bridge segment), with Decision No. 89, slip op. at 31 (item 1, sub-item (c), indicates that the North Jersey SAA encompasses the rights of Conrail on the NJT Raritan line).

NJT’s request for modification of Environmental Condition 4(A) also includes those portions of Environmental Conditions 4(B) and 5(A) that are applicable to “key routes.” See Decision No. 89, slip op. at 388 (Environmental Condition 4(B)) and at 390 (Environmental Condition 5(A)).

NJT adds that its request for modification of Environmental Condition 4(A) applies to each of the three alternative routings between Suffern and Croxton.
The CSX/NS-214 Reply. The Asserted Factual Errors. CSX and NS contend: that the essence of NJT's asserted factual errors as respects the North Jersey Terminal is the claim that Conrail does not have rights between West End and Hoboken; that the essence of NJT's asserted factual errors as respects the North Jersey Lines is the claim that Conrail does not have rights between Orange and Summit, between Orange and Roseville Avenue, and between High Bridge and Ludlow; that NJT has presented no evidence to support these claims, which (CSX and NS insist) are not factually accurate; that, in any event, NJT should have raised its claims long before Decision No. 89 was issued; and that, even if NJT's claims are factually accurate, there is still no need to clarify or modify Decision No. 89, because Decision No. 89 authorizes the allocation of Conrail's assets, and no other entity's assets, to NYC and PRR. CSX and NS therefore urge that we not make the clarifications and/or modifications sought by NJT.

Environmental Condition 4(A). CSX and NS indicate: that they agree that the Final EIS understated the volumes of annual carloads of hazardous materials that will traverse the N-064 and N-050 line segments post-transaction; and that, for this reason, they do not oppose classification of these two segments as "key routes" for purposes of Environmental Condition 4(A) and the related portions of Environmental Conditions 4(B) and 5(A).

---

208 This has reference to sub-item (c) of the "NJ Terminal to Crestline" route.

209 This has reference to sub-item (g) of the "NJ Terminal to Crestline" route.

210 This has reference to sub-item (i) of the "NJ Terminal to Crestline" route.

211 CSX and NS, however, have not addressed NJT's claims with respect to sub-items (a) and (d) of the "NJ Terminal to Crestline" route.

212 CSX and NS note that the Decision No. 89 descriptions of the NYC-Allocated Assets and the PRR-Allocated Assets were taken verbatim from the CSX/NS/CR application itself. See CSX/NS-18 at 35-38 (filed June 23, 1997).

213 CSX and NS concede: that, because the exact scope of Conrail's trackage rights is established by trackage rights agreements, those rights will neither be enlarged nor diminished by the general descriptions of Conrail's routes in Decision No. 89; and that any disputes that may arise as to the exact scope of Conrail's rights under its trackage rights agreements can be resolved elsewhere.
LAL’s AUGUST 4th LETTER. LAL seeks correction of an asserted factual error.²¹⁴

Relief Sought By LAL. LAL notes that, in Decision No. 89, our description of the NYC-Allocated Assets includes the following segments of Conrail’s “NY/NJ Area to Cleveland” route: “(u) Mortimer, NY, to Avon, NY, and (v) Rochester Branch, NY.” See Decision No. 89, slip op. at 25 (these are the last two sub-items of item 1). LAL contends that these routes are no longer owned or operated by Conrail, and that LAL now owns and operates the lines formerly owned by Conrail: between Genesee Junction Yard in Chili, NY (MP 361.59) and Mortimer, NY (track 227, parallel to and formerly part of Conrail’s West Shore Branch); between Mortimer, NY, and Avon, NY (formerly Conrail’s Mortimer Secondary); and between Mortimer, NY, and Henrietta, NY (formerly part of Conrail’s Rochester Industrial Track). LAL therefore asks, in essence, that we correct our description of Conrail’s “NY/NJ Area to Cleveland” route to reflect the present ownership of the Mortimer-Avon and Rochester Branch segments.

CG&C’s JULY 22nd REQUEST. CG&C asks that we make approval of the CSX/NS/CR application subject to the terms of the CG&C/CSX settlement agreement.

Relief Sought By CG&C. In its comments filed on October 21, 1997, CG&C, a municipal gas utility serving customers in Indianapolis (Marion County), IN, argued that the CSX/NS/CR transaction might well result in a substantial increase in the railroad freight rates applicable to traffic moving from/to Indianapolis, and therefore asked that we impose upon any approval of the CSX/NS/CR application a condition to assure essentially equal access by CSX and NS to all parts of Indianapolis on a cost-neutral basis. CG&C, however, is not mentioned in Decision No. 89, because, on the first day (June 3, 1998) of the oral argument we held in this proceeding, CG&C announced that, in view of the fact that it had (earlier that very day) reached an agreement with CSX, it was withdrawing its conditions request.

Now, by request filed July 22, 1998 (one day prior to the service date of Decision No. 89, but too late to be referenced therein),²¹⁵ CG&C asks that we allow it to withdraw its opposition comments (i.e., the comments filed on October 21, 1997) “on condition that the Board order that approval of the Joint Application by the Board is subject to the terms of a Settlement Agreement entered into June 3, 1998, between Citizens Gas & Coke Utility and CSX.” CG&C adds, in its July 22nd request, that “[t]he terms of the Agreement between the Parties are confidential; accordingly, the Settlement Agreement is not provided to the Board.”

²¹⁴ See, generally, Decision No. 89, slip op. at 214-15 (summary of the evidence and arguments, and the related requests for affirmative relief, submitted by LAL).

²¹⁵ The request itself is not dated; we received it on July 22nd.
APPENDIX B: REVISED ENVIRONMENTAL CONDITIONS

Condition 4(A). Before increasing the number of rail cars carrying hazardous materials on the 44 rail line segments listed below that would become “key routes” as a result of the proposed Conrail Acquisition, and for a period of at least 3 years from the effective date of the Board’s decision, the Applicants shall certify to the Board compliance with Association of American Railroads (AAR) key route guidelines on these rail line segments. (See “Recommended Railroad Operating Practices for Transportation of Hazardous Materials,” AAR Circular No. OT-55-B.)

RAIL LINE SEGMENTS THAT WARRANT HAZARDOUS MATERIALS (KEY ROUTE) MITIGATION

<table>
<thead>
<tr>
<th>Proposed Owner</th>
<th>Route and Segment(s)</th>
<th>Rail Line Segment ID</th>
</tr>
</thead>
<tbody>
<tr>
<td>CSX</td>
<td>Manchester, Georgia—Parkwood, Alabama</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>La Grange, GA to Parkwood, AL</td>
</tr>
<tr>
<td>CSX</td>
<td></td>
<td>Manchester, GA to La Grange, GA</td>
</tr>
<tr>
<td>CSX</td>
<td>Relay, Maryland—Washington, D.C.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Relay, MD to Jessup, MD</td>
</tr>
<tr>
<td>CSX</td>
<td></td>
<td>Jessup, MD to Alexandria Jct., MD</td>
</tr>
<tr>
<td>CSX</td>
<td></td>
<td>Alexandria Jct., MD to Washington, DC</td>
</tr>
<tr>
<td>CSX</td>
<td>Trenton, NJ to Port Reading, NJ</td>
<td></td>
</tr>
<tr>
<td>CSX</td>
<td>Ashley Junction, SC to Yemassee, SC</td>
<td>C-344</td>
</tr>
<tr>
<td>CSX</td>
<td>Quaker, Ohio—Berea, Ohio</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Quaker, OH to Mayfield, OH</td>
</tr>
<tr>
<td>CSX</td>
<td></td>
<td>Mayfield, OH to Marcy, OH</td>
</tr>
<tr>
<td>CSX</td>
<td></td>
<td>Marcy, OH to Short, OH</td>
</tr>
<tr>
<td>CSX</td>
<td></td>
<td>Short, OH to Berea, OH</td>
</tr>
<tr>
<td>CSX</td>
<td></td>
<td>NJ Cabin, KY to Columbus, OH</td>
</tr>
<tr>
<td>CSX</td>
<td>Columbus, Ohio—Toledo, Ohio</td>
<td></td>
</tr>
</tbody>
</table>
## RAIL LINE SEGMENTS THAT WARRANT HAZARDOUS MATERIALS (KEY ROUTE) MITIGATION

<table>
<thead>
<tr>
<th>Proposed Owner</th>
<th>Route and Segment(s)</th>
<th>Rail Line Segment ID</th>
</tr>
</thead>
<tbody>
<tr>
<td>CSX</td>
<td>Columbus, OH to Marion, OH</td>
<td>C-229</td>
</tr>
<tr>
<td>CSX</td>
<td>Marion, OH to Fostoria, OH</td>
<td>C-070</td>
</tr>
<tr>
<td>CSX</td>
<td>Fostoria, OH to Toledo, OH</td>
<td>C-228</td>
</tr>
<tr>
<td>CSX</td>
<td>Deshler, OH to Toledo, OH</td>
<td>C-065</td>
</tr>
<tr>
<td></td>
<td>West Falls, Pennsylvania—Trenton, New Jersey</td>
<td></td>
</tr>
<tr>
<td>CSX</td>
<td>West Falls, PA to CP Newton Jct., PA</td>
<td>C-766</td>
</tr>
<tr>
<td>CSX</td>
<td>CP Newton Jct., PA to CP Wood, PA</td>
<td>C-767</td>
</tr>
<tr>
<td>CSX</td>
<td>CP Wood, PA to Trenton, NJ</td>
<td>C-768</td>
</tr>
<tr>
<td></td>
<td>Salisbury, North Carolina—Leadvale, Tennessee</td>
<td></td>
</tr>
<tr>
<td>NS</td>
<td>Salisbury, NC to Asheville, NC</td>
<td>N-360</td>
</tr>
<tr>
<td>NS</td>
<td>Asheville, NC to Leadvale, TN</td>
<td>N-361</td>
</tr>
<tr>
<td>NS</td>
<td>New Line, TN to Leadvale, TN</td>
<td>N-392</td>
</tr>
<tr>
<td>NS</td>
<td>Bulls Gap, TN to Frisco, TN</td>
<td>N-399</td>
</tr>
<tr>
<td>NS</td>
<td>Frisco, TN to Kingsport, TN</td>
<td>N-406</td>
</tr>
<tr>
<td></td>
<td>Croxton, New Jersey—Buffalo, New York</td>
<td></td>
</tr>
<tr>
<td>NS</td>
<td>Croxton, NJ to Ridgewood Jct., NJ</td>
<td>N-050</td>
</tr>
<tr>
<td>NS</td>
<td>Ridgewood Jct., NJ to Suffern, NY</td>
<td>N-064</td>
</tr>
<tr>
<td>NS</td>
<td>Suffern, NY to Campbell Hall, NY</td>
<td>N-062</td>
</tr>
<tr>
<td>NS</td>
<td>Campbell Hall, NY to Port Jervis, NY</td>
<td>N-063</td>
</tr>
<tr>
<td>NS</td>
<td>Port Jervis, NY to Binghamton, NY</td>
<td>N-245</td>
</tr>
<tr>
<td>NS</td>
<td>Binghamton, NY to Waverly, NY</td>
<td>N-246</td>
</tr>
<tr>
<td>NS</td>
<td>Waverly, NY to Corning, NY</td>
<td>N-247</td>
</tr>
<tr>
<td>NS</td>
<td>Corning, NY to Buffalo, NY</td>
<td>N-065</td>
</tr>
</tbody>
</table>
# RAIL LINE SEGMENTS THAT WARRANT HAZARDOUS MATERIALS (KEY ROUTE) MITIGATION

<table>
<thead>
<tr>
<th>Proposed Owner</th>
<th>Route and Segment(s)</th>
<th>Rail Line Segment ID</th>
</tr>
</thead>
<tbody>
<tr>
<td>NS</td>
<td>Ebenezer Jct., NY to Buffalo, NY</td>
<td>N-061</td>
</tr>
<tr>
<td>NS</td>
<td>Butler, IN to Fort Wayne, IN</td>
<td>N-041</td>
</tr>
<tr>
<td>NS</td>
<td>Alexandria, IN to Muncie, IN</td>
<td>N-040</td>
</tr>
<tr>
<td>NS</td>
<td>Moberly, MO to CA Junction, MO</td>
<td>N-478</td>
</tr>
<tr>
<td>NS</td>
<td>Buffalo FW, New York—Cleveland, Ohio</td>
<td></td>
</tr>
<tr>
<td>NS</td>
<td>Buffalo FW, NY to Ashtabula, OH</td>
<td>N-070</td>
</tr>
<tr>
<td>NS</td>
<td>Ashtabula, OH to Cleveland (Cloggsville), OH</td>
<td>N-075</td>
</tr>
<tr>
<td>NS</td>
<td>Cleveland (Cloggsville), OH to CP-190, OH</td>
<td>N-074</td>
</tr>
<tr>
<td>NS</td>
<td>Vermilion, Ohio—Oak Harbor, OH</td>
<td></td>
</tr>
<tr>
<td>NS</td>
<td>Vermilion, OH to Bellevue, OH</td>
<td>N-072</td>
</tr>
<tr>
<td>NS</td>
<td>Oak Harbor, OH to Bellevue, OH</td>
<td>N-079</td>
</tr>
<tr>
<td>NS</td>
<td>Bethlehem, PA to Allentown, PA</td>
<td>N-203</td>
</tr>
<tr>
<td>NS</td>
<td>Reading, PA to Reading Belt Jct., PA</td>
<td>N-216</td>
</tr>
<tr>
<td>NS</td>
<td>Poe ML, VA to Petersburg, VA</td>
<td>N-432</td>
</tr>
<tr>
<td>Shared</td>
<td>Park Junction, Pennsylvania—Camden, New Jersey</td>
<td></td>
</tr>
<tr>
<td>Shared</td>
<td>Park Jct., PA to Philadelphia Frankford Jct., PA</td>
<td>S-232</td>
</tr>
<tr>
<td>Shared</td>
<td>Philadelphia Frankford Jct., PA to Camden, NJ</td>
<td>S-233</td>
</tr>
</tbody>
</table>

**Condition 21.**

i) The Applicants shall attend regularly scheduled meetings with representatives of the Four City Consortium for 3 years following the effective date of the Board's final decision. Representatives of the Indiana Harbor Belt Railroad shall also be invited. These meetings would provide a forum for assessing traffic delay, emergency response, and driver compliance with railway grade crossing warning systems through improved education and
enforcement. At each meeting, the Applicants shall provide a status report on average train traffic volumes and speeds on rail line segments C-023, C-024, and the applicable portions of C-026, and N-469, and on the progress of operational and capital improvements required by the Board to address highway/rail at-grade crossing safety and delay issues in the Four City Consortium area.

Condition 26(C).

The Applicants shall install and maintain additional train defect detection devices to scan all their trains entering the Greater Cleveland Area, as specified below.

<table>
<thead>
<tr>
<th>Proposed Owner</th>
<th>Nearest Community</th>
<th>Rail Line Segment</th>
<th>Approx. Railroad Milepost (MP)</th>
<th>Proposed Improvements at Existing Defect Detector Locations</th>
<th>Proposed New Defect Detector Locations &amp; Improvements</th>
</tr>
</thead>
<tbody>
<tr>
<td>CSX</td>
<td>Wickliffe</td>
<td>C-060</td>
<td>165</td>
<td>HBD DED</td>
<td>-</td>
</tr>
<tr>
<td>CSX</td>
<td>Collinwood</td>
<td>C-060</td>
<td>179</td>
<td>HBD DED</td>
<td>NONE</td>
</tr>
<tr>
<td>CSX &amp; Olmsted Falls*</td>
<td></td>
<td>C-061</td>
<td>19</td>
<td>HBD DED</td>
<td>HWI WILD*</td>
</tr>
<tr>
<td>CSX</td>
<td>Marcy</td>
<td>C-069</td>
<td>10</td>
<td>-</td>
<td>HBD DED</td>
</tr>
<tr>
<td>NS</td>
<td>Wickliffe</td>
<td>N-075</td>
<td>169</td>
<td>HBD DED</td>
<td>HWI WILD</td>
</tr>
<tr>
<td>NS</td>
<td>Cloggsville</td>
<td>N-075</td>
<td>185</td>
<td>See**</td>
<td>Track 2: HBD DED</td>
</tr>
<tr>
<td>NS</td>
<td>Bay Village</td>
<td>N-080</td>
<td>201</td>
<td>HBD DED</td>
<td>HWI WILD</td>
</tr>
</tbody>
</table>
ENHANCED TRAIN DEFECT DETECTION - GREATER CLEVELAND AREA

<table>
<thead>
<tr>
<th>Proposed Owner</th>
<th>Nearest Community</th>
<th>Rail Line Segment</th>
<th>Approx. Railroadd\ Segment Milepost (MP)</th>
<th>Proposed Improvements at Existing Defect Detector Locations</th>
<th>Proposed New Defect Detector Locations &amp; Improvements</th>
</tr>
</thead>
<tbody>
<tr>
<td>NS</td>
<td>Cleveland</td>
<td>N-293</td>
<td>186</td>
<td>-</td>
<td>HBD DED</td>
</tr>
<tr>
<td>NS</td>
<td>Olmsted Falls</td>
<td>N-293</td>
<td>200</td>
<td>HBD DED</td>
<td>HWI WILD</td>
</tr>
<tr>
<td>NS</td>
<td>White</td>
<td>N-081</td>
<td>113</td>
<td>Track 1: HBD DED</td>
<td>Track 2: HBD HWI DED WILD</td>
</tr>
</tbody>
</table>
## ENHANCED TRAIN DEFECT DETECTION - GREATER CLEVELAND AREA

<table>
<thead>
<tr>
<th>Proposed Owner</th>
<th>Nearest Community</th>
<th>Rail Line Segment</th>
<th>Approx. Railroad Milepost (MP)</th>
<th>Proposed Improvements at Existing Defect Detector Locations</th>
<th>Proposed New Defect Detector Locations &amp; Improvements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- **HBD** = Hot Bearing Detector
- **DED** = Dragging Equipment Detector
- **HWI** = Shifted Load/High-Wide Indicator
- **WILD** = Wheel Impact Load Detector

* Exact location for the WILD to be determined by the Applicants’ engineering and operations departments, but at a distance no greater than 60 miles from Cleveland. Coverage on all main tracks (including double tracks) is required. However, if CSX determines, based on its further detailed analysis of engineering and operational criteria, that a WILD would function most effectively and with the least disruption to efficient traffic flows at a different location more than 60 miles from Cleveland, or on a different line segment, CSX would have to request the Board’s approval for that location and file information with the Board and the City of Cleveland to support its request.

** Detector at milepost 185 to be relocated from existing location (now at milepost 186). Relocation is necessary to monitor trains using both the Cloggsville and West Shore corridors. HBD and DED are required on both tracks at this location.
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>JAMES W HARRIS</td>
<td>THE METROPOLITAN PLANNING ORGANIZATION</td>
</tr>
<tr>
<td>R. LAWRENCE MCCAFFREY, JR.</td>
<td>NEW YORK &amp; ATLANTIC RAILWAY</td>
</tr>
<tr>
<td>HUGH H. WELSH</td>
<td>LAW DEPT., SUITE 67E</td>
</tr>
<tr>
<td>SAMUEL J NASCA</td>
<td>UITU STATE LEGISLATIVE DIRECTOR</td>
</tr>
<tr>
<td>DIANE SEITZ</td>
<td>CENTRAL HUDSON GAS &amp; ELECTRIC CORP</td>
</tr>
<tr>
<td>ANGELO J CHICK JR.</td>
<td>LOCAL CHAIRMAN</td>
</tr>
<tr>
<td>SHEILA MECK HYDE</td>
<td>CITY HALL</td>
</tr>
<tr>
<td>JOHN F COLLINS</td>
<td>COLLINS, COLLINS, &amp; KANTOR PC</td>
</tr>
<tr>
<td>R W GODWIN</td>
<td>BROTHERHOOD OF LOCOMOTIVE ENGINEERS</td>
</tr>
<tr>
<td>H DOUGLAS MIDKIFF</td>
<td>GENESSEE TRANSPORTATION COUNCIL</td>
</tr>
<tr>
<td>DAVID W. DONLEY</td>
<td>3361 STAFFORD ST</td>
</tr>
<tr>
<td>JOHNN A. VUONO</td>
<td>2510 GRANT BUILDING</td>
</tr>
<tr>
<td>M E PETRUCCELLI</td>
<td>PPG INDUSTRIES INC</td>
</tr>
<tr>
<td>D W DUNLEVY</td>
<td>STATE LEGISLATIVE DIRECTOR UTU</td>
</tr>
<tr>
<td>HONORABLE ALFONSE N. D'AMATO</td>
<td>UNITED STATES SENATE</td>
</tr>
<tr>
<td>DIANNE UELSH</td>
<td>LAU DEPT., SUITE 67E</td>
</tr>
<tr>
<td>HUGH H. UELSH</td>
<td>ONE WORLD TRADE CENTER</td>
</tr>
<tr>
<td>R. LAURENCE MCCAFFREY, JR.</td>
<td>NEW YORK NY 10048-0043 US</td>
</tr>
<tr>
<td>JAMES U HARRIS</td>
<td>THE METROPOLITAN PLANNING ORGANIZATION</td>
</tr>
<tr>
<td>THE METROPOLITAN PLANNING ORGANIZATION</td>
<td>1 WORLD TRADE CENTER STE 82 EAST</td>
</tr>
<tr>
<td>NEW YORK NY 10048-0043 US</td>
<td>NEW YORK NY 10048-0202 US</td>
</tr>
<tr>
<td>JAMES U HARRIS</td>
<td>THE METROPOLITAN PLANNING ORGANIZATION</td>
</tr>
<tr>
<td>NEW YORK NY 10048-0043 US</td>
<td>NEW YORK NY 10048-0202 US</td>
</tr>
<tr>
<td>HONORABLE ALFONSE N. D'AMATO</td>
<td>UNITED STATES SENATE</td>
</tr>
<tr>
<td>D W DUNLEVY</td>
<td>STATE LEGISLATIVE DIRECTOR UTU</td>
</tr>
<tr>
<td>1900 STATE TOWER BLDG.</td>
<td>SYRACUSE NY 13202 US</td>
</tr>
<tr>
<td>ANGELO J CHICK JR. Local Chairman</td>
<td>204 SOUTH AVENUE</td>
</tr>
<tr>
<td>ANGELO J CHICK JR. Local Chairman</td>
<td>POUGHKEEPSIE NY 12601 US</td>
</tr>
<tr>
<td>ANGELO J CHICK JR, LOCAL CHAIRMAN</td>
<td>P O BOX 908 REDWOOD NY 13679 US</td>
</tr>
<tr>
<td>JOHN F COLLINS</td>
<td>342 CENTRAL AVENUE</td>
</tr>
<tr>
<td>SHEILA MECK HYDE</td>
<td>CITY HALL</td>
</tr>
<tr>
<td>JOHN F COLLINS</td>
<td>267 NORTH STREET</td>
</tr>
<tr>
<td>JOHN F COLLINS</td>
<td>BUFFALO NY 14201 US</td>
</tr>
<tr>
<td>H DOUGLAS MIDKIFF</td>
<td>65 WEST BROAD ST STE 101</td>
</tr>
<tr>
<td>DAVID W. DONLEY</td>
<td>3361 STAFFORD ST</td>
</tr>
<tr>
<td>JOHN A. VUONO</td>
<td>2310 GRANT BUILDING</td>
</tr>
<tr>
<td>M E PETRUCCELLI</td>
<td>PPG INDUSTRIES INC</td>
</tr>
<tr>
<td>D W DUNLEVY</td>
<td>STATE LEGISLATIVE DIRECTOR UTU</td>
</tr>
<tr>
<td>HONORABLE ALFONSE D'AMATO</td>
<td>UNITED STATES SENATE</td>
</tr>
<tr>
<td>ANGELO J CHICK JR, LOCAL CHAIRMAN</td>
<td>204 SOUTH AVENUE</td>
</tr>
<tr>
<td>ANGELO J CHICK JR, LOCAL CHAIRMAN</td>
<td>POUGHKEEPSIE NY 12601 US</td>
</tr>
<tr>
<td>GARY EDWARDS</td>
<td>SOMERSET RAILROAD</td>
</tr>
<tr>
<td>IRVING J RUBIN</td>
<td>P O BOX 243</td>
</tr>
<tr>
<td>HONORABLE ALFONSE D'AMATO</td>
<td>UNITED STATES SENATE</td>
</tr>
<tr>
<td>ANGELO J CHICK JR, LOCAL CHAIRMAN</td>
<td>204 SOUTH AVENUE</td>
</tr>
<tr>
<td>ANGELO J CHICK JR, LOCAL CHAIRMAN</td>
<td>POUGHKEEPSIE NY 12601 US</td>
</tr>
<tr>
<td>R W GODWIN</td>
<td>BROTHERHOOD OF LOCOMOTIVE ENGINEERS</td>
</tr>
<tr>
<td>H DOUGLAS MIDKIFF</td>
<td>GENESSEE TRANSPORTATION COUNCIL</td>
</tr>
<tr>
<td>DAVID W. DONLEY</td>
<td>3361 STAFFORD ST</td>
</tr>
<tr>
<td>JOHN A. VUONO</td>
<td>2310 GRANT BUILDING</td>
</tr>
<tr>
<td>M E PETRUCCELLI</td>
<td>PPG INDUSTRIES INC</td>
</tr>
<tr>
<td>D W DUNLEVY</td>
<td>STATE LEGISLATIVE DIRECTOR UTU</td>
</tr>
<tr>
<td>RICK R HEINERFELD</td>
<td>PPG INDUSTRIES INC</td>
</tr>
<tr>
<td>JOHN A. VUONO</td>
<td>VUONO &amp; GRAY</td>
</tr>
<tr>
<td>JOHN A. VUONO</td>
<td>2310 GRANT BUILDING</td>
</tr>
<tr>
<td>M E PETRUCCELLI</td>
<td>PPG INDUSTRIES INC</td>
</tr>
<tr>
<td>D W DUNLEVY</td>
<td>STATE LEGISLATIVE DIRECTOR UTU</td>
</tr>
<tr>
<td>HONORABLE ALFONSE D'AMATO</td>
<td>UNITED STATES SENATE</td>
</tr>
<tr>
<td>ANGELO J CHICK JR, LOCAL CHAIRMAN</td>
<td>204 SOUTH AVENUE</td>
</tr>
<tr>
<td>ANGELO J CHICK JR, LOCAL CHAIRMAN</td>
<td>POUGHKEEPSIE NY 12601 US</td>
</tr>
</tbody>
</table>
SERVICE LIST FOR: 21-oct-1998 STB FD 33388 0
CSX CORPORATION AND CSX TRANSPORTATION

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

BELNAP FREEMAN
BELNAP 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 CORPORATION
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

ERIC M HOCKY
GOLLATZ GRIFFIN EWING
213 WEST MINER STREET
WEST CHESTER PA 19381-0756 US

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

FREDERICK H SCHRANCK
PO BOX 778
DOVER DE 19903 US

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

PETER A GILBERTSON
REGIONAL RR'S 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

JOSEPH GUERRIERI, JR.
GUERRIERI, EDMOND & CLAYMAN, PC
1331 F STREET N W, 4TH FLOOR
WASHINGTON DC 20004 US

KRISTOPHER MICHAEL KLEMICK
RR#5 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
PHILADELPHIA 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 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

BRUCE KNIGHT
NATIONAL CORN GROWERS ASSOCIATION
122 C ST NW SUITE 510
WASHINGTON DC 20001-2109 US

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

DEBRA L WILEN
GUERRIERI, EDMOND & CLAYMAN PC
1331 F STREET N W, 4TH FLOOR
WASHINGTON DC 20004 US

10/21/1998
<table>
<thead>
<tr>
<th>Name</th>
<th>Firm</th>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>ZIP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Patrick R Plummer</td>
<td>Guerrieri Edmondo &amp; Clayman PC</td>
<td>1331 F St NW</td>
<td>Wash DC</td>
<td></td>
<td>20004 US</td>
</tr>
<tr>
<td>Dennis G Lyons</td>
<td>Arnold &amp; Porter</td>
<td>555 Twelfth Street NW</td>
<td>Wash DC</td>
<td></td>
<td>20004 US</td>
</tr>
<tr>
<td>Drew A Harker</td>
<td>Arnold &amp; Porter</td>
<td>555 Twelfth Street NW</td>
<td>Wash DC</td>
<td></td>
<td>20004 US</td>
</tr>
<tr>
<td>Mary Gabrielle Sprague</td>
<td>Arnold &amp; Porter</td>
<td>555 Twelfth Street NW</td>
<td>Wash DC</td>
<td></td>
<td>20004 US</td>
</tr>
<tr>
<td>Edward Wytkind, Executive Director</td>
<td>Larry J Willis ESG Transp Trades Dep AFLCI</td>
<td>1000 Vermont Avenue, NW Ste 900</td>
<td>Wash DC</td>
<td></td>
<td>20005 US</td>
</tr>
<tr>
<td>Rose-Michele Weinryb</td>
<td>Weiner Brodsky Sidman &amp; Kider</td>
<td>1350 New York Avenue NW</td>
<td>Wash DC</td>
<td></td>
<td>20005 US</td>
</tr>
<tr>
<td>Daniel Duff</td>
<td>American Public Transit Association</td>
<td>1201 New York AV NW</td>
<td>Wash DC</td>
<td></td>
<td>20005 US</td>
</tr>
<tr>
<td>L John Osborn</td>
<td>Sonnenschein Nath &amp; Rosenthal</td>
<td>1301 K Street NW Ste 600 East</td>
<td>Wash DC</td>
<td></td>
<td>20005 US</td>
</tr>
<tr>
<td>Karl Morell</td>
<td>Ball Janik LLP</td>
<td>1455 F Street NW Suite 225</td>
<td>Wash DC</td>
<td></td>
<td>20005 US</td>
</tr>
<tr>
<td>Clark Evans Downs</td>
<td>Jones Day Reavis &amp; Pogue</td>
<td>1450 G Street NW</td>
<td>Wash DC</td>
<td></td>
<td>20005 US</td>
</tr>
<tr>
<td>Paul H Lamboley</td>
<td></td>
<td>1350 Eye Street, N.W., Ste 200</td>
<td>Wash DC</td>
<td></td>
<td>20005-3324 US</td>
</tr>
<tr>
<td>Jeffrey O Moreno</td>
<td>Donelan Cleary Wood Maser</td>
<td>1100 New York Avenue NW Suite 750</td>
<td>Wash DC</td>
<td></td>
<td>20005-3934 US</td>
</tr>
<tr>
<td>Frederic L Wood</td>
<td>Donelan Cleary Wood &amp; Maser PC</td>
<td>1100 New York Avenue NW Suite 750</td>
<td>Wash DC</td>
<td></td>
<td>20005-3934 US</td>
</tr>
<tr>
<td>John K Maser III</td>
<td>Donelan Cleary Wood &amp; Maser PC</td>
<td>1100 New York Ave NW Suite 750</td>
<td>Wash DC</td>
<td></td>
<td>20005-3934 US</td>
</tr>
<tr>
<td>William W Millar</td>
<td>American Public Transit Association</td>
<td>1201 New York Ave., NW</td>
<td>Wash DC</td>
<td></td>
<td>20005 US</td>
</tr>
<tr>
<td>Kevin H Sheys</td>
<td>Oppenheimer Wolff &amp; Donnelly &amp; Bayh LLP</td>
<td>1350 Eye Street, N.W., Ste 200</td>
<td>Wash DC</td>
<td></td>
<td>20005 US</td>
</tr>
<tr>
<td>Paul H Laurenza</td>
<td>Oppenheimer Wolff &amp; Donnelly &amp; Bayh LLP</td>
<td>1350 Eye Street, N.W., Ste 200</td>
<td>Wash DC</td>
<td></td>
<td>20005 US</td>
</tr>
<tr>
<td>John H Broadley</td>
<td>Jenner &amp; Block</td>
<td>601 13th St NW 12th Fl</td>
<td>Wash DC</td>
<td></td>
<td>20005 US</td>
</tr>
<tr>
<td>Alice C Saylor</td>
<td>The American Short Line Railroad Association</td>
<td>1120 G Street, N.W., Suite 520</td>
<td>Wash DC</td>
<td></td>
<td>20005 US</td>
</tr>
<tr>
<td>Fritz R Kahn</td>
<td>Troutman Sanders LLP</td>
<td>1300 I Street NW Suite 500 East</td>
<td>Wash DC</td>
<td></td>
<td>20005-3314 US</td>
</tr>
<tr>
<td>Karyn A Booth</td>
<td>Donelan, Cleary, Wood &amp; Maser, P.C.</td>
<td>1100 New York Ave NW Suite 750</td>
<td>Wash DC</td>
<td></td>
<td>20005-3934 US</td>
</tr>
<tr>
<td>Nicholas J Dimichael</td>
<td>Donelan Cleary Wood &amp; Maser PC</td>
<td>1100 New York Avenue NW Ste 750</td>
<td>Wash DC</td>
<td></td>
<td>20005-3934 US</td>
</tr>
<tr>
<td>Mark H Sidman</td>
<td>Weiner Brodsky, Sidman &amp; Kider</td>
<td>1350 New York Ave., NW, Ste. 800</td>
<td>Wash DC</td>
<td></td>
<td>20005-4797 US</td>
</tr>
</tbody>
</table>

10/21/1998 Page 4
SERVICE LIST FOR: 21-oct-1998 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATION

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

ROBERT P. VON 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

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

FRANCIS G. MCKENNA
ANDERSON & PENDLETON
1700 K ST NW SUITE 1107
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 BROUN & PLATT
2000 PA AV NW
WASH DC 20006-1882 US

RICHARD A. ALLEN
ZUCKERT SCOUTT 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

SHERRI LEHMAN DIRECTOR OF CONGRESSIONAL AFFAIRS
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 KHRASCH & GARFINKLE P C
1054 THIRTY-FIRST 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

EDWARD D. GREENBERG
GALLAND KHRASCH & GARFINKLE P C
1054 THIRTY-FIRST STREET NW
WASHINGTON DC 20007-4492 US

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

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

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

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

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

WILLIAM G. MAHONEY
HIGHSHAM, MAHONEY & CLARKE
1050 SEVENTEENTH STREET NW SUITE 210
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 ASSOCIATION
1130 17TH STREET NW
WASHINGTON DC 20036 US

JUDY CALDWELL
OPPENHEIMER 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

10/21/1998
<table>
<thead>
<tr>
<th>Name</th>
<th>Position and Office Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>HON JAMES TRAFFICANT JR</td>
<td>U.S. HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON BOB WISE</td>
<td>U.S. HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON DAVID L HOBSON</td>
<td>US HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE MIKE DOYLE</td>
<td>U.S. HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE FRANK D. RIGGS</td>
<td>U.S. HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE JOHN D. DINGELL</td>
<td>U.S. HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON. JOHN J. DUNCAN</td>
<td>U.S. HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON MICHAEL FORBES</td>
<td>U.S. HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON ELIOT L ENGEL</td>
<td>U.S. HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON GARY ACKERMAN</td>
<td>U.S. HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON JERROLD NADLER</td>
<td>U.S. HOUSE OF REPRESENTATIVES WASH DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE ROBERT W.NEY</td>
<td>U.S. HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE BOB WEYGAND</td>
<td>U.S. HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE TED STRICKLAND</td>
<td>U.S. HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON DENNIS J KU 'NICH</td>
<td>UNITED STATES HOUSE REPRESENTATIVES WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE SAXBY CHAMBLISS,</td>
<td>U.S. HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE TILLIE K FOWLER</td>
<td>US HOUSE REPRESENTATIVES WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE FRANK MASCARA</td>
<td>U.S. HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON. ROBERT MENENDEZ</td>
<td>U.S. HOUSE OF REPRESENTATIVES WASH DC 20515 US</td>
</tr>
<tr>
<td>HON. JAMES L. OBERSTAR</td>
<td>US HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE PETER J. VISCLOSKY</td>
<td>U.S. HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON. WILLIAM J. COYNE</td>
<td>UNITED STATES HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON ROBERT G TORRICELLI</td>
<td>UNITED STATES SENATE WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON CAROLYN B MALONEY</td>
<td>U.S. HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON NITA LOWEY</td>
<td>U.S. HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON MAURICE HINCHER</td>
<td>U.S. HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>Member Name</td>
<td>Address</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td>BEN GILMAN</td>
<td>U. S. House of Representatives WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON. LOUIS E. STOKES</td>
<td>U.S. House of Representatives WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON. BARBARA B KENNELLY</td>
<td>U S House of Representatives WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE CHIP PICKERING</td>
<td>U S House of Representatives WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE LUIS GUTIERREZ</td>
<td>U S House of Representatives WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON RALPH REGULA</td>
<td>U S House of Representatives WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON NYdia M VELAZQUEZ</td>
<td>U. S. House of Representatives WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON LOUISE M SLAUGHTIER</td>
<td>U. S. House of Representatives WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON CHRISTOPHER SHAYS</td>
<td>U. S. House of Representatives WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON MICHAEL McNULTY</td>
<td>U. S. House of Representatives WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE JAMES MALONEY</td>
<td>U. S. House of Representatives WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON. BUD RUSHER</td>
<td>U S House of Representatives WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE JAMES A. BARCIA</td>
<td>U S House of Representatives WASHINGTON DC 20515-2205 US</td>
</tr>
<tr>
<td>HON. ED BRYANT</td>
<td>U.S. House of Representatives WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON. STEVE LATOURETTE</td>
<td>U.S. House of Representatives WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE PAUL GILMORE</td>
<td>U S House Representatives WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE JESSE L. JACKSON, JR</td>
<td>U S House of Representatives WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE DANNY K DAVIS</td>
<td>U. S. House of Representatives WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON SHERROD BROWN</td>
<td>U S House of Representatives WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON ED TOWNS</td>
<td>U. S. House of Representatives WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON CHARLES SCHUMER</td>
<td>U. S. House of Representatives WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON CHARLES RANGEL</td>
<td>U. S. House of Representatives WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON THOMAS MANTON</td>
<td>U. S. House of Representatives WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE JOHN J LAFALCE</td>
<td>U S House of Representatives WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE RO R BLAGOJEVICH</td>
<td>U. S. House of Representatives WASHINGTON DC 20515-3230 US</td>
</tr>
<tr>
<td>Name</td>
<td>Address</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>----------------------------------------------</td>
</tr>
<tr>
<td>HONORABLE RICHARD BURR</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515-3305 US</td>
</tr>
<tr>
<td>HONORABLE BOBBY L. RUSH</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515-9997 US</td>
</tr>
<tr>
<td>PAUL SAMUEL SMITH</td>
<td>US DEPARTMENT OF TRANSPORTATION</td>
</tr>
<tr>
<td></td>
<td>400 SEVENTH STREET SW, ROOM 4102 C-30</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20590 US</td>
</tr>
<tr>
<td>JOHN M ROBINSON</td>
<td>9616 OLD SPRING ROAD</td>
</tr>
<tr>
<td></td>
<td>KENSINGTON MD 20879-3124 US</td>
</tr>
<tr>
<td>JOHN HOY</td>
<td>P O BOX 117</td>
</tr>
<tr>
<td></td>
<td>GLEN BURNE MD 21060 US</td>
</tr>
<tr>
<td>JOHN F WING CHAIRMAN</td>
<td>CITIZENS ADVISORY COMMITTEE</td>
</tr>
<tr>
<td></td>
<td>601 NORTH HOWARD STREET</td>
</tr>
<tr>
<td></td>
<td>BALTIMORE MD 21201 US</td>
</tr>
<tr>
<td>CHARLES M CHADWICK</td>
<td>MARYLAND MIDLAND RAILWAY INC</td>
</tr>
<tr>
<td></td>
<td>P O BOX 1000</td>
</tr>
<tr>
<td></td>
<td>UNION BRIDGE MD 21791 US</td>
</tr>
<tr>
<td>HENRY E. SEATON</td>
<td>7700 LEESBURG PIKE, STE 201</td>
</tr>
<tr>
<td></td>
<td>FALLS CHURCH VA 22043 US</td>
</tr>
<tr>
<td>WILLIAM P. JACKSON, JR.</td>
<td>JACKSON &amp; JESSUP, P.C.</td>
</tr>
<tr>
<td></td>
<td>P O BOX 1240</td>
</tr>
<tr>
<td></td>
<td>3426 NORTH WASHINGTON BLVD</td>
</tr>
<tr>
<td></td>
<td>ARLINGTON VA 22210 US</td>
</tr>
<tr>
<td>GERARD W FAUTH III</td>
<td>G W FAUTH &amp; ASSOCIATES INC</td>
</tr>
<tr>
<td></td>
<td>116 SOUTH ROYAL STREET</td>
</tr>
<tr>
<td></td>
<td>ALEXANDRIA VA 22314 US</td>
</tr>
<tr>
<td>ROBERT E MARTINEZ</td>
<td>VA SECRETARY OF TRANSPORTATION</td>
</tr>
<tr>
<td></td>
<td>P.O. BOX 1475</td>
</tr>
<tr>
<td></td>
<td>RICHMOND VA 23218 US</td>
</tr>
<tr>
<td>HONORABLE RICHARD BURR</td>
<td>HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>1203 LONGWORTH HOUSE OFFICE BUILDING</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515-3505 US</td>
</tr>
<tr>
<td>MICHAEL P HARMONIS</td>
<td>DEPARTMENT OF JUSTICE</td>
</tr>
<tr>
<td></td>
<td>325 SEVENTH STREET, NW</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20530 US</td>
</tr>
<tr>
<td>JOSEPH R. POMPONIO</td>
<td>FEDERAL RAILROAD ADMIN.</td>
</tr>
<tr>
<td></td>
<td>400 7TH ST SW RCC-20</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20590 US</td>
</tr>
<tr>
<td>MITCHELL M. KRAUS</td>
<td>TRANSPORTATION COMMUNICATIONS INTERNATIONAL</td>
</tr>
<tr>
<td></td>
<td>3 RESEARCH PLACE</td>
</tr>
<tr>
<td></td>
<td>ROCKVILLE MD 20850 US</td>
</tr>
<tr>
<td>WILLIAM W WHITEHURST JR</td>
<td>MARYLAND OFFICE OF PLANNING</td>
</tr>
<tr>
<td></td>
<td>301 WEST PRESTON STREET</td>
</tr>
<tr>
<td></td>
<td>BALTIMORE MD 21201-2365 US</td>
</tr>
<tr>
<td>ROBERT J WILL</td>
<td>UNITED TRANSPORTATION UNION</td>
</tr>
<tr>
<td></td>
<td>4134 GRAVE RUN RD</td>
</tr>
<tr>
<td></td>
<td>MANCHESTER MD 21102 US</td>
</tr>
<tr>
<td>LINDA A JANET J D</td>
<td>MARYLAND OFFICE OF PLANNING</td>
</tr>
<tr>
<td></td>
<td>301 WEST PRESTON STREET</td>
</tr>
<tr>
<td></td>
<td>BALTIMORE MD 21201-2365 US</td>
</tr>
<tr>
<td>GARRETT G SMITH</td>
<td>MOBIL OIL CORPORATION</td>
</tr>
<tr>
<td></td>
<td>3225 GALLAWS RD RM BA903</td>
</tr>
<tr>
<td></td>
<td>FAIRFAX VA 22037-0001 US</td>
</tr>
<tr>
<td>PETER Q. NYCE, JR.</td>
<td>U.S. DEPARTMENT OF THE ARMY</td>
</tr>
<tr>
<td></td>
<td>901 NORTH STUART STREET</td>
</tr>
<tr>
<td></td>
<td>ARLINGTON VA 22203 US</td>
</tr>
<tr>
<td>JENNIFER BRAUN</td>
<td>J JACKSON &amp; JESSUP</td>
</tr>
<tr>
<td></td>
<td>P O BOX 1240</td>
</tr>
<tr>
<td></td>
<td>3426 NORTH WASHINGTON BOULEVARD</td>
</tr>
<tr>
<td></td>
<td>ARLINGTON VA 22210 US</td>
</tr>
<tr>
<td>KENNETH E. SIEGEL</td>
<td>AMERICAN TRUCKING ASSOC INC</td>
</tr>
<tr>
<td></td>
<td>2200 HILL ROAD</td>
</tr>
<tr>
<td></td>
<td>ALEXANDRIA VA 22314-4677 US</td>
</tr>
<tr>
<td>HONORABLE GEORGE ALLEN</td>
<td>GOVERNOR, COMMONWEALTH OF VIRGINIA</td>
</tr>
<tr>
<td></td>
<td>STATE CAPITOL</td>
</tr>
<tr>
<td></td>
<td>RICHMOND VA 23219 US</td>
</tr>
<tr>
<td>Name</td>
<td>Company/Mailing Address</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>--------------------------------------------------------------</td>
</tr>
<tr>
<td>D G Strunk Jr</td>
<td>GENERAL CHAIRPERSON UTU</td>
</tr>
<tr>
<td>Brad F Huston</td>
<td>CYPRUS AMAX COAL SALES CORP</td>
</tr>
<tr>
<td>Robert Edwards</td>
<td>EASTERN TRANSPORT AND LOGISTICS</td>
</tr>
<tr>
<td>F Ronalds Walker</td>
<td>CITIZENS GAS &amp; COKE UTILITY</td>
</tr>
<tr>
<td>Honorable Dan Coats,</td>
<td>UNITED STATES SENATE</td>
</tr>
<tr>
<td>Michael Connelly</td>
<td>CITY OF EAST CHICAGO</td>
</tr>
<tr>
<td>Honorable Peter J. Visclosky</td>
<td>U. S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td>Christopher J Burger, President</td>
<td>CENTRAL RAILROAD COMPANY OF INDIANAPOLIS</td>
</tr>
<tr>
<td>Nicole Harvey</td>
<td>THE DOW CHEMICAL COMPANY</td>
</tr>
<tr>
<td>Larry B. Karnes</td>
<td>TRANSPORTATION BUILDING</td>
</tr>
<tr>
<td>T Scott Bannister</td>
<td>T SCOTT BANNISTER AND ASSOCIATES</td>
</tr>
<tr>
<td>Leo J Wasescha</td>
<td>GOLD MEDAL DIVISION - GENERAL MILLS OPERATION</td>
</tr>
<tr>
<td>Gerald J. Vinci</td>
<td>PRAIRIE GROUP</td>
</tr>
<tr>
<td>Richard E Keath</td>
<td>CHAMPION INTERNATIONAL CORPORATION</td>
</tr>
<tr>
<td>Fay D Dupuis</td>
<td>CITY OF CINCINNATI</td>
</tr>
<tr>
<td>Thomas R Rydman</td>
<td>PRESIDENT, INDIAN CREEK RAILROAD COMPANY</td>
</tr>
<tr>
<td>Michael P Maxwell Jr.</td>
<td>MCAL, COOK &amp; WELCH</td>
</tr>
<tr>
<td>J Patrick Latz</td>
<td>HEAVY LIFT CARGO SYSTEM</td>
</tr>
<tr>
<td>Hamilton L Carmanche</td>
<td>CORPORATION COUNSEL</td>
</tr>
<tr>
<td>Carl Feller</td>
<td>DEKALB AGRICULTURAL COMPANY</td>
</tr>
<tr>
<td>William A Bon, General Counsel</td>
<td>BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYIES</td>
</tr>
<tr>
<td>James E Shepherd</td>
<td>TUSCOLA &amp; SAGINAW BAY</td>
</tr>
<tr>
<td>Hon John Engler</td>
<td>OFFICE OF THE GOVERNOR</td>
</tr>
<tr>
<td>Byron D Olsen</td>
<td>FELHABER LARSON FENLON &amp; VOGT PA</td>
</tr>
<tr>
<td>Richard A Gavril</td>
<td>HEAVY LIFT CARGO SYSTEM (&gt;50,000 lbs)</td>
</tr>
</tbody>
</table>

10/21/1998 Page 13
SERVICE LIST FOR: 21-oct-1998 STB FO 33388 O CSX CORPORATION AND CSX TRANSPORTATION

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

KEVIN BRUBAKER
ENVIRONMENTAL LAW & POLICY CENTER
203 NORTH LA SALLE STREET, STE 1390
CHICAGO IL 60601 US

THOMAS J. LITWLDER
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 FLOOR
CHICAGO IL 60601-6710 US

RICHARD F FRIEDMAN
INTERNATIONAL PORT DISTRICT (PORT F CHICAGO)
111 M WASHINGTON STREET SUITE 1700
CHICAGO IL 60602 US

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

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

ROGER A. SERPE
INDIANA HARBOR BELT RR
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 FAKIES PARKWAY
DECATUR IL 62525 US

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

R A GRICE
GENERAL CHAIRPERSON UTU
11017-F GRAVOSI INDUSTRIAL PLAZA
ST LOUIS MO 63128 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 MANAGEMENT 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

10/21/1998
Records: 366
SERVICE DATE - OCTOBER 7, 1998

SURFACE TRANSPORTATION BOARD
Washington, D.C. 20423

October 2, 1998

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. 89)

NOTICE

A court action, entitled as shown below,

was instituted on or about September 18, 1998,

involving the above-entitled proceeding:

No. 98-4436

REPRESENTATIVES JERROLD NADLER, CHRISTOPHER SHAYS, CHARLES RANGEL, BEN GILLMAN, BARBARA KENNELLY, NANCY JOHNSON, CHARLES SCHUMER, ROSA DELAURO, MICHAEL FORBES, SAM GEJDENSON, NITA LOWEY, MAJOR OWENS, THOMAS MANTON, MAURICE HINCHEY, ED TOWNS, CAROLYN B. MALONEY, NYDIA M. VELAZQUEZ, GARY ACKERMAN, ELIOT L. ENGEL, LOUISE M. SLAUGHTER, JOHN LAFAUCHE, MICHAEL MCNULTY AND JAMES MALONEY MEMBERS OF CONGRESS

v.

Surface Transportation Board

United States of America

before the

United States Court of Appeals for the Second Circuit

VERNON A. WILLIAMS
Secretary
SERVICE LIST FOR: 08-oct-1998 STB FO 33388 0

CSX CORPORATION AND CSX TRANSPORTATION

JOHN R. NADOLNY
BOSTON AND MAINE CORPORATION
IRON HORSE PARK
NORTH BILLERICA MA 01862 US

JAMES E. HOWARD
90 CANAL STREET
BOSTON MA 02114 US

HON. EDWARD M. KENNEDY
UNITED STATES SENATE
2400 JOHN F. KENNEDY FEDERAL BLDG
BOSTON MA 02203 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
MONTPELIER VT 05633-5001 US

EDWARD J. RODRIGUEZ
P.O. BOX 29B
67 MAIN STREET
CENTERBROOK CT 06409 US

MICHAEL E. STRICKLAND
NYK LINE (NORTH AMERICA) INC, SENIOR VICE PRE
300 LIGHTNING 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

TERRY LEHNHART
CONCERNED CITIZENS OF EAST RIVERTON
1220 BANNARD STREET
CINNAMINSON NJ 08077-1802 US

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

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

ANTHONY P. SEMANCIK
347 MADISON AVENUE
NEW YORK NY 10017-3706 US
SERVICE LIST FOR: 08-oct-1998 STB FD 33388 0
CSX CORPORATION AND CSX TRANSPORTATION

JAMES W HARRIS
THE METROPOLITAN 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

HONORABLE ALFONSE M. D'AMATO
UNITED STATES SENATE
LEO O'BRIEN OFFICE BUILDING, ROOM 420
ALBANY NY 12207 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
48599 OLD GOOSE BAY ROAD
REDWOOD NY 13679 US

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

HONORABLE ALFONSE D'AMATO
UNITED STATES SENATE
111 W. HURON STREET, ROOM 620
BUFFALO NY 14202 US

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

JEANNE WALJOCK
107 GRANT COURT
ORLEAN NY 14760 US

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

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

RICHARD A 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

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

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

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

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

H DOUGLAS MIDKIFF
GENESEE TRANSPORTATION COUNCIL
65 WEST BROAD ST STE 101
ROCHESTER NY 14621-2210 US

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

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

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

D W DUNLEY
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
SERVICE LIST FOR: 08-oct-1998 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATION

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

D J O'CONNELL
GENERAL CHAIRPERSON UTD
410 LANCASTER AVE STE 5
HARRISTOWN PA 19041 US

HARRY C BARBIN
BARBIN LAUFFER & O'CONNELL
408 KINGSPOINT PIKE
ROSEMONT PA 19046 US

WILLIAM R THOMPSON
CITY OF PHILADELPHIA LAW DEPT
1600 ARCH ST 10TH FLOOR
PHILADELPHIA 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 AUTHORITY
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 302
WASHINGTON DC 20001 US

BRUCE KNIGHT
NATIONAL CORN GROWERS ASSOCIATION
122 C ST NW SUITE 510
WASHINGTON DC 20001-2109 US

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

DEBRA L. WILLIEN
GUERRIERI, EDMOND & CLAYMAN PC
1331 F STREET NW, 4TH FLOOR
WASHINGTON DC 20004 US

BELKNAP 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 CORPORATION
2600 CENTRE SQUARE WEST 500 MARKET ST
PHILADELPHIA PA 19102 US

JOHN J EHLINGER JR
OBERMAYER RENNISON 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 19804 US

FREDERICK H SCHRANCK
PO BOX 778
DOVER DE 19903 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

JOSEPH GUERRIERI, JR.
GUERRIERI, EDMOND & CLAYMAN PC
1331 F STREET NW, 4TH FLOOR
WASHINGTON DC 20004 US

PATRICK R PLUMMER
GUERRIERI EDMOND & CLAYMAN PC
1331 F ST NW
WASHINGTON DC 20004 US

10/08/1998 Standing selected: 'ALJ', 'GOV', 'HOC', 'POR'
<table>
<thead>
<tr>
<th>Name</th>
<th>Address 1</th>
<th>Address 2</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>W. Lyons</td>
<td>Arnold &amp; Porter 555 Twelfth Street</td>
<td>Washington DC 20004 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>G. Mayo</td>
<td>Hogan &amp; Hartson L.L.P. 555 Thirteenth Street</td>
<td>Columbia Square Washington DC 20004-1109 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>W. Willard</td>
<td>American Public Transit Association 1201 New York Avenue, NW</td>
<td>Washington DC 20005 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>K. Sheyes</td>
<td>Oppenheimer Wolff &amp; Donnelly &amp; Bayh LLP 1350 Eye Street, N.W., STE 200</td>
<td>Washington DC 20005 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>P. Laurenza</td>
<td>Oppenheimer Wolff &amp; Donnelly &amp; Bayh LLP 1350 Eye Street, N.W., STE 200</td>
<td>Washington DC 20005 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>L. Gitomer</td>
<td>Ball Janik LLP 1455 F Street NW Suite 225</td>
<td>Washington DC 20005 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>J. Broadley</td>
<td>Jenner &amp; Block 601 13th St NW 12th Fl</td>
<td>Washington DC 20005 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. Saylor</td>
<td>The American Short Line Railroad Association 1120 G Street, N.W., Suite 520</td>
<td>Washington DC 20005 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>W. Mullins</td>
<td>Troutman Sanders LLP 1300 I Street NW Suite 500 East</td>
<td>Washington DC 20005-3314 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>F. Kahn</td>
<td>1100 New York Avenue NW Suite 750 West</td>
<td>Washington DC 20005-3934 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>N. Dimichaud</td>
<td>Donelan Cleary Wood &amp; Maser PC 1100 New York Avenue NW Suite 750</td>
<td>Washington DC 20005-3934 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>M. Sidman</td>
<td>Weiner Brodsky, Sidman &amp; Kider 1350 New York Ave., NW, STE. 800</td>
<td>Washington DC 20005-4797 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D. Harker</td>
<td>Arnold &amp; Porter 555 Twelfth Street</td>
<td>Washington DC 20004 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>M. Sprague</td>
<td>Arnold &amp; Porter 555 Twelfth Street</td>
<td>Washington DC 20004-1202 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E. Wytkind</td>
<td>Executive Director 1000 Vermont Avenue, NW Ste 900</td>
<td>Washington DC 20005 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R. Weinryb</td>
<td>Weiner Brodsky Sidman &amp; Kider 1350 New York Avenue NW</td>
<td>Washington DC 20005 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>L. Osborn</td>
<td>Sonnenschein Nath &amp; Rosenthal 1301 K Street NW Ste 600 East</td>
<td>Washington DC 20005 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C. Downs</td>
<td>Jones Day Reavis &amp; Pogue 1450 G Street</td>
<td>Washington DC 20005-2088 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>P. Lamboley</td>
<td>1350 Eye Street, N.W., STE 200</td>
<td>Washington DC 20005-3324 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. P. Goldstein</td>
<td>Mccarthy Sweeney Harkaway, PC 1750 Pennsylvania Ave NW, STE 1105</td>
<td>Washington DC 20006 US</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Robert P. Vom Eigen  
Hopkins & Sutter  
888 16th Street N.W. Ste 700  
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  
McCarty Sweeney & Harkaway P.C.  
1750 Pennsylvania Avenue NW Suite 1105  
Washington DC 20006 US

Richard A. Allen  
Zuckert Scoult Rassenberger  
888 17th Street N.W. Ste 600  
Washington DC 20006-3939 US

Charles A. Spulnik  
Hopkins & Sutter  
888 Sixteenth St NW  
Wash DC 20006-4103 US

Sherri Lehman  
Director of Congressional Affairs, Corn Refiners Assoc  
1701 Pennsylvania Ave NW  
Wash DC 20006-5805 US

David K. Monroe  
Galland Kharasch & Garfinkle P.C.  
1054 Thirty-First Street NW  
Washington DC 20007 US

Edward D. Greenberg  
Galland Kharasch & Garfinkle P.C.  
1054 Thirty-First Street NW  
Washington DC 20007 US

Paul M. Donovan  
Large, Winn, McElman & Donovan  
3506 Idaho Ave NW  
Washington DC 20016 US

Gordon P. MacDougall  
1025 Connecticut Ave NW Suite 410  
Washington DC 20036 US

William G. Mahoney  
Higash, Mahoney & Clarke  
1050 Seventeenth Street NW Suite 210  
Washington DC 20036 US

Harold P. Quinn, Jr.  
National Mining Association  
1130 17th Street NW  
Washington DC 20036 US

Stephen H. Brown  
Vorys Sater Seymour and Pease  
1228 L Street N.W.  
Washington DC 20036 US

Andrew R. Plump  
Zuckert, Scoult & Rassenberger, LLP  
888 17th St., NW, Ste. 600  
Washington DC 20006 US

Francis G. McKenna  
Anderson & Pendleton  
1700 K St NW, Suite 1107  
Washington DC 20006 US

Erika Z. Jones  
Mayer Brown & Platt  
2000 Pennsylvania Ave NW  
Wash DC 20006-1882 US

John V. Edwards, Esq.  
Zuckert Scoult et al.  
888 17th Street N.W. Ste 600  
Washington DC 20006-3939 US

Steven J. Kalish  
McCarty Sweeney & Harkaway  
1750 Pennsylvania Avenue NW  
Washington DC 20006-4502 US

Robert G. Szabo  
V.Wess Feldman  
1050 Thomas Jefferson Street, NW  
Washington DC 20007 US

Christopher C. O'Hara  
Brickfield Burchette & Ritts PC  
1025 Thomas Jefferson Street NW, Eighth Floor  
Washington DC 20007 US

Michael F. McBride  
Lebecuef Lamb Greene & Magrane  
1875 Connecticut Avenue NW  
Washington DC 20009-5728 US

John D. Heffner Esq  
Rea, Cross and 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. Couinseau  
Carlos Rodriguez & Associates  
1710 Rhode Island Avenue, NW  
Washington DC 20036 US

Judy Caldwell  
Oppeneheimer Wolff & Donnelly  
1020 Nineteenth St NW Ste 400  
Wash DC 20036 US

Keith G. O'Brien  
Rea, Cross and Auchincloss  
1707 L Street, N.W., Ste 570  
Wash DC 20036 US
SERVICE LIST FOR: 08-oct-1998 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATION

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
ODONNELL SCHWARTZ & ANDERSON PC
1900 L STREET NW SUITE 707
WASHINGTON DC 20036 US

KELVIN J BOUD
SLOVER & LOFTUS
1224 17TH STREET NW
WASHINGTON DC 20036 US

PETER A GREENE
THOMPSON NINE FLORY
1920 N STREET NW SUITE 800
WASHINGTON DC 20036 US

JOHN M CUTLER JR
MCCARTHY Sweeney HARKAWAY PC
1750 PENNSYLVANIA AVE NW SUITE 1105
WASHINGTON DC 20036 US

SLOVER & LOFTUS REA CROSS & AUCHINCLOSS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036 US

TIMOTHY M WALKER
STEPTOE & JOHNSON
1330 CONNECTICUT AVENUE NW
WASHINGTON DC 20036 US

PAUL A CUNNINGHAM
HARKINS CUNNINGHAM
1300 NINETEENTH STREET NW STE 600
WASHINGTON DC 20036-1609 US

DONALD G AVERY
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036-1795 US

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

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

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

ARTHUR E ROACH II
COVINGTON & BURLING
PO BOX 7566
1201 PENNSYLVANIA AVE NW
WASHINGTON DC 20044-7566 US

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

THOMAS A. O'BRIEN
US DEPARTMENT OF AGRICULTURE
PO BOX 965456
WASHINGTON DC 20036-6105 US

EILEEN S STOMMES
PO BOX 96456
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. DAN COATS
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE ALFONSE N D'AMATO
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE RICHARD LUGAR
UNITED STATES SENATE
WASHINGTON DC 20510 US
SERVICE LIST FOR: 08-oct-1998 STB FD 33388 O CSX CORPORATION AND CSX TRANSPORTATION

HONORABLE J. ROBERT KERRY
UNITED STATES SENATE
WASH DC 20510 US

HONORABLE BOB GRAHAM
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE CHARLES ROBB
UNITED STATES SENATE
WASHINGTON DC 20510 US

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

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

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

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

HON JACK REED
US SENATE
WASHINGTON DC 20510-3903 US

HON, LEE H. HAMILTON
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

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

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

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

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

HON MIKE DEWINE
U S SENATE
WASHINGTON DC 20510 US

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

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

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

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

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

HONORABLE JOHN H. CHAFEE
UNITED STATES SENATE
WASHINGTON DC 20510-3912 US

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

HONORABLE PAUL GILMORE
U S HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

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

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

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

HON ED TOWNS
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US
SERVICE LIST FOR: 08-oct-1998 STB FD 33388 O  CSX CORPORATION AND CSX TRANSPORTATION

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

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

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

BEN GILMAN
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

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

HON JERROLD NADLER
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

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

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

HON. LOUIS E. STOKES
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

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

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

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

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

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

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

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

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

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

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

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

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

10/08/1998  Standing selected: 'ALJ', 'GOV', 'MOC', 'POR'
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 REPRESENTATIVES  
WASHINGTON DC 20515 US

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

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

HON. THOMAS C SALWYER  
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 SAM GEJDENSON  
U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

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

HON. DAVID L HOBSON  
UNITED STATES HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

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

HONORABLE FRANK D. RIGGS  
U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

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

HON VIC FAZIO  
UNITED STATES HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

HON ROBERT G TORRICELLI  
UNITED STATES SENATE  
WASHINGTON DC 20515 US

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

HON. BARBARA B KENNELLY  
U.S. 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  
WASHINGTON DC 20515-1305 US

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

HONORABLE RICHARD BURR  
UNITED STATES SENATE  
WASHINGTON DC 20515 US

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

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

HONORABLE ROB R BLAGOJEVICH  
U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515-1305 US

10/08/1998  Standing selected: ALJ, GOV, MDC, POR  
Page 9
<table>
<thead>
<tr>
<th>Name</th>
<th>Title/Role</th>
<th>Address/Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>HOM PAUL E GILLMOR</td>
<td>CONG BOB CLEMENT</td>
<td>WASHINGTON DC 20515-4205 US</td>
</tr>
<tr>
<td>HONORABLE TOM DAVIS</td>
<td>HONORABLE BOBBY L. RUSH</td>
<td>WASHINGTON DC 20515-9997 US</td>
</tr>
<tr>
<td>MICHAEL P HARMONIS</td>
<td>PAUL SAMUEL SMITH</td>
<td>WASHINGTON DC 20590 US</td>
</tr>
<tr>
<td>JOSEPH R. POMPONIO</td>
<td>DAVID G ABRAHAM</td>
<td>BETHESDA MD 20814 US</td>
</tr>
<tr>
<td>MITCHELL M. KRAUS</td>
<td>JOHN N ROBINSON</td>
<td>KENSINGTON MD 20895-3124 US</td>
</tr>
<tr>
<td>WILLIAM W WHITEHURST JR</td>
<td>JOHN HOY</td>
<td>GLEN BURNIE MD 21060 US</td>
</tr>
<tr>
<td>ROBERT J WILL</td>
<td>JOHN F WING CHAIRMAN</td>
<td>BALTIMORE MD 21201 US</td>
</tr>
<tr>
<td>LINDA A JANET J D</td>
<td>CHARLES M CHADWICK</td>
<td>UNION BRIDGE MD 21791 US</td>
</tr>
<tr>
<td>GARRET G SMITH</td>
<td>HENRY E. SEATON</td>
<td>FALLS CHURCH VA 22043 US</td>
</tr>
<tr>
<td>PETER Q. NYCE, JR.</td>
<td>WILLIAM P. J. JACKSON, JR.</td>
<td>ARLINGTON VA 22210 US</td>
</tr>
<tr>
<td>JENNIFER BRAUN</td>
<td>GERALD W FAUTH III</td>
<td>ALEXANDRIA VA 22314-15 US</td>
</tr>
<tr>
<td>KENNETH E. SIEGEL</td>
<td>ROBERT E MARTINEZ</td>
<td>RICHMOND VA 23218 US</td>
</tr>
<tr>
<td>HONORABLE GEORGE ALLEN</td>
<td>GEORGE A ASPATORE</td>
<td>NORFOLK VA 23510 US</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10/08/1998 Standing selected: 'ALJ','GOV','HOC','POR' Page 10</td>
</tr>
</tbody>
</table>
SERVICE LIST FOR: 08-JCt-1998 STB FD 33388 O CSX CORPORATION AND CSX TRANSPORTATION

L P King Jr
GENERAL CHAIRPERSON UTU
145 CAMPBELL AVE SU STE 2U7
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. NITCHCOCK
CSX TRANSPORTATION LAW DEPARTMENT
500 WATER STREET SC J-150
JACKSONVILLE FL 32202 US

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

HONORABLE LAMONT CHILES
OFFICE OF THE GOVERNOR
THE CAPITOL
TALLAHASSEE FL 32302 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

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

HONORABLE JOHN WARNER
UNITED STATES SENATE
P.O. BOX 8817
235 FEDERAL BUILDING
ABINGDON VA 24210-0887 US

TERRELL ELLIS
CAEZW
P O BOX 176
CLAY WV 25043 US

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

VAUGHN R GROVES
PITTSTON COAL COMPANY
PO BOX 5100
ROANOKE VA 24011 US

TERRELL ELLIS
CAEZW
P O BOX 176
CLAY WV 25043 US

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

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

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

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

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

HONORABLE JOHN GLENN
U. S. SENATE ATTN: DAN EMERINE
200 N HIGH STREET S-600
COLUMBUS OH 43215-2408 US

10/08/1998 Stanaing selected: 'ALJ', 'GOV', 'MOC', 'POR'
SERVICE LIST FOR: 08-oct-1998 STB FO 33388 0 CSX CORPORATION AND CSX TRANSPORTATION

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

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

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

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

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

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

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

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

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

COLETTA MCMANEE 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

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

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

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

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

BRAHIM M BURTON
CYPRESS AMAX COAL SALES CORP
400 TECHNOLOGIC DRIVE STE 320
MILFORD OH 45150 US

10/08/1998 Standing selected: 'ALJ', 'GOV', 'MOC', 'POR'
SERVICE LIST FOR: 08-oct-1998 STB FD 33388 0

CSX CORPORATION AND CSX TRANSPORTATION

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
MCHAILE, COOK & WELCH
320 N MERIDIAN ST 1100 CHAMBER C. COMMERCE BL
INDIANAPOLIS IN 46204 US

HONORABLE DAN COATS,
UNITED STATES SENATE
1180 MARKET TOWER, 10 WEST MARKET STREET
INDIANAPOLIS IN 46204 US

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

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

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

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

CARL FELLER
DEKALB AGRA INC
P.O. BOX 127
4743 COUNTY ROAD 28
WATERLOO IN 46793-0550 US

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

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

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

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

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

HON JOHN ENGLER
OFFICE OF THE GOVERNOR
P.O. BOX 30050
LANSING MI 48933 US

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

BYRON D OLEEN
FELHABER LARSON FENLON & VOET PA
601 SECOND AVENUE SOUTH 4200 FIRST BANK PLACE
MINNEAPOLIS MN 55402-4302 US

GERALD J. VINC
PRAIRIE GROU P
P.O. BOX 1123
7601 WEST 79TH STREET
BRIDGEPVIEW IL 60455 US

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

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

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

LEON J. VINTIKER
OPPENHEIMER WOLFF & DONNELLY
130 N STETSON AVE 45TH FLOOR
CHICAGO IL 60601 US

KEVIN BRUBAKER
ENVIRONMENTAL LAW & POLICY CENTER
205 NORTH LA SALLE STREET, STE 1390
CHICAGO IL 60601 US

THOMAS J. LITWILER
OPPENHEIMER WOLFF & DONNELLY
130 N STETSON AVE 45TH FLOOR
CHICAGO IL 60601 US
In Decision No. 89, in addition to approving the primary application,\(^1\) we imposed a condition requiring CSX to meet with Illinois Central Railroad Company (IC) to attempt to resolve their dispute regarding dispatching of the Leewood-Auolon line in Memphis, TN, and to advise the Board no later than September 21, 1998, of the status of their negotiations. See Decision No. 89, slip op. at 102 and 178. In correspondence filed September 23, 1998, CSX states that representatives of CSX and IC were scheduled to meet in Memphis on September 22, 1998, in an effort to resolve the dispute, and that they anticipate further discussions concerning this matter. In view of the ongoing discussions, CSX\(^2\) requests that the date for the status report be extended until October 21, 1998. The extension request is reasonable and will be granted.

It is ordered:

1. The request for a 30-day extension of the September 21, 1998 deadline for submitting a status report regarding dispatching of the Leewood-Auolon line is granted and the due date is now October 21, 1998.

\(^1\) In Decision No. 89, served July 23, 1998, 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.

\(^2\) CSX states that “[t]he parties” are requesting this extension of time. We interpret this to mean that IC joins in the extension request.
2. This decision is effective on its service date.

By the Board, Chairman Morgan and Vice Chairman Owen.

Vernon A. Williams
Secretary
SERVICE LIST FOR: Ol-oct-1998 STB FD 33388 Q CSX CORPORATION AND EDK TRANSPORTATION

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

JOHN D CIRAME, ASSISTANT SECRETARY
COMMONWEALTH OF MASS. EXEC. OFFICE OF TRANSPT
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

JOHN X DUNLEAVY
ASSISTANT ATTORNEY GENERAL
133 STATE STREET STATE ADM BLDG
MONTPELIER VT 05633-5001 US

JAMES F SULLIVAN
CT DEPT OF TRANSPORTATION
P O BOX 317546
2800 BERLIN TURNPIKE
NEWINGTON CT 06111 US

RICHARD C CARPENTER
SOUTHWESTERN REGIONAL PLANNING AGENCY
1 SIELECKE 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 07650 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

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

JOHN R MADOLNY
BOSTON AND MAINE CORPORATION
IRON HORSE PARK
NORTH BILLERICA MA 01862 US

JAMES E HOWARD
90 CANAL STREET
BOSTON MA 02114 US

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

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

KAREN E SONGHURST
STATE OF VERMONT
133 STATE STREET
MONTPELIER 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
JNE NEWARK CENTER 17TH FLOOR
NEWARK NJ 07102 US

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

TERI LENHART
CONCERNED CITIZENS OF EAST RIVERTON
1225 BANNOCK STREET
CINNAMINSON NJ 08077-1802 US

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

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

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

10/01/1999
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>KRISTOPHER MICHAEL KLEMICK</td>
<td>RR#3 BOX 101-15, JERSEY SHORE PA 17740-9309 US</td>
</tr>
<tr>
<td>D J O'CONNELL</td>
<td>GENERAL CHAIRPERSON UTU 410 LANCASTER AVE STE 5 HAVERTOWN PA 19041 US</td>
</tr>
<tr>
<td>HARRY C BARBIN</td>
<td>BARBIN LAUFFER &amp; O'CONNELL 608 HUNTINGDON PIKE ROCKLEDE PA 19046 US</td>
</tr>
<tr>
<td>WILLIAM R THOMPSON</td>
<td>CITY OF PHILADELPHIA LAW DEPT 1600 ARCH ST 10TH FLOOR PHILADELPA 19103 US</td>
</tr>
<tr>
<td>JOHN K. LEARY, GENERAL MANAGER</td>
<td>SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTH 1234 MARKET STREET 5TH FLOOR PHILADELPA 19107-3780 US</td>
</tr>
<tr>
<td>E C WRIGHT</td>
<td>RAIL TRANSPORTATION PROCUREMENT MANAGER 1007 MARKET STREET DUPONT BLDG 3100 WILMINGTON DE 19801 US</td>
</tr>
<tr>
<td>JAMES HOWARD</td>
<td>COALITION OF NORTHEASTERN GOVERNORS 400 NORTH CAPITOL STREET, SUITE 3B2 WASHINGTON DC 20001 US</td>
</tr>
<tr>
<td>BRUCE KNIGHT</td>
<td>NATIONAL CORN GROWERS ASSOCIATION 122 C ST NW SUITE 510 WASHINGTON DC 20001-2109 US</td>
</tr>
<tr>
<td>DONALD F GRIFFIN</td>
<td>BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES 10 G STREET NE STE 460 WASHINGTON DC 20002 US</td>
</tr>
<tr>
<td>DEBRA L. WILLEN</td>
<td>GUERRIERI, EDMOND &amp; CLAYMAN PC 1331 F STREET N W, 4TH FLOOR WASHINGTON DC 20004 US</td>
</tr>
</tbody>
</table>

**SERVICE LIST FOR: 01-oct-1998 STB FD 33386 0 CSX CORPORATION AND CSX TRANSPORTATION**
<table>
<thead>
<tr>
<th>Name</th>
<th>Firm</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Patrick R Plummer</td>
<td>Guarneri, Edmond &amp; Clayman PC</td>
<td>1331 F St NW, Wash DC 20004 US</td>
</tr>
<tr>
<td>Dennis G Lyons</td>
<td>Arnold &amp; Porter</td>
<td>555 Twelfth Street NW, Wash DC 20004 US</td>
</tr>
<tr>
<td>Drew A Harker</td>
<td>Arnold &amp; Porter</td>
<td>555 Twelfth Street NW, Wash DC 20004 US</td>
</tr>
<tr>
<td>George W Mayo Jr</td>
<td>Hogan &amp; Hartson L L P</td>
<td>555 Thirteenth Street NW Columbia Square, Wash DC 20004-1109 US</td>
</tr>
<tr>
<td>Susan Edmonds</td>
<td>Guerriner &amp; Edmond</td>
<td>1331 F St NW</td>
</tr>
<tr>
<td>William W Millar</td>
<td>American Public Transit Association</td>
<td>1201 New York Ave., NW, Wash DC 20005 US</td>
</tr>
<tr>
<td>Rose-Michele Weinryb</td>
<td>Weyder, Brodky, Sidman &amp; Kider</td>
<td>1320 New York Avenue NW, Wash DC 20005 US</td>
</tr>
<tr>
<td>Dan Duff</td>
<td>American Public Transit Association</td>
<td>1201 New York Ave NW, Wash DC 20005 US</td>
</tr>
<tr>
<td>L. John Osborn</td>
<td>Sonnenchein, Nath &amp; Rosenthal</td>
<td>1301 K Street NW, Ste 600, East</td>
</tr>
<tr>
<td>Paul H Lamboley</td>
<td>Donelan, Cleary Wood &amp; Maser</td>
<td>1350 New York Ave, NW, Suite 500, East, Wash DC 20005-3934 US</td>
</tr>
<tr>
<td>Jeffrey O Moreno</td>
<td>Donelan, Cleary Wood &amp; Maser</td>
<td>1100 New York Ave, NW Suite 750, Wash DC 20005-3934 US</td>
</tr>
<tr>
<td>Frederic L Wood</td>
<td>Donelan, Cleary Wood &amp; Maser</td>
<td>1100 New York Ave NW, Suite 750, Wash DC 20005-3934 US</td>
</tr>
<tr>
<td>John K Masier III</td>
<td>Donelan, Cleary Wood &amp; Maser</td>
<td>1100 New York Ave NW, Suite 750, Wash DC 20005-3934 US</td>
</tr>
</tbody>
</table>

10/07/1998 Page 4
SERVICE LIST FOR: 01-oct-1998 STB FD 33388 O CSX CORPORATION AND CSX TRANSPORTATI

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

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

FRANCIS G. MCKENNA
ANDERSON & PENDLETON
1700 K STREET NW SUITE 1107
WASHINGTON DC 20006 US

ERIKA Z. JONES
MAYER BROWN & PLATT
2000 PA AV NW
WASHINGTON DC 20006-1882 US

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

ROBERT G. SZABO
V. NEFF FELDMAN
1050 THOMAS JEFFERSON STREET NW
WASHINGTON DC 20007 US

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

JUDY CALDWELL
OPPENHEIMER WOLFF & DONNELLY
1020 NINETEENTH STREET NW STE 400
WASHINGTON DC 20036 US

ROBERT P. VOM EIGEN
HOPKINS AND SUTTER
888 16TH STREET NW STE 700
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, PC
1750 PENNSYLVANIA AVENUE NW STE 1105
WASHINGTON DC 20006 US

RICHARD A. ALLEN
ZUCKERT, SCOUTT & RASENBERGER
888 17TH STREET NW STE 600
WASHINGTON DC 20006-3939 US

CHARLES A. SPUTULNIK
HOPKINS & SUTTER
888 SIXTEENTH STREET NW
WASHINGTON DC 20006-4103 US

SHERRI LEHMAN DIRECTOR OF CONGRESSIONAL AFFAIRS
CORN REFINERS ASSOCIATION
1701 PA AV NW
WASHINGTON DC 20006-5805 US

DAVID K. MONROE
GALLAND KHARASCH & GARFINKLE, PC
1054 THIRTY-FIRST STREET NW
WASHINGTON DC 20007 US

EDWARD D. GREENBERG
GALLAND KHARASCH & GARFINKLE, PC
1054 THIRTY-FIRST STREET NW
WASHINGTON DC 20007-4492 US

PAUL M. DONOVAN
LARGE, WINN, MOERMAN & DONOVAN
3506 IDAHO AVENUE NW
WASHINGTON DC 20016 US

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

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

STEPHEN H. BROWN
VORYS SATER SEYMOUR AND PEASE
1828 L STREET NW
WASHINGTON DC 20036 US

SHERRI LEHMAN DIRECTOR OF CONGRESSIONAL AFFAIRS
CORN REFINERS ASSOCIATION
1701 PA AV NW
WASHINGTON DC 20006-5805 US

10/01/1998
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>City, State, ZIP</th>
</tr>
</thead>
<tbody>
<tr>
<td>KEITH G O’BRIEN</td>
<td>REA, CROSS AND AUCHINCLOSS 1707 L STREET, N.W., STE 570</td>
<td>WASH DC 20036 US</td>
</tr>
<tr>
<td>ROBERT A WIMBISH ESQ</td>
<td>REA CROSS &amp; AUCHINCLOSS 1707 L STREET NW, STE 570</td>
<td>WASHINGTON DC 20036 US</td>
</tr>
<tr>
<td>KEVIN J DONOHUE</td>
<td>SLOVER &amp; LOFTUS 1224 17TH STREET NW</td>
<td>WASHINGTON DC 20036 US</td>
</tr>
<tr>
<td>JOHN M CUTLER JR</td>
<td>MCCARTHY SWEENEY HARKAWAY PC 1750 PENNSYLVANIA AVE NW, STE 1105</td>
<td>WASH DC 20036 US</td>
</tr>
<tr>
<td>TIMOTHY M WALSH</td>
<td>STEPTOE &amp; JOHNSON 1330 CONNECTICUT AVENUE NW</td>
<td>WASHINGTON DC 20036-1795 US</td>
</tr>
<tr>
<td>DONALD G AVERY</td>
<td>SLOVER &amp; LOFTUS 1224 SEVENTEENTH STREET NW</td>
<td>WASHINGTON DC 20036-3003 US</td>
</tr>
<tr>
<td>L PAT RYNNS</td>
<td>SUITE 210 1050 - 17TH STREET NW</td>
<td>WASHINGTON DC 20036-5503 US</td>
</tr>
<tr>
<td>JOHN L OBERDORFER</td>
<td>PATTON BOGGS LLP 2550 M ST NW</td>
<td>WASHINGTON DC 20037-1301 US</td>
</tr>
<tr>
<td>KEITH A KLINDWORTH</td>
<td>U.S. DEPT OF AGRICULTURE P.O BOX 96456</td>
<td>WASHINGTON DC 20090 US</td>
</tr>
<tr>
<td>EILEEN S STOMMES</td>
<td>P.O. BOX 96456 4006-SOUTH BUILDING</td>
<td>WASHINGTON DC 20090-6456 US</td>
</tr>
<tr>
<td>RICHARD E SANDERSON</td>
<td>OFFICE OF FEDERAL ACTIVITIES US ENVIRONMENTAL PROTECTION AGENCY</td>
<td>WASHINGTON DC 20460 US</td>
</tr>
<tr>
<td>HON. BARBARA A. MUKILSKI</td>
<td>UNITED STATES SENATE</td>
<td>WASHINGTON DC 20510 US</td>
</tr>
<tr>
<td>HON. JOSEPH I LIEBERMAN</td>
<td>UNITED STATES SENATE</td>
<td>WASHINGTON DC 20510 US</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name</td>
<td>Office</td>
<td>Address</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-------------------------------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td>HONORABLE J. ROBERT KERRY</td>
<td>UNITED STATES SENATE</td>
<td>WASH DC 20510 US</td>
</tr>
<tr>
<td>HONORABLE BOB GRAHAM</td>
<td>UNITED STATES SENATE</td>
<td>WASH DC 20510 US</td>
</tr>
<tr>
<td>HON. CHARLES ROBB</td>
<td>UNITED STATES SENATE</td>
<td>WASH DC 20510 US</td>
</tr>
<tr>
<td>HON WILLIAM V. ROTH JR</td>
<td>U S SENATE</td>
<td>WASH DC 20510-0001 US</td>
</tr>
<tr>
<td>HON CHRISTOPHER J. DODD</td>
<td>UNITED STATES SENATE</td>
<td>WASH DC 20510-0702 US</td>
</tr>
<tr>
<td>HONORABLE CONNIE MACK</td>
<td>UNITED STATES SENATE</td>
<td>WASH DC 20510-0904 US</td>
</tr>
<tr>
<td>HON ARLEN SPECTER</td>
<td>UNITED STATES SENATE</td>
<td>WASH DC 20510-3802 US</td>
</tr>
<tr>
<td>HONORABLE JOHN H. CHAFEE</td>
<td>UNITED STATES SENATE</td>
<td>WASH DC 20510-3902 US</td>
</tr>
<tr>
<td>SENATOR ROBERT BYRD</td>
<td>UNITED STATES SENATE</td>
<td>WASH DC 20510-6025 US</td>
</tr>
<tr>
<td>HON NANCY JOHNSON</td>
<td>UNITED STATES HOUSE OF REP.</td>
<td>WASH DC 20515 US</td>
</tr>
<tr>
<td>HON VIC Fazio</td>
<td>UNITED STATES HOUSE OF REP.</td>
<td>WASH DC 20515 US</td>
</tr>
<tr>
<td>HON. TOM BLILEY</td>
<td>U S HOUSE OF REP.</td>
<td>WASH DC 20515 US</td>
</tr>
<tr>
<td>HON. THOMAS C. SAWYER</td>
<td>U S HOUSE OF REP.</td>
<td>WASH DC 20515 US</td>
</tr>
<tr>
<td>HON MIKE DEWINE</td>
<td>U S SENATE</td>
<td>WASH DC 20510 US</td>
</tr>
<tr>
<td>HONORABLE ALFONSE M. D'AMATO</td>
<td>UNITED STATES SENATE</td>
<td>WASH DC 20510 US</td>
</tr>
<tr>
<td>HON. JOSEPH BIDEN, JR.</td>
<td>UNITED STATES SENATE</td>
<td>WASH DC 20510 US</td>
</tr>
<tr>
<td>HONORABLE JOHN W. WARNER</td>
<td>US SENATE</td>
<td>WASH DC 20510-0001 US</td>
</tr>
<tr>
<td>HONORABLE DANIEL P. MOYNIHAN</td>
<td>UNITED STATES SENATE</td>
<td>WASH DC 20510-0903 US</td>
</tr>
<tr>
<td>HONORABLE JOHN BREAU</td>
<td>UNITED STATES SENATE</td>
<td>WASH DC 20510-1803 US</td>
</tr>
<tr>
<td>HON RICK SANTORUM</td>
<td>UNITED STATES SENATE</td>
<td>WASH DC 20510-3804 US</td>
</tr>
<tr>
<td>HON JACK REED</td>
<td>U S SENATE</td>
<td>WASH DC 20510-3903 US</td>
</tr>
<tr>
<td>HON. LEE H. HAMILTON</td>
<td>UNITED STATES HOUSE OF REP.</td>
<td>WASH DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE MAJOR R. OWENS</td>
<td>UNITED STATES HOUSE OF REP.</td>
<td>WASH DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE SAM GEJDENSON</td>
<td>U. S. HOUSE OF REP.</td>
<td>WASH DC 20515 US</td>
</tr>
<tr>
<td>HON. WILLIAM O. LIPINSKI</td>
<td>U.S. HOUSE OF REP.</td>
<td>WASH DC 20515 US</td>
</tr>
<tr>
<td>HON MARCY KAPTUR</td>
<td>U S HOUSE OF REP.</td>
<td>WASH DC 20515 US</td>
</tr>
</tbody>
</table>
SERVICE LIST FOR: 01-oct-1998 STB FO 33388 0 CSX CORPORATION AND CSX TRANSPORTATION

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

HON DAVID L HOBSON
US HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE FRANK D. RIGGS
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

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

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

HON JERROLD NADLER
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

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

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

HONORABLE TILLIE K FOWLER
US HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

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

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

HON ROBERT G TORRICEelli
UNITED STATES SENATE
WASHINGTON DC 20515 US

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

HON BOB WIJE
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10/01/1998 Page 8
SERVICE LIST FOR: 01-oct-1998 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATION

BEN GILMAM
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

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

HON. LOUIS E. STOKES
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

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

HON. BARBARA B KENNELLY
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

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

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

HONORABLE ESSE 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 OF REPRESENTATIVES
WASHINGTON DC 20515 US

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

HON CHARLES SCHUMER
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

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

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

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

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

HONORABLE ROG R BLAHOJEVICH
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-1305 US

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

HON JACK QUINN
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3230 US
<table>
<thead>
<tr>
<th>Name</th>
<th>Title/Position</th>
<th>Address/Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>HONORABLE RICHARD BURR</td>
<td>U.S. House of Representatives</td>
<td>Washington DC 20515-3305 US</td>
</tr>
<tr>
<td>CONG BOB CLEMENT</td>
<td>U.S. House of Representatives</td>
<td>Washington DC 20515-4205 US</td>
</tr>
<tr>
<td>HONORABLE BOBBY L. RUSH</td>
<td>U.S. House of Representatives</td>
<td>Washington DC 20515-9997 US</td>
</tr>
<tr>
<td>PAUL SAMUEL SMITH</td>
<td>U.S. Department of Transportation</td>
<td>400 Seventh Street SW, Room 4102 C-30, Washington DC 20590 US</td>
</tr>
<tr>
<td>DAVID G ABRAHAM</td>
<td></td>
<td>Suite 400W, 7315 Wisconsin Avenue, Bethesda MD 20814 US</td>
</tr>
<tr>
<td>JOHN M ROBINSON</td>
<td></td>
<td>9616 Old Spring Road, Kensington MD 20895-3124 US</td>
</tr>
<tr>
<td>JOHN HOY</td>
<td></td>
<td>P.O. Box 117, Glen Burnie MD 21060 US</td>
</tr>
<tr>
<td>JOHNSON WING CHAIRMAN</td>
<td>Citizens Advisory Committee</td>
<td>601 North Howard Street, Baltimore MD 21201 US</td>
</tr>
<tr>
<td>CHARLES M CHADWICK</td>
<td>Maryland Midland Railway Inc</td>
<td>P.O. Box 1000, Union Bridge MD 21701 US</td>
</tr>
<tr>
<td>HENRY E. SEATON</td>
<td></td>
<td>7700 Leesburg Pike, Ste 201, Falls Church VA 22043 US</td>
</tr>
<tr>
<td>WILLIAM P. JACKSON, JR.</td>
<td></td>
<td>P.O. Box 1240, 3426 North Washington Boulevard, Arlington VA 22210 US</td>
</tr>
<tr>
<td>GERALD W FAUTH III</td>
<td>G.W. Faath &amp; Associates Inc</td>
<td>116 South Royal Street, Alexandria VA 22314 US</td>
</tr>
<tr>
<td>ROBERT E MARTINEZ</td>
<td></td>
<td>P.O. Box 1475, Richmond VA 23218 US</td>
</tr>
<tr>
<td>HONORABLE TOM DAVIS</td>
<td>U.S. House of Representatives</td>
<td>Washington DC 20515-4611 US</td>
</tr>
<tr>
<td>MICHAEL P HARMONIS</td>
<td>Department of Justice</td>
<td>325 Seventh Street, NW, Washington DC 20530 US</td>
</tr>
<tr>
<td>JOSEPH R. POMPONIO</td>
<td>Federal Railroad Administration</td>
<td>400 7th St SW, Room 20, Washington DC 20590 US</td>
</tr>
<tr>
<td>MITCHELL M. KRAUS</td>
<td>Transportation &amp; Communications International</td>
<td>3 Research Place, Rockville MD 20850 US</td>
</tr>
<tr>
<td>WILLIAM W. WHITEHURST JR</td>
<td></td>
<td>4134 Grave Run Rd, Manchester MD 21102 US</td>
</tr>
<tr>
<td>LINDA A JANET J D</td>
<td>Maryland Office of Planning</td>
<td>301 West Preston Street, Baltimore MD 21201-2536 US</td>
</tr>
<tr>
<td>GARET G SMITH</td>
<td>Mobil Oil Corporation</td>
<td>3225 Gallows Rd, PM BA903, Fairfax VA 22037-0001 US</td>
</tr>
<tr>
<td>PETER Q. NYCE, JR.</td>
<td>U.S. Department of the Army</td>
<td>901 North Stuart Street, Arlington VA 22203 US</td>
</tr>
<tr>
<td>JENNIFER BRAUN</td>
<td>Jackson &amp; Jessup, P.C.</td>
<td>P.O. Box 1240, 3426 North Washington Boulevard, Arlington VA 22210 US</td>
</tr>
<tr>
<td>KENNETH E. SIEGEL</td>
<td>American Trucking Association</td>
<td>2200 Mill Road, Alexandria VA 22314-4677 US</td>
</tr>
<tr>
<td>HONORABLE GEORGE ALLEN</td>
<td>Governor, Commonwealth of Virginia</td>
<td>State Capitol, Richmond VA 23219 US</td>
</tr>
<tr>
<td>Name</td>
<td>Title</td>
<td>Address</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>--------------------------------</td>
<td>------------------------------------------------------------------------</td>
</tr>
<tr>
<td>George A Aspatoire</td>
<td>Honorable John Warner</td>
<td>P.O. Box 8617, 235 Federal Building, Abingdon, VA 24210-0887 US</td>
</tr>
<tr>
<td>Norfok Southern Corp</td>
<td>United States Senate</td>
<td>P.O. Box 3388, 145 Campbell Ave SW Ste 207, Roanoke, VA 24011 US</td>
</tr>
<tr>
<td>Terrell Ellis</td>
<td>Three Commercial Place</td>
<td>P.O. Box 176, Clay UV 25043 US</td>
</tr>
<tr>
<td>William T Bright</td>
<td>Two Commercial Place</td>
<td>P.O. Box 149, 200 Greenbrier Road, Summerville, WV 26651 US</td>
</tr>
<tr>
<td>Scott M Saylor</td>
<td>North Carolina Railroad Company</td>
<td>3200 Atlantic Av Ste 110, Raleigh, NC 27604-1640 US</td>
</tr>
<tr>
<td>Charles M Rosenberger</td>
<td>CSX Transportation</td>
<td>500 Water Street, Jacksonville, FL 32202 US</td>
</tr>
<tr>
<td>J L Rodgers</td>
<td>General Chairman UTU</td>
<td>480 Osceola Avenue, Jacksonville, FL 32250 US</td>
</tr>
<tr>
<td>Phillip L Bell</td>
<td>Erie Lackawanna Railroad Co</td>
<td>P.O. Box 1482, Tallahassee FL 32302 US</td>
</tr>
<tr>
<td>James L Belcher</td>
<td>Eastman Chemical Company</td>
<td>P.O. Box 431, Kingsport, TN 37662 US</td>
</tr>
<tr>
<td>J R Barbee</td>
<td>General Chairperson UTU</td>
<td>P.O. Box 9999, Knoxville, TN 37940 US</td>
</tr>
<tr>
<td>Honorable Paul E. Patton</td>
<td>Governor</td>
<td>700 Capitol Avenue, Ste. 100, Frankfort KY 40601 US</td>
</tr>
<tr>
<td>F R Pickell</td>
<td>General Chairperson UTU</td>
<td>6797 North High St Ste 108, Worthington OH 43085 US</td>
</tr>
<tr>
<td>L P King Jr</td>
<td>General Chairperson UTU</td>
<td>145 Campbell Ave SW Ste 207, Roanoke, VA 24011 US</td>
</tr>
<tr>
<td>Vaughn R Groves</td>
<td>General Chairperson UTU</td>
<td>P.O. Box 5100, Lebanon, VA 24266 US</td>
</tr>
<tr>
<td>R K Sargent</td>
<td>General Chairperson UTU</td>
<td>1319 Chestnut Street, Kenova, WV 25530 US</td>
</tr>
<tr>
<td>Frank M Jorgensen</td>
<td>The Elk River Railroad Inc</td>
<td>P.O. Box 460, Summerville, WV 26651 US</td>
</tr>
<tr>
<td>E Norris Tolson</td>
<td>NC Dept of Transportation</td>
<td>P.O. Box 25201, S. Wilington Street, Raleigh, NC 27611 US</td>
</tr>
<tr>
<td>Paul R. Hitchcock</td>
<td>CSX Transportation Law Department</td>
<td>500 Water Street SC J-150, Jacksonville FL 32202 US</td>
</tr>
<tr>
<td>J Randall Evans</td>
<td>General Chairperson UTU</td>
<td>500 Water Street (J150), Jacksonville FL 32202 US</td>
</tr>
<tr>
<td>J T Reed</td>
<td>General Chairperson UTU</td>
<td>7785 Baymeadows Way Ste 109, Jacksonville FL 32256 US</td>
</tr>
<tr>
<td>Honorable Lawton Chiles</td>
<td>Office of the Governor</td>
<td>The Capitol, Tallahassee FL 32399-0001 US</td>
</tr>
<tr>
<td>William L Osteen</td>
<td>Associate General Counsel, TVA</td>
<td>400 West Summit Hill Drive, Knoxville, TN 37902 US</td>
</tr>
<tr>
<td>Honorable Kirk Fordece, Governor</td>
<td>State of Mississippi</td>
<td>P.O. Box 139, Jackson MS 39205 US</td>
</tr>
<tr>
<td>William P Herran Jr</td>
<td>General Chairman</td>
<td>P.O. Box 180, Miliard, OH 43026 US</td>
</tr>
<tr>
<td>Thomas M O'Leary</td>
<td>Ohio Rail Development Commission</td>
<td>50 W Broad Street 15th Floor, Columbus OH 43215 US</td>
</tr>
</tbody>
</table>
SERVICE LIST FOR: 01-oct-1998 STB FA 33388 0 CSX CORPORATION AND CSX TRANSPORTATION

DOREEN C JOHNSON, CHIEF ANTITRUST SECTION
OHIO ATTY GENERAL OFFICE
30 E BROAD STREET 16TH FLOOR
COLUMBUS OH 43215 US

HONORABLE JOHN GLENN
U. S. SENATE ATTN: DAN EMMERINE
200 N HIGH STREET S-600
COLUMBUS OH 43215-2408 US

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

DALLAS DYSAR
IMOG
PO BOX 9508
300 CENTRAL UNION PLAZA
TOLEDO OH 43697-9508 US

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

CCLETTA MCNAMEE SYR
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

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

DAVID ROLOFF
GOLDSTEIN & ROLOFF
525 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 RN 200
EUCLID OH 44127 US

CHARLES ZUMKEHR
ROETZEL & ANDREWS 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

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 43663 US

ROBERT E GREENLESE
TOLEDO-LUCAS COUNTY PORT AUTHORITY
1 MARITIME PLAZA SUITE 700
TOLEDO OH 43669 US

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

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

CHRISTOPHER M MCCracken
ULMER & BERK: LLP
1300 EAST NINTH STREET SUITE 900
CLEVELAND OH 44114 US

INAOI DAVIS CHAPPELL
ASHA CHEMICALS INC
1300 EAST NINTH STREET SUITE 900
CLEVELAND OH 44116-1538 US

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

RANDALL C HUNT
KRUGLIAK, WILKINS, GRIFFITHS & DOUGHERTY CO.
P O BOX 36963
4775 MUNSON ST NW
CANTON OH 44735-6963 US
SERVICE LIST FOR: 01-Oct-1998 STB FD 33388 D CSX CORPORATION AND CSX TRANSPORTATION

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

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

RICHARD F. FRIEDMAN
EARL L NEAL & ASSOCIATES
111 WEST WASHINGTON STREET, STE 1700
CHICAGO IL 60601 US

ROGER A. SERPE
INDIANA HARBOR BELT RR
7200 S E的思想 TOWER
CHICAGO IL 60606 US

MYLES L TOBIN
ILLINOIS CENTRAL RAILROAD
455 NORTH CITYFRONT PLAZA DRIVE
CHICAGO IL 60611-5506 US

SCOTT A RONEY
ARCHER DANIELS MIDLAND COMPANY
P O BOX 1470
6666 FARIES PARKWAY
DECATUR IL 62525 US

R A GRICE
GENERAL CHAIRPERSON UTU
11017-F GRAVOIS INDUSTRIAL PLAZA
ST LOUIS MO 63128 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

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

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

KEVIN BRUBAKER
ENVIRONMENTAL LAW AND POLICY CENTER OF THE MI
203 NORTH LASALLE ST, SUITE 1390
CHICAGO IL 60601 US

RICHARD F. FRIEDMAN
INTERNATIONAL PORT DISTRICT (PORT F CHICAGO)
111 W WASHINGTON STREET SUITE 1700
CHICAGO IL 60602 US

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

SANDRA J. DEARDEN
MISCO 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 BOI AM
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

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

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

DENNIS A. GUTH
WEST LAKE GROUP
2001 POST OAK BLVD
HOUSTON TX 77056 US

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

10/01/1998 Page 14
SERVICE LIST FOR: 01-oct-1998 STB FD 33388 0  CSX CORPORATION AND CSX TRANSPORTATION

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: 366
On September 21, 1998, New England Central Railroad, Inc. (NECR) filed a petition (designated as NECR-10) for the Board to set one term of a trackage rights arrangement or to provide clarification with respect to the transaction we authorized in Decision No. 89, served July 23, 1998. In its petition, NECR indicates that, because the parties are close to reaching an agreement on all but one aspect of the trackage rights arrangement, it is presently asking for the Board's assistance only on that one matter. NECR also seeks a waiver of the September 21, 1998 deadline for bringing disputes to the Board in the event the parties are unable to agree on other aspects of the arrangement.

By letter dated September 21, 1998, CSX submitted a status report on its negotiations with NECR pursuant to Ordering Paragraph No. 64 in Decision No. 89, and addressed the issue raised by NECR. Referring to the issue as "extraneous," CSX states that it believes that all necessary trackage rights agreement terms have been or will shortly be agreed upon. According to CSX, the parties are still negotiating two items, which they hope to resolve without Board intervention. CSX therefore requests that the Board extend the Decision No. 89 deadline for concluding these trackage

---

1 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. In that decision, we also approved NECR's responsive application in Sub-No. 75 insofar as it seeks trackage rights between Palmer, MA, and West Springfield, MA. We required CSX and NECR to negotiate the details of such trackage rights and, if negotiations are not fully successful, to submit separate proposals no later than September 21, 1998. See Decision No. 89, slip op. at 105 and 180.
rights negotiations by 30 days to permit the parties to resolve those issues. CSX indicates its understanding that NECR concurs in this request.

We find the requests to extend the Decision No. 89 deadline to allow the parties to complete negotiations to be reasonable. We will grant a 30-day extension of the September 21, 1998 deadline.

It is ordered:

1. The deadline set forth in Decision No. 89, Ordering Paragraph 64, is extended 30 days to October 21, 1998. If any of the terms of the trackage rights arrangement between Palmer, MA, and West Springfield, MA, are not resolved through negotiations between CSX and NECR, the parties must submit separate proposals no later than October 21, 1998.

2. This decision is effective on its service date.

By the Board, Chairman Morgan and Vice Chairman Owen.

Vernon A. Williams
Secretary
SERVICE LIST FOR: 01-oct-1998 STB FD 33388 O CSX CORPORATION AND CSX TRANSPORTATION

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

JOHN R NADOLNY
BOSTON AND MAINE CORPORATION
IRON HORSE PARK
NORTH BILLERICA MA 01862 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 TRANSPRT
10 PARK PLAZA ROOM 3170
BOSTON MA 02116-3969 US

HON. EDWARD M KENNEDY
UNITED 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

ROBERT D ELDER
MAINE DEPARTMENT OF TRANSPORTATION
AUGUSTA ME 04333 US

JOHN X DUNLEAVY
ASSISTANT ATTORNEY GENERAL
133 STATE STREET STATE ADM BLDG
MONTPELIER VT 05633-5001 US

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

JAMES F SULLIVAN
CT DEPT OF TRANSPORTATION
P O BOX 317546
2800 SELLECK STREET
NEWINGTON CT 06131 US

EDWARD J RODRIGUEZ
NYK LINE (NORTH AMERICA) INC, SENIOR VICE PRE
67 MAIN STREET
SECAUCUS NJ 07094-1588 US

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

MICHAEL E STRICKLAND
NEWARK CENTER 17TH FLOOR
NEWARK NJ 07102 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 & BORGIA ESQS
PO BOX 376
71 MT VERNON STREET
RIDGEFIELD PARK NJ 07660 US

TERI LENHART
CONCERNED CITIZENS OF EAST RIVERTON
CINNAMINSON NJ 08077-1802 US

TINA G CHELIUS
18 N EAST AVENUE
VINELAND NJ 08360 US

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

ANTHONY P. SENANCIC
347 MADISON AVENUE
NEW YORK NY 10017-3706 US
SERVICE LIST FOR: OI-oct-1998 STB FO 33388 0 CSX CORPORATION AND "SX TRANSPORTATI

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

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

IRWIN L DAVIS
1000 STATE TOWER BLDG.
SYRACUSE NY 13202 US

GARY EDWARDS
SOMERSET RAILROAD
7725 LAKE ROAD
BARKER NY 14012 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

H DOUGLAS MIDKIFF
GENESSEE 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

M E PETRUCCELLI
PPG INDUSTRIES INC
31 31 PPG PLAZA
PITTSBURGH PA 15272 US

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

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

ZEE FRANK
2 WILLIS AVENUE PORT MORRIS
BRONX NY 10454-4417 US

HONORABLE ALFONSE M. D'AMATO
UNITED STATES SENATE
LEO O'BRIEN OFFICE BUILDING, ROOM 420
ALBANY NY 12207 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

HONORABLE ALFONSE D'AMATO
UNITED STATES SENATE
111 U. HURON STREET, ROOM 620
BUFFALO NY 14202 US

ERNEST J IEARSKI
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

R J HENEFELD
PPG INDUSTRIES INC
ONE PPG PLAZA
PITTSBURGH PA 15272 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

10/01/1998
<table>
<thead>
<tr>
<th>Name</th>
<th>Office</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>PATRICK R PLUMMER</td>
<td>GUERRIERI EDMONDO &amp; CLAYMAN PC</td>
<td>1331 F ST NW WASH DC 20004 US</td>
</tr>
<tr>
<td>DENNIS G LYONS</td>
<td>ARNOLD &amp; PORTER</td>
<td>555 TWELFTH STREET NW WASHINGTON DC 20004 US</td>
</tr>
<tr>
<td>DREW A HARKER</td>
<td>ARNOLD &amp; PORTER</td>
<td>555 TWELFTH STREET NW WASHINGTON DC 20004 US</td>
</tr>
<tr>
<td>GEORGE W MAYO JR</td>
<td>HOGAN &amp; HARTSON L L P</td>
<td>555 THIRTEENTH STREET NW COLUMBIA SQUARE WASHINGTON DC 20004-1109 US</td>
</tr>
<tr>
<td>MARY GABRIELLE SPRAGUE</td>
<td>ARNOLD &amp; PORTER</td>
<td>555 TWELFTH STREET NW WASHINGTON DC 20004-1202 US</td>
</tr>
<tr>
<td>WILLIAM W MILLAR</td>
<td>AMERICAN PUBLIC TRANSIT ASSOCIATION</td>
<td>1201 NEW YORK AVE., NW WASHINGTON DC 20005 US</td>
</tr>
<tr>
<td>EDWARD WYKIND, EXECUTIVE DIRECTOR</td>
<td>LARRY J WILLIS ESQ TRANSP TRADES DEPT AFLCI</td>
<td>1000 VERMONT AVENUE, NW STE 900 WASHINGTON DC 20005 US</td>
</tr>
<tr>
<td>KEVIN M SHEYS</td>
<td>OPPENHEIMER WOLFF &amp; DONELLY &amp; BAYH LLP</td>
<td>1350 EYE STREET, N.W., STE 200 WASHINGTON DC 20005 US</td>
</tr>
<tr>
<td>ROSE-MICHELE WEINRYB</td>
<td>WEINER BRODSKY SIDMAN &amp; KIDER</td>
<td>1350 NEW YORK AVENUE NW WASHINGTON DC 20005 US</td>
</tr>
<tr>
<td>PAUL M LAURENZA</td>
<td>OPPENHEIMER WOLFF &amp; DONELLY &amp; BAYH LLP</td>
<td>1350 EYE STREET, N.W., STE 200 WASHINGTON DC 20005 US</td>
</tr>
<tr>
<td>DANIEL DUFF</td>
<td>AMERICAN PUBLIC TRANSIT ASSOCIATION</td>
<td>1201 NEW YORK AV NW WASHINGTON DC 20005 US</td>
</tr>
<tr>
<td>LOUIS E GITOMER</td>
<td>BALL JANIK LLP</td>
<td>1455 F STREET NW SUITE 225 WASHINGTON DC 20005 US</td>
</tr>
<tr>
<td>L JOHN OSBORN</td>
<td>SONNENSCHEIN NATH &amp; ROSENTHAL</td>
<td>1301 K STREET NW STE 600 EAST WASH DC 20005 US</td>
</tr>
<tr>
<td>JOHN H BROADLEY</td>
<td>JENNER &amp; BLOCK</td>
<td>601 13TH ST NW 12TH FL WASHINGTON DC 20005 US</td>
</tr>
<tr>
<td>KARL MORELL</td>
<td>BALL JANIK LLP</td>
<td>1455 F STREET NW SUITE 225 WASHINGTON DC 20005 US</td>
</tr>
<tr>
<td>ALICE C SAYLOR</td>
<td>THE AMERICAN SHORT LINE RAILROAD ASSOCIATION</td>
<td>1120 G STREET, N. W., SUITE 520 WASHINGTON DC 20005 US</td>
</tr>
<tr>
<td>CLARK EVANS DOWNS</td>
<td>JONES DAY REAVIS &amp; POGUE</td>
<td>1450 G STREET NW WASHINGTON DC 20005-2088 US</td>
</tr>
<tr>
<td>WILLIAM A MULLINS</td>
<td>TROUTMAN SANDERS LLP</td>
<td>1300 I STREET NW SUITE 500 EAST WASHINGTON DC 20005-3514 US</td>
</tr>
<tr>
<td>PAUL H LAMBOLEY</td>
<td>1350 EYE STREET, N.W., STE 200</td>
<td>WASHINGTON DC 20005-3324 US</td>
</tr>
<tr>
<td>FRITZ R KAHN</td>
<td>1100 NEW YORK AVENUE NW SUITE 750 WEST</td>
<td>WASHINGTON DC 20005-3934 US</td>
</tr>
<tr>
<td>JEFFREY O MORENO</td>
<td>DONELAN CLEARY WOOD MASER</td>
<td>1100 NEW YORK AVENUE N W, SUITE 750 WASHINGTON DC 20005-3934 US</td>
</tr>
<tr>
<td>KARYN A BOOTH</td>
<td>DONELAN, CLEARY, WOOD &amp; MASER, P.C.</td>
<td>1100 NEW YORK AVE NW SUITE 750 WASHINGTON DC 20005-3934 US</td>
</tr>
<tr>
<td>FREDERIC L WOOD</td>
<td>DONELAN CLEARY WOOD &amp; MASER P C</td>
<td>1100 NEW YORK AVENUE NW SUITE 750 WASHINGTON DC 20005-3934 US</td>
</tr>
<tr>
<td>NICHOLAS J DIMICHAEL</td>
<td>DONELAN CLEARY WOOD &amp; MASER PC</td>
<td>1100 NEW YORK AVENUE N W STE 750 WASHINGTON DC 20005-3934 US</td>
</tr>
<tr>
<td>JOHN K MASER III</td>
<td>DONELAN CLEARY WOOD &amp; MASER P C</td>
<td>1100 NEW YORK AVE NW SUITE 750 WASHINGTON DC 20005-3934 US</td>
</tr>
<tr>
<td>MARK H SIDMAN</td>
<td>WEINER BRODSKY, SIDMAN &amp; KIDER</td>
<td>1350 NEW YORK AVE., NW., STE. 800 WASHINGTON DC 20005-4797 US</td>
</tr>
<tr>
<td>Name</td>
<td>Position</td>
<td>Address</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-----------------------------------------------</td>
<td>---------------------------------------</td>
</tr>
<tr>
<td>HONORABLE J. ROBERT KERRY</td>
<td>UNITED STATES SENATE</td>
<td>WASH DC 20510 US</td>
</tr>
<tr>
<td>HONORABLE BOB GRAHAM</td>
<td>UNITED STATE SENATE</td>
<td>WASHINGTON DC 20510 US</td>
</tr>
<tr>
<td>HON. CHARLES ROBB</td>
<td>UNITED STATES SENATE</td>
<td>WASHINGTON DC 20510 US</td>
</tr>
<tr>
<td>HON WILLIAM V. ROTH JR</td>
<td>U S SENATE</td>
<td>WASHINGTON DC 20510-0001 US</td>
</tr>
<tr>
<td>HON CHRISTOPHER J DODD</td>
<td>UNITED STATE SENATE</td>
<td>WASH DC 20510-0702 US</td>
</tr>
<tr>
<td>HONORABLE CONNIE MACK</td>
<td>UNITED STATES SENATE</td>
<td>WASHINGTON DC 20510-0904 US</td>
</tr>
<tr>
<td>HON ARLEN SPECTER</td>
<td>UNITED STATES SENATE</td>
<td>WASHINGTON DC 20510-3802 US</td>
</tr>
<tr>
<td>HONORABLE JOHN H. CHAFEE</td>
<td>UNITED STATES SENATE</td>
<td>WASHINGTON DC 20510-3902 US</td>
</tr>
<tr>
<td>SENATOR ROBERT BYRD</td>
<td>UNITED STATE SENATE</td>
<td>WASHINGTON DC 20510-6025 US</td>
</tr>
<tr>
<td>HON NANCY JOHNSON</td>
<td>UNITED STATES HOUSE OF REPRESENTATIVES</td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON VIC FAZIO</td>
<td>UNITED STATES HOUSE OF REPRESENTATIVES</td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON. TOM BILIEY</td>
<td>U S HOUSE OF REPRESENTATIVES</td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON. THOMAS C SAUWER</td>
<td>U S HOUSE OF REPRESENTATIVES</td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON. MIKE DAVIEKE</td>
<td>U S SENATE</td>
<td>WASHINGTON DC 20510 US</td>
</tr>
<tr>
<td>HONORABLE ALFONSE M D'AMATO</td>
<td>UNITED STATES SENATE</td>
<td>WASHINGTON DC 20510 US</td>
</tr>
<tr>
<td>HON. JOSEPH BIDEN, JR.</td>
<td>UNITED STATES SENATE</td>
<td>WASHINGTON DC 20510 US</td>
</tr>
<tr>
<td>HONORABLE DANIEL P. MOYNIHAN</td>
<td>UNITED STATE SENATE</td>
<td>WASHINGTON DC 20510-0903 US</td>
</tr>
<tr>
<td>HONORABLE JOHN BREAU</td>
<td>UNITED STATES SENATE</td>
<td>WASHINGTON DC 20510-1803 US</td>
</tr>
<tr>
<td>HON RICK SANTORUM</td>
<td>UNITED STATES SENATE</td>
<td>WASHINGTON DC 20510-3804 US</td>
</tr>
<tr>
<td>HON JACK REED</td>
<td>U S SENATE</td>
<td>WASHINGTON DC 20510-3903 US</td>
</tr>
<tr>
<td>HON LEE N. HAMILTON</td>
<td>UNITED STATES HOUSE OF REPRESENTATIVES</td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE MAJOR R. OWENS</td>
<td>UNITED STATES HOUSE OF REPRESENTATIVES</td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON. WILLIAM O. LIPINSKI</td>
<td>U S HOUSE OF REPRESENTATIVES</td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON MARCY KAPITUR</td>
<td>U S HOUSE OF REPRESENTATIVES</td>
<td>WASHINGTON DC 20515 US</td>
</tr>
</tbody>
</table>

10/01/1998
SERVICE LIST FOR: 01-oct-1998 STB FD 33388 0  CSX CORPORATION AND CSX TRANSPORTATION

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 DAVID L HOBSON  
US HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

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

HONORABLE FRANK D. RIGGS  
U. S. HOUSE OF REPRESENTATIVES  
WASHINGTON DC 20515 US

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

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

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

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

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

HONERABLE 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

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

HONORABLE TILLIE K FOWLER  
U.S. 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  
WASHINGTON DC 20515 US

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

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

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

HON ROBERT G TORRICELLI  
UNITED STATES SENATE  
WASHINGTON DC 20515 US

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

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

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

10/01/1998
SERVICE LIST FOR: 01-Oct-1998 STB FO 33388 O CSX CORPORATION AND CSX TRANSPORTATION

GEORGE A ASPATORE
NORFOLK SOUTHERN CORP
THREE COMMERCIAL 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
PITTSBURN COAL COMPANY
PO BOX 5100
LEBANON VA 24266 US

TERRELL ELLIS
CMAZ
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
RALEIGH 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. MICHIE
CSX TRANSPORTATION LAW DEPARTMENT
500 WATER STREET # 150
JACKSONVILLE FL 32202 US

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

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

J L ROGERS
GENERAL CHAIRMAN UTU
480 OCEOLA AVENUE
JACKSONVILLE FL 32250 US

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

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

HONORABLE LAWTON CHILES
OFFICE OF THE GOVERNOR
THE CAPITOL
TALLAHASSEE FL 32399-0001 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 HERMAN 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
SERVICE LIST FOR: 01-oct-1998 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATION

DORRIS C JOHNSON, CHIEF ANTITRUST SECTION
OHIO ATTORNEY GENERAL OFFICE
30 E BROAD STREET 16TH FLOOR
COLUMBUS OH 43215 US

HONORABLE JOHN GLENN
U. S. SENATE ATTN: DAN EMERINE
200 N HIGH STREET S-600
COLUMBUS OH 43215-2408 US

HONORABLE JOHNNY JOHNSON, CHIEF ANTITRUST SECTION
OHIO ATTY GENERAL OFFICE
30 E BROAD STREET 16TH FLOOR
COLUMBUS OH 43215 US

ROBERT J COOPER
GENERAL CHAIRPERSON UTU
1238 CESS 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

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

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

DAVID ROLLOFF
GOLDSTEIN & ROLLOFF
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 NW 200
EUCLID OH 44132 US

CHARLES ZUMKEHR
ROETZEL & ANDREWS 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

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

JAMES R JACOBS
JACOBS INDUSTRIES
2 QUARRY LANE
STONY RIDE OH 43463 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

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

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

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

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

GARY A EBERG
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 HUNSON ST NW
CANTON OH 44735-6963 US

10/01/1998
SERVICE LIST FOR: 01-oct-1998 STB FD 33388 O

CSX CORPORATION AND CSX TRANSPORTATION

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

CHRISTINE H. R. SOSO
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 FLOOR
CHICAGO IL 60606-6710 US

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

ROGER A. SERPE
INDIANA HARBOR BELT RR
175 WEST JACKSON BOULEVARD SUITE 1460
CHICAGO IL 60604 US

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

MYLLE 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

R A CICE
GENERAL CHAIRPERSON UTU
11017-F GRAVOS INDUSTRIAL PLAZA
ST LOUIS MO 63128 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

DAVID L HALL
COMMONWEALTH CONSULTING ASSOCIATES
13103 FM 1900 WEST SUITE 204
HOUSTON TX 77065-4069 US

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

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

KEVIN BRUBAKER
ENVIRONMENTAL LAW AND POLICY CENTER OF THE MI
203 NORTH LASALLE ST, SUITE 1390
CHICAGO IL 60601 US

RICHARD F FRIEDMAN
INTERNATIONAL PORT DISTRICT (PORT F CHICAGO)
111 W WASHINGTON STREET SUITE 1700
CHICAGO IL 60602 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 62704 US

IAN MUIR
BUNGE CORPORATION
P.O. BOX 25500
ST LOUIS MO 63146 US

HENRY T DART
PLAINTIFF MANAGEMENT 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

MONTY L PARKER
CMC STEEL GROUP
P.O. BOX 911
SEGuin TX 78156 US
NOTICE

Court actions, entitled as shown below,
were instituted on or about September 18, 1998
involving the above-entitled proceeding:

No. 98-1440
WHEELING & LAKE ERIE RAILWAY CORPORATION

No. 98-1441
NATIONAL INDUSTRIAL TRANSPORTATION LEAGUE

---

Pursuant to the September 21, 1998 order of the United States Court of Appeals for the D.C. Circuit, all of these petitions for review were consolidated with case No. 98-1371, APL Limited v. Surface Transportation Board and United States of America. The Board has already filed a motion for the APL Limited case to be transferred to the United States Court of Appeals for the Second Circuit, where the first petition for review of STB Finance Docket No. 33388 was filed.
No. 98-1443

NATIONAL LIME & STONE COMPANY

v.

The Surface Transportation Board
and United States of America

before the
United States Court of Appeals for the District of Columbia Circuit

VERNON A. WILLIAMS
Secretary
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stephen M Fontaine</td>
<td>Massachusetts Central Railroad Corporation, One Willbraham Street, Palmer MA 01069 US</td>
</tr>
<tr>
<td>Richard R. Keneally, Jr</td>
<td>Conservation Law Foundation, 62 Summer Street, Boston MA 02110 US</td>
</tr>
<tr>
<td>William D Ankner PhD</td>
<td>R I Dept of Transportation, Two Capitol Hill, Providence RI 02903 US</td>
</tr>
<tr>
<td>John K Dunleavy</td>
<td>Assistant Attorney General, 133 State Street State Arm Bldg, Montpelier VT 05633-5001 US</td>
</tr>
<tr>
<td>James F Sullivan</td>
<td>CT Dept of Transportation, P O Box 317546, 2800 Berlin Turnpike, Newington CT 06151 US</td>
</tr>
<tr>
<td>Richard C Carpenter</td>
<td>Southwestern Regional Planning Agency, 1 Sellick Street Suite 210, East Normalk CT 06855 US</td>
</tr>
<tr>
<td>HONORABLE Robert G. Torricelli</td>
<td>United States Senate, 1 River Front Plaza, 3rd Floor, Newark NJ 07101. US</td>
</tr>
<tr>
<td>EWILL T Lloyd</td>
<td>Rutgers Environmental Law Clinic, 15 Washington Street, Newark NJ 07102 US</td>
</tr>
<tr>
<td>Martin T Durkin Esg</td>
<td>Durkin &amp; Boggia Esq, PO Box 378, 71 Mt Vernon Street, Ridgefield Park NJ 07660 US</td>
</tr>
<tr>
<td>Timothy G Chelius</td>
<td>18 N East Avenue, Vineland NJ 08360 US</td>
</tr>
<tr>
<td>John F. McHugh</td>
<td>Mchugh &amp; Sherman, 20 Exchange Place 51st Floor, New York NY 10005 US</td>
</tr>
<tr>
<td>John R Nadolny</td>
<td>Boston and Maine Corporation, Iron Horse Park, North BillERICA MA 01862 US</td>
</tr>
<tr>
<td>James E Howard</td>
<td>90 Canal Street, Boston MA 02114 US</td>
</tr>
<tr>
<td>Hop. Edward M Kennedy</td>
<td>United States Senate, 2400 John F Kennedy Federal Bldg, Boston MA 02203 US</td>
</tr>
<tr>
<td>Robert D Elder</td>
<td>Maine Department of Transportation, 16 State House Station, Augusta ME 04333 US</td>
</tr>
<tr>
<td>Karen E Songhurst</td>
<td>State of Vermont, 133 State Street, Montpelier VT 05633-5001 US</td>
</tr>
<tr>
<td>Edward J Rodriguez</td>
<td>P.O. Box 298, 67 Main Street, Centerbrook CT 06409 US</td>
</tr>
<tr>
<td>Michael E Strickland</td>
<td>NYK Line (North America) Inc, Senior Vice Pre, 300 Lighting Way, Secaucus NJ 07094-1588 US</td>
</tr>
<tr>
<td>J William Van Dyke</td>
<td>NJ Transportation Planning Authority, One Newark Center 17th Floor, Newark NJ 07102 US</td>
</tr>
<tr>
<td>Philip Sido</td>
<td>Union Camp Corporation, 1600 Valley Road, Wayne NJ 07470 US</td>
</tr>
<tr>
<td>Teri Lenhart</td>
<td>Concerned Citizens of East Riverton, 1220 Bannard Street, Cinnaminson NJ 08077-1802 US</td>
</tr>
<tr>
<td>Lawrence Pepper, Jr</td>
<td>Grucciio Pepper, 817 East Lands Ave, Vineland NJ 08360 US</td>
</tr>
<tr>
<td>Anthony Bottalico</td>
<td>UTU, 420 Lexington Avenue Room 458-460, New York NY 10017 US</td>
</tr>
<tr>
<td>Anthony P. Semancik</td>
<td>347 Madison Avenue, New York NY 10017-3706 US</td>
</tr>
<tr>
<td>Name</td>
<td>Address</td>
</tr>
<tr>
<td>----------------------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>James W Harris</td>
<td>The Metropolitan Planning Organization, 1 World Trade Center Ste 82 East</td>
</tr>
<tr>
<td>R. Lawrence McCaffrey, Jr.</td>
<td>New York &amp; Atlantic Railway, 405 Lexington Avenue 50th Floor</td>
</tr>
<tr>
<td>James U Harris</td>
<td>The Metropolitan Planning Organization, 35 Fuller Road Suite 205</td>
</tr>
<tr>
<td>H. Laurence Walsh</td>
<td>Business Council of New York State, Inc., 152 Washington Avenue</td>
</tr>
<tr>
<td>Irwin L Davis</td>
<td>1900 State Tower Bldg., Syracuse</td>
</tr>
<tr>
<td>Gary Edwards</td>
<td>Somerset Railroad, 7725 Lake Road</td>
</tr>
<tr>
<td>John F Collins</td>
<td>Collins, Collins, &amp; Kantor PC, 267 North Street</td>
</tr>
<tr>
<td>R W Godwin</td>
<td>Brotherhood of Locomotive Engineers, 810 Abbott Road Suite 200</td>
</tr>
<tr>
<td>H Douglas Midkiff</td>
<td>Genesee Transportation Council, 65 West Broad St Suite 101</td>
</tr>
<tr>
<td>David W Donley</td>
<td>3361 Stafford St, Pittsburgh</td>
</tr>
<tr>
<td>John A Vuono</td>
<td>Vuono &amp; Gray, 2310 Grant Building, Pittsburgh</td>
</tr>
<tr>
<td>M E Petruccelli</td>
<td>PPG Industries Inc, 1 PPG Place</td>
</tr>
<tr>
<td>D W Dunlevy</td>
<td>State Legislative Director UTU, 230 State Street, PA AFL-CIO Bldg 2nd Floor</td>
</tr>
<tr>
<td>Hugh H. Welsh</td>
<td>Law Dept., Suite 67E, One World Trade Center</td>
</tr>
<tr>
<td>Zee Frank</td>
<td>2 Willis Avenue Port Morris, Bronx</td>
</tr>
<tr>
<td>Honorable Alfonse M. Di'Amato</td>
<td>United States Senate, Leo O'Brien Office Building, Room 420</td>
</tr>
<tr>
<td>Diane Seitz</td>
<td>Central Hudson Gas &amp; Electric Corp, 284 South Avenue</td>
</tr>
<tr>
<td>Angelo J Chick</td>
<td>Local Chairman, P.O. Box 908</td>
</tr>
<tr>
<td>Sheila Meck Hyde</td>
<td>City Hall, 342 Central Avenue</td>
</tr>
<tr>
<td>Honorable Alfonse D'Amato</td>
<td>United States Senate, 111 W Huron Street, Room 620</td>
</tr>
<tr>
<td>Ernest J Jerardi</td>
<td>Nixony Hargrave Devans Doyle LLP, 107 Grant Court</td>
</tr>
<tr>
<td>Jeanne Waldock</td>
<td>107 Grant Court</td>
</tr>
<tr>
<td>Henry M. Wick, Jr.</td>
<td>Wick, Streiff, et al, 1450 Two Chatham Center</td>
</tr>
<tr>
<td>R J Henefeld</td>
<td>PPG Industries Inc, One PPG Place</td>
</tr>
<tr>
<td>Richard R Wilson</td>
<td>1126 Eight AV Ste 403, Altoona</td>
</tr>
<tr>
<td>Kurt W Carr</td>
<td>Bureau for Historic Preservation, P.O. Box 1026</td>
</tr>
</tbody>
</table>

09/25/1998
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Honorable Thomas J Ridge</td>
<td>Governor, Commonwealth of Pennsylvania</td>
</tr>
<tr>
<td></td>
<td>225 Main Capitol Building</td>
</tr>
<tr>
<td></td>
<td>Harrisburg PA 17120 US</td>
</tr>
<tr>
<td>Belnap Freeman</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Belnap Freeman</td>
<td></td>
</tr>
<tr>
<td></td>
<td>119 Hickory Lane</td>
</tr>
<tr>
<td></td>
<td>Rosemont PA 19010 US</td>
</tr>
<tr>
<td>John J Grocki</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>G Craig Schelter</td>
<td>Philadelphia Industrial Development Corporation</td>
</tr>
<tr>
<td></td>
<td>2600 Centre Square West 500 Market St</td>
</tr>
<tr>
<td></td>
<td>Philadelphia PA 19102 US</td>
</tr>
<tr>
<td>John J Ehlinger Jr</td>
<td>Obermayer Rebmann Maxwell &amp; Hippel</td>
</tr>
<tr>
<td></td>
<td>1617 John F. Kennedy Blvd One Penn Center-191</td>
</tr>
<tr>
<td></td>
<td>Philadelphia PA 19103-1895 US</td>
</tr>
<tr>
<td>John J Coscia, Executive Dir</td>
<td>Delaware Valley Regional Planning Commission</td>
</tr>
<tr>
<td></td>
<td>111 South Independence Mall East</td>
</tr>
<tr>
<td></td>
<td>Philadelphia PA 19106 US</td>
</tr>
<tr>
<td>Eric M Hocky</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>J E Thomas</td>
<td>Hercules Incorporated</td>
</tr>
<tr>
<td></td>
<td>1313 North Market St</td>
</tr>
<tr>
<td></td>
<td>Wilmington DE 19894 US</td>
</tr>
<tr>
<td>Frederick H Schranck</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Martin W Bercovici</td>
<td>Keller &amp; Heckman, LLP</td>
</tr>
<tr>
<td></td>
<td>1001 G St NW Suite 500 West</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20001 US</td>
</tr>
<tr>
<td>Peter A Gilbertson</td>
<td>Regional RRS of America</td>
</tr>
<tr>
<td></td>
<td>122 C St NW Suite 850</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20001 US</td>
</tr>
<tr>
<td>Richard G Slattery</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Joseph Guerrieri, Jr</td>
<td>Edmond &amp; Clayman, PC</td>
</tr>
<tr>
<td></td>
<td>1331 F Street N W 4th Floor</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20002 US</td>
</tr>
</tbody>
</table>

09/25/1998 Page 3
SERVICE LIST FOR: 25-sep-1998 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATION

PATRICK R PLUMMER
GUERRIERI EDMOND & CLAYMAN PC
1331 F ST NW
WASHINGTON DC 20004 US

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

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

EDWARD WYKIND, EXECUTIVE DIRECTOR
LARRY J WILLIS ESQ TRANSP TRADES DEPT AFLCIO
1000 VERMONT AVENUE, NW STE 900
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 AVE, NW
WASHINGTON DC 20005 US

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

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

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

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

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

DENNIS G CYONS
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

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

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

PAUL N 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

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

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

09/25/1998 Page 4
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANDREW P GOLDSTEIN</td>
<td>MCCARTHY Sweeney HARKAWAY, PC</td>
<td>WASHINGTON</td>
<td>DC</td>
<td>20006</td>
</tr>
<tr>
<td>ANDREW R. PLUMP</td>
<td>ZUCKERT, SCOTT &amp; RASENBERGER, LLP</td>
<td>WASHINGTON</td>
<td>DC</td>
<td>20006</td>
</tr>
<tr>
<td>ROBERT P VON EIGEN</td>
<td>HOPKINS AND SUTTER</td>
<td>WASHINGTON</td>
<td>DC</td>
<td>20006</td>
</tr>
<tr>
<td>JAMES R WEISS</td>
<td>PRESTON GATES ELLIS ET AL</td>
<td>WASHINGTON</td>
<td>DC</td>
<td>20006</td>
</tr>
<tr>
<td>DANIEL J Sweeney</td>
<td>MCCARTHY Sweeney &amp; HARKAWAY, PC</td>
<td>WASHINGTON</td>
<td>DC</td>
<td>20006</td>
</tr>
<tr>
<td>RICHARD A ALLEN</td>
<td>ZUCKERT, SCOTT &amp; RASENBERGER, LLP</td>
<td>WASHINGTON</td>
<td>DC</td>
<td>20006</td>
</tr>
<tr>
<td>CHARLES A SPITULNIK</td>
<td>HOPKINS &amp; SUTTER</td>
<td>WASHINGTON</td>
<td>DC</td>
<td>20006</td>
</tr>
<tr>
<td>SHERRI LEHMAN</td>
<td>DIRECTOR OF CONGRESSIONAL AFFAIRS</td>
<td>WASHINGTON</td>
<td>DC</td>
<td>20006</td>
</tr>
<tr>
<td>DAVID K MONROE</td>
<td>GALLAND KHARASCH &amp; GARFINKLE, PC</td>
<td>WASHINGTON</td>
<td>DC</td>
<td>20007</td>
</tr>
<tr>
<td>EDWARD D GREENBERG</td>
<td>GALLAND KHARASCH &amp; GARFINKLE, PC</td>
<td>WASHINGTON</td>
<td>DC</td>
<td>20007</td>
</tr>
<tr>
<td>PAUL M DONOVAN</td>
<td>LARGE, WINN, MOERMAN &amp; DONOVAN</td>
<td>WASHINGTON</td>
<td>DC</td>
<td>20016</td>
</tr>
<tr>
<td>GORDON P MACDOUGALL</td>
<td>1025 CONNECTICUT AVE NW SUITE 410</td>
<td>WASHINGTON</td>
<td>DC</td>
<td>20036</td>
</tr>
<tr>
<td>WILLIAM G. MAHONEY</td>
<td>HIGHSAW, MAHONEY &amp; CLARKE</td>
<td>WASHINGTON</td>
<td>DC</td>
<td>20036</td>
</tr>
<tr>
<td>HAROLD P QUINN, JR</td>
<td>NATIONAL MINING ASSOCIATION</td>
<td>WASHINGTON</td>
<td>DC</td>
<td>20036</td>
</tr>
<tr>
<td>STEPHEN H BROWN</td>
<td>VORYS SATER SEYMOUR AND PEASE</td>
<td>WASHINGTON</td>
<td>DC</td>
<td>20036</td>
</tr>
</tbody>
</table>

09/25/1998 Page 5
SERVICE LIST FOR: 25-sep-1998 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATION

KEITH G O'BRIEN
REA, CROSS & AUCHINCLOSS
1707 L STREET, N.W., STE 570
WASH DC 20036 US

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

ROBERT A WIMBISH ESO
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

KELVIN J DOWD
SLOVER & LOFTUS
1224 17TH STREET N W
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 SWEENY HARKAWAY PC
1750 PENNSYLVANIA AVE N W SUITE 1105
WASHINGTON DC 20036 US

PAUL A CUNNINGHAM
HARKINS CUNNINGHAM
1300 NINETEENTH STREET, NW STE. 600
WASHINGTON DC 20036-1609 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

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
OPPENHEIM 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

ARVID E ROACH II
COVINGTON & BURLING
PO BOX 7566
1201 PENNSYLVANIA AVE N W
WASHINGTON DC 20004-7566 US

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

THOMAS A O'BRIEN
US DEPARTMENT OF AGRICULTURE
P O BOX 96456
WASHINGTON DC 20090-6456 US

EILEEN S STOMMES
P O BOX 96456
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. JOHN GLENN
UNITED STATES SENATE
WASHINGTON DC 20510 US

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

HON. DAN COATS
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
SERVICE LIST FOR: 25-Sep-1998 STB F0 33388

HONORABLE J. ROBERT KERRY
UNITED STATES SENATE
WASH DC 20510 US

HON MIKE DEWINE
U S SENATE
WASHINGTON DC 20510 US

HONORABLE BOB GRAHAM
UNITED STATE SENATE
WASHINGTON DC 20510 US

HONORABLE ALFONSE M D'AMATO
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. CHARLES ROBB
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 STATE 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

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

SENATOR ROBERT BYRD
UNITED STATE SENATE
WASHINGTON DC 20510-6025 US

HON. LEE N. HAMILTON
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

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

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

HON VIC Fazio
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

HONORABLE SAM GEJDENSON
U S 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

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

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

09/25/1998
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>Honorable Frank D. Riggs</td>
<td>U.S. House of Representatives</td>
<td>Honorable John D. Dingell</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>Hon. Dennis J Kucinich</td>
<td>United States House</td>
<td>Honorable Saxby Chambliss</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Representatives</td>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td>Honorable Frank Mascara</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td></td>
<td>Wash DC 20515 US</td>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>Honorable Peter J. Visclosky</td>
<td>U.S. House of Representatives</td>
<td>Hon. William J. Coyne</td>
<td>United States House</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>Hon. Robert G Torricelli</td>
<td>United States Senate</td>
<td>Hon. Carolyn B Maloney</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
</tbody>
</table>
SERVICE LIST FOR: 25-sep-1998 STB FD 33388 O CSX CORPORATION AND CSX TRANSPORTATION

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

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

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

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

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

JOHN HOY
P O BOX 117
GLEN BURNIE MD 21060 US

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

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

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

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

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

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

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

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

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

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

GARRET G SMITH
MOBIL GIL CORPORATION
3225 GALLOWS RD RM 9403
FAIRFAX VA 22037-0001 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

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

HONORABLE GEORGE ALLEN
GOVERNOR, COMMONWEALTH OF VIRGINIA
STATE CAPITOL
RICHMOND VA 23219 US
SERVICE LIST FOR: 25-Sep-1998 STB FD 33388

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>George A. Aspatore</td>
<td>General Chairperson UTU</td>
<td>Norfolk Southern Corp, Three Commercial Place, Norfolk VA 23510 US</td>
</tr>
<tr>
<td>L. P. King Jr.</td>
<td>General Chairperson UTU</td>
<td>145 Campbell Ave SW Ste 207, Roanoke VA 24011 US</td>
</tr>
<tr>
<td>Honor. John Warner</td>
<td>United States Senate</td>
<td>P.O. Box 8817, 235 Federal Building, Abingdon, VA 24210-0887 US</td>
</tr>
<tr>
<td>R. E. Groves</td>
<td>General Chairperson UTU</td>
<td>P.O. Box 5100, Lebanon VA 24266 US</td>
</tr>
<tr>
<td>Terrell Ellis</td>
<td>General Chairperson UTU</td>
<td>Caiezv P.O. Box 176, Clay WV 25043 US</td>
</tr>
<tr>
<td>Frank N. Jorgensen</td>
<td>General Chairperson UTU</td>
<td>P.O. Box 460, Summersville WV 26651 US</td>
</tr>
<tr>
<td>William T. Bright</td>
<td>General Chairperson UTU</td>
<td>P.O. Box 149, 200 Greenbrier Rd, Summersville WV 26651 US</td>
</tr>
<tr>
<td>Scott M. Saylor</td>
<td>General Chairperson UTU</td>
<td>North Carolina Railroad Company, P.O. Box 11369, Columbia, SC 29211 US</td>
</tr>
<tr>
<td>E. Norris Tolson</td>
<td>Office of the Governor</td>
<td>500 Water St SC J-150, Jacksonville, FL 32202 US</td>
</tr>
<tr>
<td>Honor. David M. Beasley</td>
<td>General Chairperson UTU</td>
<td>P.O. Box 11369, Columbia, SC 29211 US</td>
</tr>
<tr>
<td>Paul R. Hitchcock</td>
<td>CSX Transportation Law Dept.</td>
<td>P.O. Box 25201, 1 S. Wilmington Street, Raleigh NC 27661 US</td>
</tr>
<tr>
<td>Charles M. Rosenberger</td>
<td>General Chairperson UTU</td>
<td>P.O. Box 460, Summersville WV 26651 US</td>
</tr>
<tr>
<td>J. L. Rogers</td>
<td>General Chairperson UTU</td>
<td>480 Osceola Ave., Jacksonville, FL 32250 US</td>
</tr>
<tr>
<td>J. T. Reed</td>
<td>General Chairperson UTU</td>
<td>7785 Baymeadows Way Ste 109, Jacksonville, FL 32256 US</td>
</tr>
<tr>
<td>Phillip L. Bell</td>
<td>Erie Lackawanna Railroad Co.</td>
<td>P.O. Box 1462, Tallahassee FL 32302 US</td>
</tr>
<tr>
<td>J. A. Belcher</td>
<td>Eastman Chemical Company</td>
<td>P.O. Box 431, Kingsport TN 37662 US</td>
</tr>
<tr>
<td>James L. Osteen</td>
<td>Associate General Counsel TVA</td>
<td>400 West Summit Hill Drive, Knoxville TN 37902 US</td>
</tr>
<tr>
<td>J. R. Barbee</td>
<td>General Chairperson UTU</td>
<td>P.O. Box 9599, Knoxville TN 37940 US</td>
</tr>
<tr>
<td>Honorable Paul E. Patton</td>
<td>Governor</td>
<td>700 Capitol Ave., Ste. 100, Frankfort KY 40601 US</td>
</tr>
<tr>
<td>William P. Herman Jr.</td>
<td>General Chairman</td>
<td>P.O. Box 180, Hilliard OH 43026 US</td>
</tr>
<tr>
<td>F. R. Pickell</td>
<td>General Chairperson UTU</td>
<td>6797 North High St Ste 108, Worthington OH 43085 US</td>
</tr>
<tr>
<td>Thomas M. O'Leary</td>
<td>Ohio Rail Development Comm.</td>
<td>50 W. Broad St 15th Floor, Columbus OH 43215 US</td>
</tr>
</tbody>
</table>

09/25/1998 Page 11
SERVICE LIST FOR: 25-sep-1998 STB FD 33388 0

CSX CORPORATION AND CSX TRANSPORTATION

DOREEN C JOHNSON, CHIEF ANTITRUST SECTION
OHIO ATTY GENERAL OFFICE
30 E BROAD STREET 16TH FLOOR
COLUMBUS OH 43215 US

HONORABLE JOHN GLENN
U. S. SENATE ATTN: DAN EMMERINE
200 N HIGH STREET 8-600
COLUMBUS OH 43215-2408 US

ROBERT J COOPER
GENERAL CHAIRPERSON UTU
2308 CASS ROAD
MAUMEE OH 43537 US

DAVID DYSARD
TMACOG
PO BOX 9506
300 CENTRAL UNION PLAZA
TOLEDO OH 43603-9506 US

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

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 & ANDREWS 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

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

ROBERT E GREENLESE
TOLEDO-LUCAS COUNTY PORT AUTHORITY
1 MARITIME PLAZA SUITE 700
TOLEDO OH 43604 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 ON 44023-2124 US

ANITA R BRINDZA
THE ONE FIFTEENTH 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

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

INAIO DAVIS CHAPPELL
ASHFA CHEMICALS INC
1500 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
KRULCIK, WILKINS, GRIFFITHS & DOUGHERTY CO.
P O BOX 36963
4775 HUNSON ST NW
CANTON OH 44755-6963 US

09/25/1998
SERVICE LIST FOR: 25-sep-1998 STB F0 33388 0
CSX CORPORATION AND CSX TRANSPORTATION

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

RICHARD E KERTH
CHAMPION INTERNATIONAL CORPORATION
101 K NICHOLDSBRIDGE 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
5905 W 600 NORTH
ANDERSON IN 46011 US

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

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

HONORABLE DAN COATS,
UNITED STATES SENATE
1180 MARKET TOWER, 10 WEST MARKET STREET
INDIANAPOLIS IN 46204 US

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

MICHAELE CONNELLY
CITY OF EAST CHICAGO
4529 INDIANAPOLIS BLVD
EAST CHICAGO IN 46312 US

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

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

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

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

MICHAEL CONNELLY
CITY OF EAST CHICAGO
4525 INDIANAPOLIS BLVD
EAST CHICAGO IN 46312 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 30050
LANSING MI 48933 US

LEO J WASECHA
GOLD MEDAL DIVISION - GENERAL MILLS OPERATION
P.O. BOX 1113
NUMBER ONE GENERAL MILLS BOULEVARD
MINNEAPOLIS MN 55440 US

THOMAS R BOBAK
TUSCOLA & SAGINAW BAY
PO BOX 550
OWOSSO MI 48867-0550 US

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

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

09/25/1998
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Edward Washington</td>
<td>100 W Randolph St - 12th Floor</td>
</tr>
<tr>
<td>Thomas J. Lithiler</td>
<td>180 N Stetson Ave 45th Floor</td>
</tr>
<tr>
<td>Christine H. Rosso</td>
<td>100 W Randolph St 13th Floor</td>
</tr>
<tr>
<td>Kevin Brubaker</td>
<td>203 North Lasalle St, Suite 1390</td>
</tr>
<tr>
<td>William C Sippe</td>
<td>180 N Stetson Ave Two Prudential Plaza 45th F</td>
</tr>
<tr>
<td>Richard F. Friedman, Esq</td>
<td>111 W Washington Street Suite 1700</td>
</tr>
<tr>
<td>Roger A. Serpe</td>
<td>175 West Jackson Boulevard Suite 1460</td>
</tr>
<tr>
<td>Sheldon A Zabel</td>
<td>7200 Sears Tower</td>
</tr>
<tr>
<td>Myles L Tobin</td>
<td>455 North Cityfront Plaza Drive</td>
</tr>
<tr>
<td>Scott A Roney</td>
<td>4666 Faries Parkway</td>
</tr>
<tr>
<td>R A Grice</td>
<td>629525 US</td>
</tr>
<tr>
<td>John Jay Rosacker</td>
<td>217 SE 4th St 2nd Floor</td>
</tr>
<tr>
<td>Mike Spanis</td>
<td>6000 Legacy Drive</td>
</tr>
<tr>
<td>David L Hall</td>
<td>13103 FM 1960 West Suite 204</td>
</tr>
<tr>
<td>Steve M Coulter</td>
<td>77253-3272 US</td>
</tr>
<tr>
<td>Edward C. McCarthy</td>
<td>30 West Monroe Street</td>
</tr>
<tr>
<td>Sandra J. Dearden</td>
<td>407 South Dearborn, Suite 1260</td>
</tr>
<tr>
<td>Thomas F McFarland Jr</td>
<td>20 North Wacker Drive, Suite 1330</td>
</tr>
<tr>
<td>Charles D Bolam</td>
<td>1400-20th Street</td>
</tr>
<tr>
<td>Merrill L Travis</td>
<td>2300 S Dirksen Parkway RM 302</td>
</tr>
<tr>
<td>Ian Muir</td>
<td>63146 US</td>
</tr>
<tr>
<td>Henry T Dart</td>
<td>3748 North Causeway Blvd Suite 301</td>
</tr>
<tr>
<td>Dennis A. Guth</td>
<td>77056 US</td>
</tr>
<tr>
<td>Michael P. Ferro</td>
<td>1221 McKinney Street Suite 1600</td>
</tr>
<tr>
<td>Monty L Parker</td>
<td>77252-2583 US</td>
</tr>
</tbody>
</table>

**Note:** The above list includes names, addresses, and positions of individuals involved in the service list for CSX Corporation and CSX Transportation. The addresses include various cities and states, indicating the geographic scope of the service list. The list is organized in a tabular format for clarity.
SURFACE TRANSPORTATION BOARD
Washington, D.C. 20423

August 18, 1998

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. 89]

NOTICE

A court action, entitled as shown below, was instituted on or before August 14, 1998, involved the above-entitled proceeding:

No. 98-1371

APL LIMITED
v.
Surface Transportation Board
United States of America

before the
United States Court of Appeals for the District of Columbia Circuit

VERNON WILLIAMS
Secretary
SERVICE LIST FOR: 20-aug-1998 STB FD 33389 0 CSX CORPORATION AND CSX TRANSPORTATION

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

JOHN D CIRAME, ASSISTANT SECRETARY
COMMONWEALTH OF MASS. EXEC. OFFICE OF TRANSP.
10 PARK PLAZA ROOM 3110
BOSTON MA 02116-3999 US

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

JAMES F SULLIVAN
U DEPT OF TRANSPORTATION
P.O. BOX 317546
2800 BERLIN TURNPIKE
NEWINGTON CT 06113 US

RICHARD C CARPENTER
3 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
90 BOX 378
71 MT VERNON STREET
RIDGEFIELD PARK NJ 07660 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

JOHN R NADOLNY
BOSTON AND MAINE CORPORATION
IRON HORSE PARK
NORTH BILLERICA MA 01862 US

JAMES E HOWARD
90 CANAL STREET
BOSTON MA 02114 US

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

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

KAREN E SONGHURST
STATE OF VERMONT
133 STATE STREET
MONTPELIER 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 PRESIDENT
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
3600 VALLEY ROAD
WAYNE NJ 07470 US

TERI LENHART
CONCERNED CITIZENS OF EAST RIVERTON
1220 BANNARD STREET
CINNAMINSON NJ 08077-1802 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

08/20/1998
## Service List for: 20-Aug-1998 STB FD 33988 0

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>Walter E Zullig Jr</td>
<td>Metra-North Commuter Railroad Company</td>
<td>New York</td>
<td>NY</td>
<td>10017</td>
</tr>
<tr>
<td>James W Habris</td>
<td>The Metropolitan Planning Organization</td>
<td>New York</td>
<td>NY</td>
<td>10048</td>
</tr>
<tr>
<td>R. Lawrence Mccaffrey, Jr</td>
<td>New York &amp; Atlantic Railroad</td>
<td>New York</td>
<td>NY</td>
<td>10174</td>
</tr>
<tr>
<td>Walter Alfonse M. D'Amato</td>
<td>United States Senate</td>
<td>Albany</td>
<td>NY</td>
<td>12207</td>
</tr>
<tr>
<td>Diane Seitz</td>
<td>Central Hudson Gas &amp; Electric Corp</td>
<td>Poughkeepsie</td>
<td>NY</td>
<td>12601</td>
</tr>
<tr>
<td>Angelo J Chick Jr, Local</td>
<td>P.O. Box 908</td>
<td>Redwood</td>
<td>NY</td>
<td>13679</td>
</tr>
<tr>
<td>Sheila Meck Hyde</td>
<td>City Hall</td>
<td>Dunkirk</td>
<td>NY</td>
<td>14048</td>
</tr>
<tr>
<td>Alfonse D'Amato</td>
<td>United States Senate</td>
<td>Buffalo</td>
<td>NY</td>
<td>14202</td>
</tr>
<tr>
<td>Ernest J Jerardi</td>
<td>Nixon Hargrave Devans Doyle LLP</td>
<td>Rochester</td>
<td>NY</td>
<td>14603</td>
</tr>
<tr>
<td>Jeanne Walduck</td>
<td>107 Grant Court</td>
<td>Orleans</td>
<td>NY</td>
<td>14760</td>
</tr>
<tr>
<td>Henry M. Wick, Jr.</td>
<td>Wick, Streiff, Et Al</td>
<td>Pittsburgh</td>
<td>PA</td>
<td>15219</td>
</tr>
<tr>
<td>Richard R Wilson</td>
<td>1126 Eight AV STE 403</td>
<td>Altoona</td>
<td>PA</td>
<td>16602</td>
</tr>
<tr>
<td>Anthony P. Semancik</td>
<td>347 Madison Avenue</td>
<td>New York</td>
<td>NY</td>
<td>10017</td>
</tr>
<tr>
<td>Hugh H. Welsh</td>
<td>Law Dept., Suite 67E</td>
<td>New York</td>
<td>NY</td>
<td>10048</td>
</tr>
<tr>
<td>Samuel J Nasca</td>
<td>Utu State Legislative Director</td>
<td>Albany</td>
<td>NY</td>
<td>12205</td>
</tr>
<tr>
<td>Daniel B. Walsh</td>
<td>Business Council of New York State, Inc.</td>
<td>Albany</td>
<td>NY</td>
<td>12210</td>
</tr>
<tr>
<td>Irwin L. Davis</td>
<td>1900 State Tower Bldg.</td>
<td>Syracuse</td>
<td>NY</td>
<td>13202</td>
</tr>
<tr>
<td>John F Collins</td>
<td>Collins, Collins &amp; Kantor PC</td>
<td>Buffalo</td>
<td>NY</td>
<td>14201</td>
</tr>
<tr>
<td>R.W. Godwin</td>
<td>Brotherhood of Locomotive Engineers</td>
<td>Buffalo</td>
<td>NY</td>
<td>14220</td>
</tr>
<tr>
<td>H Douglas Mckiff</td>
<td>Genesee Transportation Council</td>
<td>Rochester</td>
<td>NY</td>
<td>14614</td>
</tr>
<tr>
<td>David W. Donley</td>
<td>3361 Stafford St</td>
<td>Pittsburgh</td>
<td>PA</td>
<td>15204</td>
</tr>
<tr>
<td>John A. Vuono</td>
<td>Vuvo &amp; Gray</td>
<td>Pittsburgh</td>
<td>PA</td>
<td>15219</td>
</tr>
<tr>
<td>M E Petruccelli</td>
<td>PPG Industries Inc</td>
<td>Pittsburgh</td>
<td>PA</td>
<td>15272</td>
</tr>
<tr>
<td>D W Dunlevy</td>
<td>State Legislative Director Utu</td>
<td>Harrisburg</td>
<td>PA</td>
<td>17101</td>
</tr>
<tr>
<td>Name</td>
<td>Address</td>
<td>City, State, Zip</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------------------------</td>
<td>---------------------------------------------------</td>
<td>-----------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kurt W Carr</td>
<td>Bureau for Historic Preservation, P.O. Box 1026</td>
<td>Harrisburg, PA 17108-1026</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Christopher Michael Klemick</td>
<td>RR #3 Box 101-15, Jersey Shore, PA 17740-9309</td>
<td>Jersey Shore, PA 17740-9309</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D J O'Connell</td>
<td>General Chairperson UTU, 410 Lancaster Ave Ste 5</td>
<td>Haverford, PA 19041</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Harry C Barrin</td>
<td>Barbin Lauffer &amp; O'Connell, 608 Huntington Pike</td>
<td>Rockledge, PA 19046</td>
<td></td>
<td></td>
</tr>
<tr>
<td>William R Thompson</td>
<td>City of Philadelphia Law Dept, 1600 Arch St 10th Floor</td>
<td>Philadelphia, PA 19103</td>
<td></td>
<td></td>
</tr>
<tr>
<td>David Berger</td>
<td>Berger and Montague, P. C., 1622 Locust St</td>
<td>Philadelphia, PA 19103-6305</td>
<td></td>
<td></td>
</tr>
<tr>
<td>John K. Leary, General Manager</td>
<td>Southeastern Pennsylvania Transportation Auth, 1234 Market Street 5th Floor</td>
<td>Philadelphia, PA 19107-3780</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hon. Joseph R. Biden, Jr.</td>
<td>United States Senate, 844 King Street</td>
<td>Wilmington, DE 19901</td>
<td></td>
<td></td>
</tr>
<tr>
<td>E C Wright</td>
<td>Rail Transportation Procurement Manager, 1007 Market Street Dupont Bldg 3100</td>
<td>Wilmington, DE 19801-9800</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Terrence D Jones</td>
<td>Keller &amp; Heckman, 1001 G St NW Ste 500 West</td>
<td>Washington, DC 20001</td>
<td></td>
<td></td>
</tr>
<tr>
<td>James Howard</td>
<td>Coalition of Northeastern Governors, 400 North Capitol Street, Suite 382</td>
<td>Washington, DC 20001</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bruce Knight</td>
<td>National Corn Growers Association, 122 C St NW Suite 410</td>
<td>Washington, DC 20001-2109</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Donald F. Griffin</td>
<td>Brotherhood of Maintenance of Way Employees, 10 G Street NW Suite 410</td>
<td>Washington, DC 20002</td>
<td></td>
<td></td>
</tr>
<tr>
<td>John J Grocki</td>
<td>Gra Inc, 115 West Ave, Jenkintown Station</td>
<td>Jenkintown, PA 19046</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Belnap Freeman</td>
<td>Philadelphia Industrial Development Corporation, 2600 Centre Square West 500 Market St</td>
<td>Philadelphia, PA 19102</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kenneth E. Hirsh</td>
<td>Hercules Incorporated, 1313 North Market Street</td>
<td>Wilmington, DE 19804</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Eric M. Hocky</td>
<td>Gollatz Griffin Ewing, 213 West Miner Street</td>
<td>West Chester, PA 19381-0796</td>
<td></td>
<td></td>
</tr>
<tr>
<td>J. E. Thomas</td>
<td>Hercules Incorporated, 1313 North Market Street</td>
<td>Wilmington, DE 19804</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Frederick H Schranck</td>
<td>PO Box 778, Dover, DE 19903</td>
<td>Dover, DE 19903</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Martin W. Bercovici</td>
<td>Keller &amp; Heckman, 1001 G St NW Suite 500 West</td>
<td>Washington, DC 20001</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Peter A. Gilbertson</td>
<td>Regional RR's of America, 122 C St NW Suite 850</td>
<td>Washington, DC 20001</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Richard G. Slattery</td>
<td>Amtrak, 60 Massachusetts Ave NW</td>
<td>Washington, DC 20002</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Joseph Guerrieri, Jr.</td>
<td>Guerrieri, Edmond, Et. Al, 1331 F Street NW, 4th Floor</td>
<td>Washington, DC 20004</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name</td>
<td>Firm</td>
<td>Address</td>
<td>City, State Zip</td>
<td></td>
</tr>
<tr>
<td>---------------------</td>
<td>-------------------------------</td>
<td>----------------------------------------------</td>
<td>---------------------</td>
<td></td>
</tr>
<tr>
<td>Debra L. Willem</td>
<td>Guerrieri, Edmond &amp; Clayman PC</td>
<td>1331 F Street N W, 4th Floor</td>
<td>Washington DC 20004 US</td>
<td></td>
</tr>
<tr>
<td>Dennis G Lyons</td>
<td>Arnold &amp; Porter</td>
<td>555 Eleventh Street NW</td>
<td>Washington DC 20004 US</td>
<td></td>
</tr>
<tr>
<td>George W Mayo Jr</td>
<td>Hogan &amp; Hartson L P</td>
<td>555 Thirteenth Street NW Columbia Square</td>
<td>Washington DC 20004-1109 US</td>
<td></td>
</tr>
<tr>
<td>Kevin M Sheys</td>
<td>Oppenheimer Wolff &amp; Donnelly &amp; Bayh LLP</td>
<td>1350 E Eye Street, N.W., STE 200</td>
<td>Washington DC 20005 US</td>
<td></td>
</tr>
<tr>
<td>Rose-Michele Weinryp</td>
<td>Weiner Brodsky Sidman &amp; Kider</td>
<td>1350 New York Avenue NW</td>
<td>Washington DC 20005 US</td>
<td></td>
</tr>
<tr>
<td>Daniel Duff</td>
<td>American Public Transit Association</td>
<td>1201 New York AV NW</td>
<td>Washington DC 20005 US</td>
<td></td>
</tr>
<tr>
<td>L John Osborn</td>
<td>Sonnenschein Nath &amp; Rosenthal</td>
<td>1301 K Street NW STE 600 EAST</td>
<td>Wash DC 20005 US</td>
<td></td>
</tr>
<tr>
<td>Karl Morell</td>
<td>Ball Janik LLP</td>
<td>1455 F Street NW SUITE 225</td>
<td>Washington DC 20005 US</td>
<td></td>
</tr>
<tr>
<td>Clark Evans Downs</td>
<td>Jones Day Reavis &amp; Pogue</td>
<td>1450 G Street NW</td>
<td>Washington DC 20005-2066 US</td>
<td></td>
</tr>
<tr>
<td>Paul H Lamboley</td>
<td></td>
<td>1350 Eye Street, N.W., STE 200</td>
<td>Washington DC 20005-3224 US</td>
<td></td>
</tr>
<tr>
<td>Jeffrey O. Moreno</td>
<td>Donelan Cleary Wood Maser</td>
<td>1100 New York Avenue N W, SUITE 750</td>
<td>Washington DC 20005-3934 US</td>
<td></td>
</tr>
<tr>
<td>Patrick R Plummer</td>
<td>Guerrieri, Edmond &amp; Clayman PC</td>
<td>1331 F ST NW</td>
<td>WASH DC 20004 US</td>
<td></td>
</tr>
<tr>
<td>Drew A Harker</td>
<td>Arnold &amp; Porter</td>
<td>555 Eleventh Street NW</td>
<td>Washington DC 20004 US</td>
<td></td>
</tr>
<tr>
<td>Mary Gabrielle Sprague</td>
<td>Arnold &amp; Porter</td>
<td>555 Eleventh Street NW</td>
<td>Washington DC 20004 US</td>
<td></td>
</tr>
<tr>
<td>Edward Wytkind, Executive Director</td>
<td>Larry J Willis ESQ Transp Trades Dept AFLCI</td>
<td>1000 Vermont Avenue, NW STE 900</td>
<td>Washington DC 20005 US</td>
<td></td>
</tr>
<tr>
<td>Mark H Sidman</td>
<td>Weiner &amp; Brodsky, Sidman &amp; Kider</td>
<td>1350 New York Ave., NW, STE. 800</td>
<td>Washington DC 20005 US</td>
<td></td>
</tr>
<tr>
<td>Paul M Laurensia</td>
<td>Oppenheimer Wolff &amp; Donnelly &amp; Bayh LLP</td>
<td>1350 E Eye Street, N.W., STE 200</td>
<td>Washington DC 20005 US</td>
<td></td>
</tr>
<tr>
<td>Louis E Gitomer</td>
<td>Ball Janik LLP</td>
<td>1455 F Street NW SUITE 225</td>
<td>Washington DC 20005 US</td>
<td></td>
</tr>
<tr>
<td>John H. Broadley</td>
<td>Jenner &amp; Block</td>
<td>401 13th St NW 12th FL</td>
<td>Washington DC 20005 US</td>
<td></td>
</tr>
<tr>
<td>Alice C Saylor</td>
<td>American Short Line Railroad Association</td>
<td>1120 G Street, N. W., SUITE 520</td>
<td>Washington DC 20005 US</td>
<td></td>
</tr>
<tr>
<td>William A Mullins</td>
<td>Troutman Sanders LLP</td>
<td>1300 I Street NW SUITE 500 EAST</td>
<td>Washington DC 20005-3314 US</td>
<td></td>
</tr>
<tr>
<td>Fritz R Kahn</td>
<td></td>
<td>1100 New York Avenue NW SUITE 750 WEST</td>
<td>Washington DC 20005-3934 US</td>
<td></td>
</tr>
<tr>
<td>Nicholas J Dinihael</td>
<td>Donelan Cleary Wood &amp; Maser PC</td>
<td>1100 New York Avenue N W STE 750</td>
<td>Washington DC 20005-3934 US</td>
<td></td>
</tr>
</tbody>
</table>
SERVICE LIST FOR: 20-aug-1996 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATION

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

ANDREW P GOLDSMITH
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 P. PLUMP
ZUCKER, SCOTT & 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

FRANCIS G. MCKENNA
ANDERSON & PENDLETON
1700 K ST NW SUITE 1107
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 & POULTON
2000 PA AV NW
WASH DC 20006-1882 US

RICHARD A ALLEN
ZUCKER, SCOTT & RASENBERGER
888 17TH STREET N W STE 600
WASHINGTON DC 20006-3939 US

JOHN V EDWARDS, ESQ
ZUCKER, SCOTT & RASENBERGER ET AL
888 17TH STREET N W STE 600
WASHINGTON DC 20006-3939 US

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

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

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

ROBERT G. SZABO
V.NESS FEILDMAN
1050 THOMAS JEFFERSON STREET, NW
WASHINGTON DC 20007 US

DAVID K MONROE
GALAND KHRASCH & GARFINKLE P C
1054 THIRTY-FIRST STREET NW
WASHINGTON DC 20007 US

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

EDWARD D GREENBERG
GALAND KHRASCH & GARFINKLE P C
1054 THIRTY-FIRST STREET NW
WASHINGTON DC 20007-4492 US

MICHAEL F. McBRIDE
LEBOEUF LAMB GREENE & MACRAE
1875 CONNECTICUT AVENUE NW
WASHINGTON DC 20009 US

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

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

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

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

C MICHAEL LOFTUS
SLOVER & LOFTUS
1224 SEVENTEENTH STREET, NW
WASHINGTON DC 20036 US

HELEN M. COUSINEAU
CARLOS RODRIGUEZ & ASSOCIATES
1130 RHODE ISLAND AVENUE, NW
WASHINGTON DC 20036 US

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

JUDY CALDWELL
OPPENHEIMER WOLFF & DONELLY
1020 NINETEENTH ST NW STE 400
WASHINGTON DC 20036 US

08/20/1998
SERVICE LIST FOR: 20-aug-1998 STB FD 33388 0

CSX CORPORATION AND CSX TRANSPORTATION

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

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

PAUL A CUNNINGHAM
HARKINS CUNNINGHAM
1300 NINETEENTH STREET, NW STE. 600
WASHINGTON DC 20036 US

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

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

EDWARD J FISMAN
OPPENHEIMER WILKIE & DONELLY
1020 NINETEENTH STREET NW SUITE 400
WASHINGTON DC 20036-6105 US

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

THOMAS A. O'BRIEN
US DEPARTMENT OF AGRICULTURE
P O BOX 96456
WASHINGTON DC 20090-6456 US

JUDGE JACOB LEVENTHAL, OFFICE OF HEARINGS
FEDERAL ENERGY REGULATORY COMMISSION
688 - 1ST ST, N.E. STE 11F
WASHINGTON DC 20426 US

HON JOHN GLENN
UNITED STATES SENATE
WASHINGTON DC 20510 US

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

HONORABLE RICHARD LUGAR
UNITED STATES SENATE
WASHINGTON DC 20510 US

KEITH G O'BRIEN
REA, CROSS AND AUCHINCLOSSE
1707 L STREET. N.W., STE 570
WASH DC 20036 US

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

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

PETER A GREENE
THOMPSON HINE FLORY
1920 N STREET N W, SUITE 800
WASHINGTON DC 20036 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 BOGS LLP
2550 M ST NW
WASHINGTON DC 20037-1301 US

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

EILEEN S STOMMES DIRECTOR T&M DIVISION
AGRICULTURAL MARKETING SERVICE USDA
P O BOX 96456
WASHINGTON DC 20090-6456 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. DAN COATS
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE ALFONSE M D'AMATO
UNITED STATES SENATE
WASHINGTON DC 20510 US

08/20/1998
SERVICE LIST FOR: 20-aLiq-1996 SF B FD J3388 0 CSX CORPORATION AND CSX TRANSPORTATION

HONORABLE J. ROBERT KERRY
UNITED STATES SENATE
WASH DC 20510 US

HONORABLE BOB GRAHAM
UNITED STATE SENATE
WASHINGTON DC 20510 US

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

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

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

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

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

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

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

HONORABLE PAUL GILMORE
U S HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

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

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

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

HONORABLE MIKE DEWINE
U S SENATE
WASHINGTON DC 20510 US

HON. ROSA L DELAURRO
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20510 US

HON. CHARLES ROBB
UNITED STATES SENATE
WASHINGTON DC 20510 US

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

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

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

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

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

HON LEE N. HAMILTON
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

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

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

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

HON NYDIA M VELAZQUEZ
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US
<table>
<thead>
<tr>
<th>Name</th>
<th>Office Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>HON ED TOWNS</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td>HON LOUISE M SLAUGHTER</td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON CHARLES SCHUMER</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td>HON CHRISTOPHER SHAYS</td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON CHARLES RANGEL</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td>HON MICHAEL MCNULTY</td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON THOMAS MANTON</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td>HONORABLE JAMES MALONEY</td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON CAROLYN B MALONEY</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td>HON NITA LOWEY</td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON MAURICE HINCHEN</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td>BEN GILMAM</td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON MICHAEL FORBES</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td>HON ELIOT L ENGL</td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON GARY ACKERMAN</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td>HON JERROLD NADLER</td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE ROBERT W. NEY</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td>HONORABLE BOB WEYGAND</td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE TED STRICKLAND</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td>HON DENNIS J KUCINICH</td>
<td>United States House Representatives</td>
</tr>
<tr>
<td>HON. ED BRYANT</td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON. LOUIS E. STOKES</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td>HON. STEVE LATOURETTE</td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE SAXBY CHAMBLISS,</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td>HONORABLE TILLIE K FOWLER</td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE FRANK MASCARA</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>Name</td>
<td>Address</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td>HON. ROBERT MENENDEZ</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td>WASH DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON. JAMES TRAFICANT JR</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE MIKE DOYLE</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON. JAMES L. OBERSTAR</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON. THOMAS C SAWYER</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE PETER J. VISCLOSKY</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON. WILLIAM J. COYNE</td>
<td>UNITED STATES HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON. DAVID L HOBSON</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE JOHN L. DINGELL</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE MAJOR R. OWENS</td>
<td>UNITED STATES HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON NANCY JOHNSON</td>
<td>UNITED STATES HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>HONORABLE RONALD V. DELUMS</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE ROD R. BLAHOJEVICH</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td>WASHINGTON DC 20515-1305 US</td>
<td></td>
</tr>
<tr>
<td>Name</td>
<td>Address</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>--------------------------------------------</td>
</tr>
<tr>
<td>HON JACK QUINN</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515-3230 US</td>
</tr>
<tr>
<td>HON PAUL E GILLMOR</td>
<td>House of Representatives</td>
</tr>
<tr>
<td></td>
<td>1203 Longworth House Office Building</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515-3505 US</td>
</tr>
<tr>
<td>HONORABLE TOM DAVIS</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515-4611 US</td>
</tr>
<tr>
<td>MICHAEL P HARMONIS</td>
<td>Department of Justice</td>
</tr>
<tr>
<td></td>
<td>325 Seventh Street, NW</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20530 US</td>
</tr>
<tr>
<td>JOSEPH R. POMPONIO</td>
<td>Federal Railroad Admin.</td>
</tr>
<tr>
<td></td>
<td>400 7th St SW RCC-20</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20590 US</td>
</tr>
<tr>
<td>MITCHELL M. KRAUS</td>
<td>Transportation - Communications International</td>
</tr>
<tr>
<td></td>
<td>3 Research Place</td>
</tr>
<tr>
<td></td>
<td>Rockville MD 20850 US</td>
</tr>
<tr>
<td>WILLIAM W WHITEHURST JR</td>
<td>W W Whitehurst &amp; Associates Inc</td>
</tr>
<tr>
<td></td>
<td>12421 Happy Hollow Road</td>
</tr>
<tr>
<td></td>
<td>Cockeysville MD 21030 US</td>
</tr>
<tr>
<td>ROBERT J WILL</td>
<td>United Transportation Union</td>
</tr>
<tr>
<td></td>
<td>4134 Grave Run Rd</td>
</tr>
<tr>
<td></td>
<td>Manchester MD 21102 US</td>
</tr>
<tr>
<td>LINDA A JANETY J D</td>
<td>Maryland Office of Planning</td>
</tr>
<tr>
<td></td>
<td>301 West Preston Street</td>
</tr>
<tr>
<td></td>
<td>Baltimore MD 21201-2365 US</td>
</tr>
<tr>
<td>GARRET G SMITH</td>
<td>Mobil Oil Corporation</td>
</tr>
<tr>
<td></td>
<td>3225 Gallows Rd RM 8A903</td>
</tr>
<tr>
<td></td>
<td>Fairfax VA 22037-0001 US</td>
</tr>
<tr>
<td>PETER Q. NYCE, JR.</td>
<td>U.S. Department of the Army</td>
</tr>
<tr>
<td></td>
<td>901 North Sturt Street</td>
</tr>
<tr>
<td></td>
<td>Arlington VA 22203 US</td>
</tr>
<tr>
<td>WILLIAM P. JACKSON, JR.</td>
<td>Jackson &amp; Jessup, P. C.</td>
</tr>
<tr>
<td></td>
<td>P.O. Box 1240</td>
</tr>
<tr>
<td></td>
<td>3426 North Washington Blvd</td>
</tr>
<tr>
<td></td>
<td>Arlington VA 22210 US</td>
</tr>
<tr>
<td>GERALD W FAUTH III</td>
<td>G W Faust &amp; Associates Inc</td>
</tr>
<tr>
<td></td>
<td>116 South Royal Street</td>
</tr>
<tr>
<td></td>
<td>Alexandria VA 22314 US</td>
</tr>
<tr>
<td>HONORABLE RICHARD BURR</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515-3305 US</td>
</tr>
<tr>
<td>HONORABLE BOB L. RUSH</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515-9997 US</td>
</tr>
<tr>
<td>PAUL SAMUEL SMITH</td>
<td>U.S. Department of Transportation</td>
</tr>
<tr>
<td></td>
<td>400 Seventh Street SW, Room 4120 C-30</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20590 US</td>
</tr>
<tr>
<td>DAVID G ABRAHAM</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Suite 400W</td>
</tr>
<tr>
<td></td>
<td>7315 Wisconsin Avenue</td>
</tr>
<tr>
<td></td>
<td>Bethesda MD 20814 US</td>
</tr>
<tr>
<td>JOHN M ROBINSON</td>
<td></td>
</tr>
<tr>
<td></td>
<td>9616 Old Spring Road</td>
</tr>
<tr>
<td></td>
<td>Kensington MD 20895-3124 US</td>
</tr>
<tr>
<td>JOHN HOY</td>
<td></td>
</tr>
<tr>
<td></td>
<td>P.O. Box 117</td>
</tr>
<tr>
<td></td>
<td>Glen Burnie MD 21060 US</td>
</tr>
<tr>
<td>JOHN F WING CHAIRMAN</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Citizens Advisory Committee</td>
</tr>
<tr>
<td></td>
<td>601 North Howard Street</td>
</tr>
<tr>
<td></td>
<td>Baltimore MD 21201 US</td>
</tr>
<tr>
<td>CHARLES M CHADWICK</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Maryland Midland Railway Inc</td>
</tr>
<tr>
<td></td>
<td>P.O. Box 1000</td>
</tr>
<tr>
<td></td>
<td>Union Bridge MD 21791 US</td>
</tr>
<tr>
<td>HENRY E. SEATON</td>
<td></td>
</tr>
<tr>
<td></td>
<td>7700 Leesburg Pike, Ste 201</td>
</tr>
<tr>
<td></td>
<td>Falls Church VA 22343 US</td>
</tr>
<tr>
<td>THOMAS E. SCHICK</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Chemical Manuf Assoc</td>
</tr>
<tr>
<td></td>
<td>1300 Wilson Boulevard</td>
</tr>
<tr>
<td></td>
<td>Arlington VA 22209 US</td>
</tr>
<tr>
<td>JENNIFER BRAUN</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Jackson &amp; Jessup</td>
</tr>
<tr>
<td></td>
<td>P.O. Box 1240</td>
</tr>
<tr>
<td></td>
<td>3426 North Washington Boulevard</td>
</tr>
<tr>
<td></td>
<td>Arlington VA 22210 US</td>
</tr>
<tr>
<td>KENNETH E. SIEGEL</td>
<td></td>
</tr>
<tr>
<td></td>
<td>American Trucking Assoc Inc</td>
</tr>
<tr>
<td></td>
<td>2200 Mill Road</td>
</tr>
<tr>
<td></td>
<td>Alexandria VA 22314-4677 US</td>
</tr>
<tr>
<td>Name</td>
<td>Position</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>ROBERT E MARTINEZ</td>
<td>VA SECRETARY OF TRANSPORTATION</td>
</tr>
<tr>
<td></td>
<td>RICHMOND VA 23218 US</td>
</tr>
<tr>
<td>GEORGE A ASPATORE</td>
<td>NORFOLK SOUTHERN CORP</td>
</tr>
<tr>
<td></td>
<td>NORFOLK VA 23510 US</td>
</tr>
<tr>
<td>HONORABLE JOHN WARNER</td>
<td>UNITED STATES SENATE</td>
</tr>
<tr>
<td></td>
<td>235 FEDERAL BUILDING</td>
</tr>
<tr>
<td>TERENCE ELLIS</td>
<td>CALZINV</td>
</tr>
<tr>
<td></td>
<td>CLAY WV 25043 US</td>
</tr>
<tr>
<td>WILLIAM T BRIGHT</td>
<td>P O BOX 149</td>
</tr>
<tr>
<td></td>
<td>SUMMERSVILLE WV 26651 US</td>
</tr>
<tr>
<td>SCOTT M SAYLOR</td>
<td>NORTH CAROLINA RAILROAD COMPANY</td>
</tr>
<tr>
<td></td>
<td>RALEIGH NC 27604-1640 US</td>
</tr>
<tr>
<td>HONORABLE DAVID M BEASLEY</td>
<td>GOVERNOR</td>
</tr>
<tr>
<td></td>
<td>COLUMBIA SC 29211 US</td>
</tr>
<tr>
<td>J L RODGERS</td>
<td>GENERAL CHAIRMAN UTU</td>
</tr>
<tr>
<td></td>
<td>JACKSONVILLE FL 32250 US</td>
</tr>
<tr>
<td>PHILLIP L BELL</td>
<td>ERIE LACKAWANNA RAILROAD CO</td>
</tr>
<tr>
<td></td>
<td>TALLAHASSEE FL 32302 US</td>
</tr>
<tr>
<td>JAMES L BELCHER</td>
<td>EASTMAN CHEMICAL COMPANY</td>
</tr>
<tr>
<td></td>
<td>KINGSPORT TN 37662 US</td>
</tr>
<tr>
<td>J R BARBEE</td>
<td>GENERAL CHAIRPERSON UTU</td>
</tr>
<tr>
<td></td>
<td>KNOXVILLE TN 37940 US</td>
</tr>
<tr>
<td>HONORABLE PAUL E. PATTON</td>
<td>GOVERNOR</td>
</tr>
<tr>
<td></td>
<td>FRANKFORT KY 40601 US</td>
</tr>
<tr>
<td>F R RICKELL</td>
<td>GENERAL CHAIRPERSON UTU</td>
</tr>
<tr>
<td></td>
<td>WORTHINGTON OH 43085 US</td>
</tr>
<tr>
<td>HONORABLE GEORGE ALLEN</td>
<td>GOVERNOR OF COMMONWEALTH OF VIRGINIA</td>
</tr>
<tr>
<td></td>
<td>RICHMOND VA 23219 US</td>
</tr>
<tr>
<td>L F KING JR</td>
<td>GENERAL CHAIRPERSON UTU</td>
</tr>
<tr>
<td></td>
<td>ROANOKE VA 24011 US</td>
</tr>
<tr>
<td>VAUGHN R GROVES</td>
<td>PITTSTON COAL COMPANY</td>
</tr>
<tr>
<td></td>
<td>LEBANON VA 24266 US</td>
</tr>
<tr>
<td>R K SARGENT</td>
<td>GENERAL CHAIRPERSON UTU</td>
</tr>
<tr>
<td></td>
<td>KENOVA WV 25530 US</td>
</tr>
<tr>
<td>FRANK N JORGENSEN</td>
<td>THE ELK RIVER RAILROAD INC</td>
</tr>
<tr>
<td></td>
<td>SUMMERSVILLE WV 26651 US</td>
</tr>
<tr>
<td>E NORRIS TOLSON</td>
<td>NC DEPT OF TRANSPORTATION</td>
</tr>
<tr>
<td></td>
<td>1 S. WILINGTON STREET</td>
</tr>
<tr>
<td>PAUL R. HITCHCOCK</td>
<td>CSX TRANSPORTATION LAW DEPARTMENT</td>
</tr>
<tr>
<td></td>
<td>JACKSONVILLE FL 32202 US</td>
</tr>
<tr>
<td>J T REED</td>
<td>GENERAL CHAIRPERSON UTU</td>
</tr>
<tr>
<td></td>
<td>JACKSONVILLE FL 32256 US</td>
</tr>
<tr>
<td>HONORABLE LAWTON CHILES</td>
<td>OFFICE OF THE GOVERNOR</td>
</tr>
<tr>
<td>WILLIAM L OSTEEN</td>
<td>ASSOCIATE GENERAL COUNSEL TVA</td>
</tr>
<tr>
<td></td>
<td>KNOXVILLE TN 37902 US</td>
</tr>
<tr>
<td>HONORABLE KIRK FORDICE, GOVERNOR</td>
<td>STATE OF MISSISSIPPI</td>
</tr>
<tr>
<td></td>
<td>JACKSON MS 39205 US</td>
</tr>
<tr>
<td>WILLIAM F HERNAN JR</td>
<td>GENERAL CHAIRMAN</td>
</tr>
<tr>
<td></td>
<td>HILLIARD OH 43026 US</td>
</tr>
<tr>
<td>THOMAS M O'LEARY</td>
<td>OHIO RAIL DEVELOPMENT COMMISSION</td>
</tr>
<tr>
<td></td>
<td>COLUMBUS OH 43215 US</td>
</tr>
</tbody>
</table>
SERVICE LIST FOR: 20-aug-1998 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATION

DOREEN C JOHNSON, CHIEF ANTITRUST SECTION
OHIO ATTY GENERAL OFFICE
30 E BROAD STREET 16TH FLOOR
COLUMBUS OH 43215 US

HONORABLE JOHN GLENN
U. S. SENATE ATTN: DAN EMERINE
200 N HIGH STREET S-600
COLUMBUS OH 43215-2408 US

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

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

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

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 ZUMKERH
ROETZEL & ANDREWS 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

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

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

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

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

INAJO DAVIS CHAPPELL
ASHTA CHEMICALS INC
1300 EAST NINTH 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
D G STRUNK JR
GENERAL CHAIRPERSON UTU
917 KILBOURNE STREET
BELLEVUE OH 44811 US

BRAD F HUSTON
CYLEX MAXX COAL SALES CORP
400 TECHNOCE.NTER 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

HONORABLE DAN COATS,
UNITED STATES SENATE
1180 MARKET TOWER, 10 WEST MARKET STREET
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 DON 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 BLVD 405 SIXTH AVENUE
DES MOINES IA 50309 US

LEO J WASESCHA
GOLD MEDAL DIVISION - GENERAL MILLS OPERATION
P.O.BOX 1111
NUMBER ONE GENERAL MILLS BULENARD
MINNEAPOLIS MN 55440 US

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

RICHARD E KERTH
CHAMPION INTERNAT'AL CORP
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 N 600 NORTH
ANDERSON IN 46011 US

MICHAEL P MAXWELL JR
MCALÉ, 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

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 29
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
GOWANDO MI 48867-0550 US

HON JOHN ENGLER
OFFICE OF THE GOVERNOR
P O BOX 30050
LANSING MI 48933 US

BYRON D OLSAN
FELHAVER LARSON FENLOi & VOOGT PA
401 SECOND AVENUE SOUTH 4200 FIRST BANK PLACE
MINNEAPOLIS MN 55402-1302 US

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

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

08/20/1998
SERVICE LIST FOR: 20-aug-1998 STB FD 33388 O CSX CORPORATION AND CSX TRANSPORTATION

STEPHEN M UTHOFF
CONIGLIO & UTHOFF
110 WEST OCEAN BLVD STE C
LONG BEACH CA 90802 US

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

Records: 364
CORRECTED NOTICE*

SURFACE TRANSPORTATION BOARD
Washington, D.C. 20423

August 10, 1998

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. 89]

NOTICE

A court action, entitled as shown below, was instituted on or before July 31, 1998, involved the above-entitled proceeding:

No. 98-4285

ERIE-NIAGARA RAIL

v.

Surface Transportation Board
United States of America

before the
United States Court of Appeals for the Second Circuit

VERNON WILLIAMS
Secretary

*Corrected to reflect that the Board decision is Decision No. 89 and that the court docket number is 98-4285 not 98-4286.
SERVICE LIST FOR: 20-aug-1998 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATION

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

JOHN D CIRAME, ASSISTANT SECRETARY
COMMONWEALTH OF MASS. EXEC. OFFICE OF TRANSPT
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

JOHN K DUNLEAVY
ASSISTANT ATTORNEY GENERAL
133 STATE STREET STATE ADM BLDG
MONTPELIER VT 05633-5001 US

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

RICHARD C CARPENTER
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 & BOGGS, ESQS
PO BOX 378
71 MT VERNON STREET
RIDGEFIELD PARK NJ 07660 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

JOHN R NADOLNY
BOSTON AND MAINE CORPORATION
IRON HORSE PARK
NORTH BILLERICA MA 01862 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

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

KAREN E SONGHURST
STATE OF VERMONT
133 STATE STREET
MONTPELIER 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

TERI LENHART
CONCERNED CITIZENS OF EAST RIVERTON
1220 BANNARD STREET
CINNAMINSON NJ 08077-1802 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
<table>
<thead>
<tr>
<th>Name</th>
<th>Title/Role</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>KURT W CARR</td>
<td>BUREAU FOR HISTORIC PRESERVATION</td>
<td>P O BOX 1026 HARRISBURG PA 17108-1026 US</td>
</tr>
<tr>
<td>KRISTOPHER MICHAEL KLEMICK</td>
<td>RR#4 BOX 101-15 JERSEY SHORE PA 17740-9309 US</td>
<td></td>
</tr>
<tr>
<td>D J O'CONNELL</td>
<td>GENERAL CHAIRPERSON UTU</td>
<td>410 LANCASTER AVE STE 5 HAVERTOWN PA 19041 US</td>
</tr>
<tr>
<td>HARRY C BARRIN</td>
<td>BARBIN LAUFFER &amp; O'CONNELL</td>
<td>606 HUNTINGDON PIKE ROCKETELE PA 19046 US</td>
</tr>
<tr>
<td>WILLIAM R THOMPSON</td>
<td>CITY OF PHILADELPHIA LAW DEPT</td>
<td>1600 ARCH ST 10TH FLOOR PHILADELPH PA 19103 US</td>
</tr>
<tr>
<td>DAVID BERGER</td>
<td>BERGER AND MONTAGUE, P. C.</td>
<td>1622 LOCUST ST PHILADELPHIA PA 19103-6305 US</td>
</tr>
<tr>
<td>JOHN K. LEARY, GENERAL MANAGER</td>
<td>SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTH</td>
<td>724 MARKET STREET 5TH FLOOR PHILADELPH PA 19107-3780 US</td>
</tr>
<tr>
<td>HON JOSEPH R BIDEN, JR.</td>
<td>UNITED STATES SENATE</td>
<td>844 KING ST WILMINGTON DE 19801 US</td>
</tr>
<tr>
<td>E C WRIGHT</td>
<td>RAIL TRANSPORTATION PROCUREMENT MANAGER</td>
<td>1007 MARKET STREET DUPONT BLDG 3100 WILMINGTON DE 19698 US</td>
</tr>
<tr>
<td>TERRENCE D JONES</td>
<td>KELLER &amp; HECKMAN</td>
<td>1001 G ST NW STE 500 WEST WASHINGTON DC 20001 US</td>
</tr>
<tr>
<td>JAMES HOWARD</td>
<td>COALITION OF NORTHEASTERN GOVERNORS</td>
<td>400 NORTH CAPITOL STREET, SUITE 302 WASHINGTON DC 20001 US</td>
</tr>
<tr>
<td>BRUCE KNIGHT</td>
<td>NATIONAL CORN GROWERS ASSOCIATION</td>
<td>122 C ST NW SUITE 510 WASHINGTON DC 20001 US</td>
</tr>
<tr>
<td>DONALD F GRIFFIN</td>
<td>BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES</td>
<td>10 G STREET NE STE 460 WASHINGTON DC 20002 US</td>
</tr>
<tr>
<td>HONORABLE THOMAS J RIDGE</td>
<td>GOVERNOR, COMMONWEALTH OF PENNSYLVANIA</td>
<td>225 MAIN CAPITOL BUILDING HARRISBURG PA 17120 US</td>
</tr>
<tr>
<td>BELNAP FREEMAN</td>
<td></td>
<td>119 HICKORY LANE ROSEMONT PA 19010 US</td>
</tr>
<tr>
<td>JOHN J GROCKI</td>
<td></td>
<td>115 WEST AV ONE JENKINTOWN STA JENKINTOWN PA 19046 US</td>
</tr>
<tr>
<td>G CRAIG SCHELTER</td>
<td>PHILADELPHIA INDUSTRIAL DEVELOPMENT CORPORATION</td>
<td>2600 CENTRE SQUARE WEST 500 MARKET ST PHILADELPHIA PA 19102 US</td>
</tr>
<tr>
<td>JOHN J EHLINGER JR</td>
<td>OBERMAYER REBMANN MAXWELL &amp; HIPPEL</td>
<td>1617 JOHN F. KENNEDY BLVD ONE PENN CENTER-19T PHILADELPHIA PA 19103-1995 US</td>
</tr>
<tr>
<td>JOHN J COSCIA, EXECUTIVE DIRECTOR</td>
<td>DELAMARE VALLEY REGIONAL PLANNING COMMISSION</td>
<td>111 SOUTH INDEPENDENCE MALL EAST PHILADELPHIA PA 19106 US</td>
</tr>
<tr>
<td>ERIC M HOCKY</td>
<td>GOLLATZ GRIFFIN EWING</td>
<td>213 WEST MINER STREET WEST CHESTER PA 19381-0796 US</td>
</tr>
<tr>
<td>J E THOMAS</td>
<td>HERCULES INCORPORATED</td>
<td>1313 NORTH MARKET STREET WILMINGTON DE 19894 US</td>
</tr>
<tr>
<td>FREDERICK H SCHRANCK</td>
<td></td>
<td>PO BOX 778 DOVER DE 19903 US</td>
</tr>
<tr>
<td>MARTIN W BERCOVICI</td>
<td>KELLER &amp; HECKMAN</td>
<td>1001 G ST NW SUITE 500 WEST WASHINGTON DC 20001 US</td>
</tr>
<tr>
<td>PETER A GILBERTSON</td>
<td>REGIONAL RRS OF AMERICA</td>
<td>112 C ST NW STE 850 WASHINGTON DC 20001 US</td>
</tr>
<tr>
<td>RICHARD G SLATTERY</td>
<td>AMTRAK</td>
<td>60 MASSACHUSETTS AVENUE N E WASHINGTON DC 20002 US</td>
</tr>
<tr>
<td>JOSEPH GUERRIERI, JR.</td>
<td>GUERRIERI, EDMOND, ET. AL</td>
<td>1331 F STREET N W, 4TH FLOOR WASHINGTON DC 20004 US</td>
</tr>
</tbody>
</table>

08/20/1998
SERVICE LIST FOR: 20-auq-1998 STB FD 33388 0  CSX CORPORATION AND "CSX TRANSPORTATION"

DEBRA L. WILLEN
GUERRIERI, EDMOND & CLAYMAN PC
1331 F STREET N W, 4TH FLOOR
WASHINGTON DC 20004 US

PATRICK R PLUMMER
GUERRIERI, EDMOND & CLAYMAN PC
1331 F ST NW
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 P
555 THIRTEENTH STREET NW COLUMBIA SQUARE
WASHINGTON DC 20004-1109 US

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

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

EDWARD WYTKIND, EXECUTIVE DIRECTOR
LARRY J WILLIS ESQ TRANSF TRADES DEPT AFLCI
1000 VERMONT AVENUE, NW STE 900
WASHINGTON DC 20005 US

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

MARK H SIDMAN
WEINER & BRODSKY, SIDMAN & KIDER
1350 NEW YORK AVE., NW., STE. 800
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 MCRELL
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

KARYN A BOOTH
DONELAN, CLEARY, WOOD 4 MASER, P.C.
1100 NEW YORK AVENUE NW SUITE 750
WASHINGTON DC 20005-3934 US

NICHOLAS J DIMICHAEL
DONELAN, CLEARY, WOOD & MASER PC
1100 NEW YORK AVENUE NW STE 750
WASHINGTON DC 20005-3934 US

WILLIAM W MILLAR
AMERICAN PUBLIC TRANSIT ASSOCIATION
1201 NEW YORK AVE., NW
WASHINGTON DC 20005 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 PC
1100 NEW YORK AVENUE NW SUITE 750
WASHINGTON DC 20005-3934 US

08/20/1998
<table>
<thead>
<tr>
<th>Name</th>
<th>Firm</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>John K Maser III</td>
<td>Donegan Cleary Wood &amp; Maser PC</td>
<td>1100 New York Ave NW Suite 750</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Washington DC 20005-3934 US</td>
</tr>
<tr>
<td>Robert P Wom Eigen</td>
<td>Hopkins &amp; Sutter</td>
<td>888 16th Street N W Ste 700</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Washington DC 20006 US</td>
</tr>
<tr>
<td>James R Weiss</td>
<td>Preston Gates Ellis et al</td>
<td>1735 New York Avenue NW Suite 500</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Washington DC 20006 US</td>
</tr>
<tr>
<td>Daniel J Sweeney</td>
<td>McCarthy Sweeney &amp; Harkaway PC</td>
<td>1750 Pennsylvania Ave NW Ste 1105</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Washington DC 20006 US</td>
</tr>
<tr>
<td>Richard A Allen</td>
<td>Zuckert, Scott &amp; Rasenberger</td>
<td>888 17th Street N W Ste 600</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Washington DC 20006-3939 US</td>
</tr>
<tr>
<td>Charles A Spitalnik</td>
<td>Hopkins &amp; Sutter</td>
<td>888 Sixteenth St NW</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Wash DC 20006-4103 US</td>
</tr>
<tr>
<td>Sherri Lehman</td>
<td>Director of Congressional Affairs</td>
<td>Corn Refiners Assoc</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1701 Pa Av NW</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Wash DC 20006-5805 US</td>
</tr>
<tr>
<td>David K Monroe</td>
<td>Galland Kharasch &amp; Garfinkle PC</td>
<td>1054 Thirty-First Street NW</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Washington DC 20007 US</td>
</tr>
<tr>
<td>Edward D Greenberg</td>
<td>Galland Kharasch &amp; Garfinkle PC</td>
<td>1054 Thirty-First Street NW</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Washington DC 20007-4492 US</td>
</tr>
<tr>
<td>John D Heffner ESQ</td>
<td>Rea Cross &amp; Auchincloss</td>
<td>1707 L Street, NW, Ste 570</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Washington DC 20036 US</td>
</tr>
<tr>
<td>Robert A Wimbish ESQ</td>
<td>Rea Cross &amp; Auchincloss</td>
<td>1707 L Street NW, Ste 570</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Washington DC 20036 US</td>
</tr>
<tr>
<td>C Michael Loftus</td>
<td>Slover &amp; Loftus</td>
<td>1224 Seventeenth Street, NW</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Washington DC 20036 US</td>
</tr>
<tr>
<td>Harold P Quinn, Jr.</td>
<td>National Mining Association</td>
<td>1130 17th Street NW</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Washington DC 20036 US</td>
</tr>
</tbody>
</table>
SERVICE LIST FOR: 20-aug-1998 STB FD 33368 0  CSX CORPORATION AND CSX TRANSPORTATION

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

KEITH G O'BRIEN
REA, GROSS AND AUCHINCLOSS
1707 L STREET, N.W., STE 570
WASH 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

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

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

PAUL A CUNNINGHAM
HARKINS CUNNINGHAM
1300 NINETEENTH STREET, NW STE. 600
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

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 FISHERMAN
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

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

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

THOMAS A. O'BRIEN
US DEPARTMENT OF AGRICULTURE
P O BOX 96456
WASHINGTON DC 20090-6456 US

EILEEN S STOMMES DIRECTOR TAM DIVISION
AGRICULTURAL MARKETING SERVICE USDA
P O BOX 96456
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 JOHN GLENN
UNITED STATES SENATE
WASHINGTON DC 20510 US

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

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

HON. DAN COATS
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE RICHARD LUGAR
UNITED STATES SENATE
WASHINGTON DC 20510 US

HONORABLE ALFONSE M D'AMATO
UNITED STATES SENATE
WASHINGTON DC 20510 US

08/20/1998
<table>
<thead>
<tr>
<th>Honorable Name</th>
<th>Address</th>
<th>Honorable Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>J. Robert Kerry</td>
<td>U.S. Senate 20510 DC</td>
<td>Mike DeWine</td>
<td>U.S. Senate 20510 DC</td>
</tr>
<tr>
<td>Bob Graham</td>
<td>U.S. Senate 20510 DC</td>
<td>Rosa L. Delauro</td>
<td>U.S. House of Representatives 20510 DC</td>
</tr>
<tr>
<td>Joseph I. Lieberman</td>
<td>U.S. Senate 20510 DC</td>
<td>Charles Robb</td>
<td>U.S. Senate 20510 DC</td>
</tr>
<tr>
<td>William V. Roth Jr</td>
<td>U.S. Senate 20510-0001 DC</td>
<td>John W. Warner</td>
<td>U.S. Senate 20510-0001 DC</td>
</tr>
<tr>
<td>Christopher J. Dodd</td>
<td>U.S. Senate 20510-0702 DC</td>
<td>Daniel P. Moynihan</td>
<td>U.S. Senate 20510-0903 DC</td>
</tr>
<tr>
<td>Connie Mack</td>
<td>U.S. Senate 20510-0904 DC</td>
<td>John Breaux</td>
<td>U.S. Senate 20510-1803 DC</td>
</tr>
<tr>
<td>Arlen Specter</td>
<td>U.S. Senate 20510-3802 DC</td>
<td>Rick Santorum</td>
<td>U.S. Senate 20510-3804 DC</td>
</tr>
<tr>
<td>John H. Chafee</td>
<td>U.S. Senate 20510-3902 DC</td>
<td>Jack Reed</td>
<td>U.S. Senate 20510-3903 DC</td>
</tr>
<tr>
<td>Senator Robert Byrd</td>
<td>U.S. Senate 20510-6025 DC</td>
<td>Lee N. Hamilton</td>
<td>U.S. House of Representatives 20515 DC</td>
</tr>
<tr>
<td>Paul Gilmore</td>
<td>U.S. House of Representatives 20515 DC</td>
<td>Chip Pickering</td>
<td>U.S. House of Representatives 20515 DC</td>
</tr>
<tr>
<td>Jesse L. Jackson, Jr</td>
<td>U.S. House of Representatives 20515 DC</td>
<td>Luis Gutierrez</td>
<td>U.S. House of Representatives 20515 DC</td>
</tr>
<tr>
<td>Danny K. Davis</td>
<td>U.S. House of Representatives 20515 DC</td>
<td>Ralph Regula</td>
<td>U.S. House of Representatives 20515 DC</td>
</tr>
<tr>
<td>Sherrod Brown</td>
<td>U.S. House of Representatives 20515 DC</td>
<td>Nydia M. Velazquez</td>
<td>U.S. House of Representatives 20515 DC</td>
</tr>
<tr>
<td>Name</td>
<td>Address</td>
<td>Name</td>
<td>Address</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>--------------------------------</td>
<td>-----------------------------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td>HON ED TOWNS</td>
<td>U. S. HOUSE OR REPRESENTATIVES</td>
<td>HON LOUISE M SLAUGHTER</td>
<td>U. S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON CHARLES SCHUMER</td>
<td>U. S. HOUSE OF REPRESENTATIVES</td>
<td>HON CHRISTOPHER SHAYS</td>
<td>U. S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON CHARLES RANGEL</td>
<td>U. S. HOUSE OF REPRESENTATIVES</td>
<td>HON MICHAEL MCNULTY</td>
<td>U. S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON THOMAS MANTON</td>
<td>U. S. HOUSE OF REPRESENTATIVES</td>
<td>HONORABLE JAMES MALONEY</td>
<td>U. S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON CAROLYN B MALONEY</td>
<td>U. S. HOUSE OF REPRESENTATIVES</td>
<td>HON NITA LOWEY</td>
<td>U. S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON MAURICE HINCHIEY</td>
<td>U. S. HOUSE OF REPRESENTATIVES</td>
<td>BEN GILMAN</td>
<td>U. S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON MICHAEL FORBES</td>
<td>U. S. HOUSE OF REPRESENTATIVES</td>
<td>HON ELIOT L ENGEL</td>
<td>U. S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON GARY ACKERMAN</td>
<td>U. S. HOUSE OF REPRESENTATIVES</td>
<td>HON JERROLD NADLER</td>
<td>U. S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
<td>WASH DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE ROBERT W. NEY</td>
<td>U. S. HOUSE OF REPRESENTATIVES</td>
<td>HONORABLE BOB WEGAND</td>
<td>U. S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE TED STRICKLAND</td>
<td>U. S. HOUSE OF REPRESENTATIVES</td>
<td>HON DENNIS J KUCINICH</td>
<td>UNITED STATES HOUSE REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON. ED BRYANT</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td>HON. LOUIS E. STOKES</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON. STEVE LATOURETTE</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td>HONORABLE SAXBY CHAMBLISS</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE TILLIE K FOWLER</td>
<td>U.S. HOUSE REPRESENTATIVES</td>
<td>HONORABLE FRANK MASCARA</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>Name</td>
<td>Address</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------------------</td>
<td>------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HON. ROBERT MENENDEZ</td>
<td>U.S. House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wash DC 20515 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HON JAMES TRAFICANT JR</td>
<td>U.S. House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HONORABLE MIKE DOYLE</td>
<td>U.S. House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HON. JAMES L. OBERSTAR</td>
<td>U.S. House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HON. THOMAS C SAWYER</td>
<td>U.S. House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HONORABLE PETER J. VISCLOSKY</td>
<td>U.S. House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HON DAVID L HOBSON</td>
<td>U.S. House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HONORABLE JOHN D. DINGELL</td>
<td>U.S. House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HONORABLE RONALD V. DELUMS</td>
<td>U.S. House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HONORABLE ROD R BLAGOJEVICH</td>
<td>U.S. House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515-1305 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HON MARCY KAPTUR</td>
<td>U.S. House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HON BOB WISE</td>
<td>U.S. House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HON. JOHN J. DUNCAN</td>
<td>U.S. House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HON. WILLIAM O. LIPINSKI</td>
<td>U.S. House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HON. TOM BLILEY</td>
<td>U.S. House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HONORABLE JAM GEJDINSON</td>
<td>U.S. House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HON VIC FALIO</td>
<td>United States House of Rep.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HONORABLE FRANK D. RIGGS</td>
<td>U.S. House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HON. ROBERT G TORRICELLI</td>
<td>United States Senate</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HON. BARBARA B KENNELLY</td>
<td>U.S. House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HON. BUD SHUSTER</td>
<td>Attn: Mike Rick</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>U.S. House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HONORABLE JOHN J. LAFALCE</td>
<td>U.S. House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HONORABLE JAMES A. BARCIA</td>
<td>U.S. House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515-2205 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name</td>
<td>Title and Address</td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------------</td>
<td>--------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jack Quinn</td>
<td>U.S. House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515-3230 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paul E Gillmor</td>
<td>House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>203 Longworth House Office Building</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515-3055 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tom Davis</td>
<td>House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515-4611 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Michael P Harmonis</td>
<td>Department of Justice</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>325 Seventh Street, NW</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20530 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Joseph R Pomponio</td>
<td>Federal Railroad Admin.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>400 7th St SW RCC-20</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20590 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mitchell M Kraus</td>
<td>Transportation Communications International</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>3 Research Place</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rockville MD 20850 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>William W Whitehurst Jr</td>
<td>W W Whitehurst &amp; Associates Inc</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>12421 Happy Hollow Road</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cockeysville MD 21030 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Robert J Will</td>
<td>United Transportation Union</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>4134 Grave Run Rd</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Manchester MD 21102 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Linda A Janey J D</td>
<td>Maryland Office of Planning</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>301 West Preston Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Baltimore MD 21201-2365 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Garret G Smith</td>
<td>Mobil Oil Corporation</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>3225 Gallows Rd RM 6A903</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Fairfax VA 22037-0001 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Peter Q Nyce, Jr.</td>
<td>U.S. Department of the Army</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>901 North Stuart Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Arlington VA 22203 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>William P Jackson, Jr.</td>
<td>Jackson &amp; Jessup, P. C.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>3426 North Washington Blvd</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Arlington VA 22210 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gerald W Fauth III</td>
<td>G W Fauth &amp; Associates Inc</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>116 South Royal Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Alexandria VA 22314 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Honor Richard Burr</td>
<td>U.S. House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515-3305 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Connie Bob Clement</td>
<td>House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515-4205 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Honorable Bobby L. Rush</td>
<td>U.S. House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515-9997 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paul Samuel Smith</td>
<td>United States Department of Transportation</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>400 Seventh Street SW, Room 4102 C-30</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20590 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>David G Abraham</td>
<td>Suite 400W</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>7315 Wisconsin Avenue</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bethesda MD 20814 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Honorable Tom Davis</td>
<td>House of Representatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515-4611 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>John M Robinson</td>
<td>Transportation Communications International</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>9616 Old Spring Road</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Kensington MD 20895-3124 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>John Hoy</td>
<td>P.O. Box 117</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Glen Burnie MD 21060 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>John F Wing Chairman</td>
<td>Citizens Advisory Committee</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>601 North Howard Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Baltimore MD 21201 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Charles M Chadwick</td>
<td>Maryland Midland Railway Inc</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>P.O. Box 1000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Union Bridge MD 21791 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Henry E. Seaton</td>
<td>7700 Leesburg Pike, Ste 201</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Falls Church VA 22043 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thomas E. Schick</td>
<td>Chemical Manuf Assoc</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1300 Wilson Boulevard</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Arlington VA 22209 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jennifer Braun</td>
<td>Jackson &amp; Jessup</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>P.O. Box 1240</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>3426 North Washington Boulevard</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Arlington VA 22210 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kenneth E. Siegel</td>
<td>American Trucking Assoc</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2200 Mill Road</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Alexandria VA 22314-4677 US</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name</td>
<td>Position</td>
<td>Location</td>
<td></td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-----------------------------------</td>
<td>-----------------------------------</td>
<td></td>
</tr>
<tr>
<td>ROBERT E MARTINEZ</td>
<td>Secretary of Transportation</td>
<td>Richmond VA 23218 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE GEORGE ALLEN</td>
<td>Governor, Commonwealth of Virginia</td>
<td>Richmond VA 23219 US</td>
<td></td>
</tr>
<tr>
<td>GEORGE A ASPATORE</td>
<td>Norfolk Southern Corp</td>
<td>Norfolk VA 23510 US</td>
<td></td>
</tr>
<tr>
<td>L P KING JR</td>
<td>General Chairperson UTU</td>
<td>Roanoke VA 24011 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE JOHN WARNER</td>
<td>United States Senate</td>
<td>Richmond VA 24210-J887 US</td>
<td></td>
</tr>
<tr>
<td>VAUGHN R GROVES</td>
<td>Pittston Coal Company</td>
<td>Lebanon VA 24266 US</td>
<td></td>
</tr>
<tr>
<td>TERRELL ELLIS</td>
<td>CAEINV</td>
<td>Clay WV 25043 US</td>
<td></td>
</tr>
<tr>
<td>R K SARGENT</td>
<td>General Chairperson UTU</td>
<td>Kenova WV 25530 US</td>
<td></td>
</tr>
<tr>
<td>WILLIAM T BRIGHT</td>
<td>P O BOX 149</td>
<td>Summersville WV 26651 US</td>
<td></td>
</tr>
<tr>
<td>FRANK N JORGENSEN</td>
<td>The Elk River Railroad Inc</td>
<td>Jacksonville FL 32202 US</td>
<td></td>
</tr>
<tr>
<td>SCOTT M SAYLOR</td>
<td>North Carolina Railroad Company</td>
<td>Raleigh NC 27604-1640 US</td>
<td></td>
</tr>
<tr>
<td>E NORRIS TOLSON</td>
<td>NC Dept of Transportation</td>
<td>Raleigh NC 27611 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE DAVID M BEASLEY</td>
<td>Governor</td>
<td>Columbia SC 29211 US</td>
<td></td>
</tr>
<tr>
<td>PAUL R. HITCHCOCK</td>
<td>CSX Transportation Law Department</td>
<td>Jacksonville FL 32202 US</td>
<td></td>
</tr>
<tr>
<td>J L RODGERS</td>
<td>General Chairman UTU</td>
<td>Jacksonville FL 32250 US</td>
<td></td>
</tr>
<tr>
<td>J T REED</td>
<td>General Chairperson UTU</td>
<td>Jacksonville FL 32256 US</td>
<td></td>
</tr>
<tr>
<td>PHILLIP L BELL</td>
<td>Erie Lackawanna Railroad Co</td>
<td>Tallahassee FL 32302 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE LAWTON CHILES</td>
<td>Office of the Governor</td>
<td>Tallahassee FL 32399-0001 US</td>
<td></td>
</tr>
<tr>
<td>JAMES L BELCHER</td>
<td>Eastman Chemical Company</td>
<td>Kingsport TN 37662 US</td>
<td></td>
</tr>
<tr>
<td>WILLIAM L OSTEEN</td>
<td>Associate General Counsel TVA</td>
<td>Knoxville TN 37902 US</td>
<td></td>
</tr>
<tr>
<td>J R BARBEE</td>
<td>General Chairperson UTU</td>
<td>Knoxville TN 37940 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE KIRK FORDICE, GOVERNOR</td>
<td>State of Mississippi</td>
<td>Jackson MS 39205 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE PAUL E. PATTON</td>
<td>Governor</td>
<td>Frankfort KY 40601 US</td>
<td></td>
</tr>
<tr>
<td>WILLIAM P. HERNAN JR</td>
<td>General Chairman</td>
<td>Hilliard OH 43026 US</td>
<td></td>
</tr>
<tr>
<td>F R PICKELL</td>
<td>General Chairperson UTU</td>
<td>Worthington OH 43085 US</td>
<td></td>
</tr>
<tr>
<td>THOMAS M O'LEARY</td>
<td>Ohio Rail Development Commission</td>
<td>Columbus OH 43210 US</td>
<td></td>
</tr>
</tbody>
</table>

08/20/1998
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>ZIP</th>
</tr>
</thead>
<tbody>
<tr>
<td>DOREEN C JOHNSON</td>
<td>CHIEF ANTITRUST SECTION</td>
<td>COLUMBUS</td>
<td>OH</td>
<td>43215</td>
</tr>
<tr>
<td></td>
<td>OHIO ATTY GENERAL OFFICE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>30 E BROAD STREET 16TH FLOOR</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>COLUMBUS OH 43215 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HONORABLE JOHN GLENN</td>
<td>U. S. SENATE ATTN: DAN E. EMERINE</td>
<td>COLUMBUS</td>
<td>OH</td>
<td>43215</td>
</tr>
<tr>
<td></td>
<td>200 N HIGH STREET S-600</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>COLUMBUS OH 43215-2408 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ROBERT J. COOPER</td>
<td>GENERAL CHAIRPERSON UTU</td>
<td>MAUMEE</td>
<td>OH</td>
<td>43537</td>
</tr>
<tr>
<td></td>
<td>1238 CASS ROAD</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>MAUMEE OH 43537 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DAVID DYSARD</td>
<td>TMACOG</td>
<td>TOLEDO</td>
<td>OH</td>
<td>43697</td>
</tr>
<tr>
<td></td>
<td>PO BOX 9508</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>300 CENTRAL UNION PLAZA</td>
<td>TOLEDO</td>
<td>OH</td>
<td>43660</td>
</tr>
<tr>
<td></td>
<td>TOLEDO OH 43660 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MAYOR VINCENT M. URBIN</td>
<td>150 AVON BELDEN RD</td>
<td>AvON LAKE</td>
<td>OH</td>
<td>44012</td>
</tr>
<tr>
<td></td>
<td>AVON LAKE OH 44012 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>COLETTA MCGNAMEE SR</td>
<td>CUDELL IMPROVEMENT INC</td>
<td>CLEVELAND</td>
<td>OH</td>
<td>44102</td>
</tr>
<tr>
<td></td>
<td>11500 FRANKLIN BLVD STE 104</td>
<td>CLEVELAND</td>
<td>OH</td>
<td>44102</td>
</tr>
<tr>
<td>C L LITTLE</td>
<td>UNITED TRANSPORTATION UNION</td>
<td>CLEVELAND</td>
<td>OH</td>
<td>44102</td>
</tr>
<tr>
<td></td>
<td>14600 DETROIT AVE</td>
<td>CLEVELAND</td>
<td>OH</td>
<td>44102</td>
</tr>
<tr>
<td>C V. MONIN</td>
<td>BROTHERHOOD OF LOCOMOTIVE ENGINEERS</td>
<td>CLEVELAND</td>
<td>OH</td>
<td>44102</td>
</tr>
<tr>
<td></td>
<td>1370 ONTARIO STREET</td>
<td>CLEVELAND</td>
<td>OH</td>
<td>44102</td>
</tr>
<tr>
<td>DAVID ROLOFF</td>
<td>GOLSTEIN &amp; ROLOFF</td>
<td>CLEVELAND</td>
<td>OH</td>
<td>44113</td>
</tr>
<tr>
<td></td>
<td>526 SUPERIOR AVENUE EAST SUITE 1440</td>
<td>CLEVELAND</td>
<td>OH</td>
<td>44113</td>
</tr>
<tr>
<td>DAVID J. MATTY</td>
<td>CITY OF ROCKY RIVER</td>
<td>ROCKY RIVER</td>
<td>OH</td>
<td>44116</td>
</tr>
<tr>
<td></td>
<td>21012 HILLIARD ROAD</td>
<td>ROCKY RIVER</td>
<td>OH</td>
<td>44116</td>
</tr>
<tr>
<td></td>
<td>ROCKY RIVER OH 44116-3398 US</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C D. WINEBRENNER</td>
<td>GENERAL CHAIRPERSON UTU</td>
<td>EUCLID</td>
<td>OH</td>
<td>44132</td>
</tr>
<tr>
<td></td>
<td>27801 EUCLID AV BM 200</td>
<td>EUCLID</td>
<td>OH</td>
<td>44132</td>
</tr>
<tr>
<td>CHARLES ZUMKEHR</td>
<td>ROETZEL &amp; ANDREWS CO LPA</td>
<td>AKRON</td>
<td>OH</td>
<td>44308</td>
</tr>
<tr>
<td></td>
<td>75 EAST MARKET STREET</td>
<td>AKRON</td>
<td>OH</td>
<td>44308</td>
</tr>
<tr>
<td>CHARLES E. ALLENBAUGH JR</td>
<td>EAST OHIO STONE COMPANY</td>
<td>ALLIANCE</td>
<td>OH</td>
<td>44601</td>
</tr>
<tr>
<td></td>
<td>2000 W BESSON ST</td>
<td>ALLIANCE</td>
<td>OH</td>
<td>44601</td>
</tr>
<tr>
<td>HONORABLE DEBORAH PRYCE</td>
<td>U. S. HOUSE OF REPRESENTATIVES</td>
<td>COLUMBUS</td>
<td>OH</td>
<td>43215</td>
</tr>
<tr>
<td></td>
<td>500 SOUTH FRONT STREET, ROOM 1130</td>
<td>COLUMBUS</td>
<td>OH</td>
<td>43215</td>
</tr>
<tr>
<td>JAMES R. JACOBS</td>
<td>JACOBS INDUSTRIES</td>
<td>STONY RIDGE</td>
<td>OH</td>
<td>43463</td>
</tr>
<tr>
<td></td>
<td>2 QUARRY LANE</td>
<td>STONY RIDGE</td>
<td>OH</td>
<td>43463</td>
</tr>
<tr>
<td>ROBERT E. GREENLESE</td>
<td>TOLEDO-LUCAS COUNTY PORT AUTHORITY</td>
<td>TOLEDO</td>
<td>OH</td>
<td>43604</td>
</tr>
<tr>
<td></td>
<td>1 MARITIME PLAZA SUITE 700</td>
<td>TOLEDO</td>
<td>OH</td>
<td>43604</td>
</tr>
<tr>
<td>RON MARQUARDT</td>
<td>LOCAL UNION 1810 UMWA</td>
<td>RAYLAND</td>
<td>OH</td>
<td>43943</td>
</tr>
<tr>
<td></td>
<td>R D #2</td>
<td>RAYLAND</td>
<td>OH</td>
<td>43943</td>
</tr>
<tr>
<td>CHARLES S. HESSE</td>
<td>CHARLES HESSE ASSOCIATES</td>
<td>CHAGRIN FALLS</td>
<td>OH</td>
<td>44023</td>
</tr>
<tr>
<td></td>
<td>7777 BAINBRIDGE ROAD</td>
<td>CHAGRIN FALLS</td>
<td>OH</td>
<td>44023</td>
</tr>
<tr>
<td>ANITA R. BRINDIZZI</td>
<td>THE ONE FIFTEEN HUNDRED BUILDING</td>
<td>CLEVELAND</td>
<td>OH</td>
<td>44102</td>
</tr>
<tr>
<td></td>
<td>11500 FRANKLIN BLVD SUITE 104</td>
<td>CLEVELAND</td>
<td>OH</td>
<td>44102</td>
</tr>
<tr>
<td>CLINTON J. MILLER III</td>
<td>GENERAL COUNSEL</td>
<td>CLEVELAND</td>
<td>OH</td>
<td>44102</td>
</tr>
<tr>
<td></td>
<td>UNITED TRANSPORTATION UNION</td>
<td>CLEVELAND</td>
<td>OH</td>
<td>44102</td>
</tr>
<tr>
<td></td>
<td>14600 DETROIT AVE</td>
<td>CLEVELAND</td>
<td>OH</td>
<td>44102</td>
</tr>
<tr>
<td>CHRISTOPHER C. MCCracken</td>
<td>ULMER &amp; BERNE LLP</td>
<td>CLEVELAND</td>
<td>OH</td>
<td>44102</td>
</tr>
<tr>
<td></td>
<td>1300 EAST NINTH STREET SUITE 900</td>
<td>CLEVELAND</td>
<td>OH</td>
<td>44102</td>
</tr>
<tr>
<td>MICHAEL J. GARRIGAN</td>
<td>BP CHEMICALS INC</td>
<td>CLEVELAND</td>
<td>OH</td>
<td>44128</td>
</tr>
<tr>
<td></td>
<td>4440 WARRENSVILLE CTR RD</td>
<td>CLEVELAND</td>
<td>OH</td>
<td>44128</td>
</tr>
<tr>
<td>GARY A. EBERT</td>
<td>CITY OF BAY VILLAGE</td>
<td>BAY VILLAGE</td>
<td>OH</td>
<td>44140</td>
</tr>
<tr>
<td></td>
<td>350 DOVER CENTER ROAD</td>
<td>BAY VILLAGE</td>
<td>OH</td>
<td>44140</td>
</tr>
<tr>
<td>SYLVIA R. CHINN-LEVY</td>
<td>NEFCO</td>
<td>AKRON</td>
<td>OH</td>
<td>44320</td>
</tr>
<tr>
<td></td>
<td>969 COPELY ROAD</td>
<td>AKRON</td>
<td>OH</td>
<td>44320</td>
</tr>
<tr>
<td>RANDALL C. HUNT</td>
<td>KRUGLIAK, WILKINS, GRIFFITHS &amp; DOUGHERTY CO.</td>
<td>CANTON</td>
<td>OH</td>
<td>44735</td>
</tr>
<tr>
<td></td>
<td>P.O. BOX 36963</td>
<td>CANTON</td>
<td>OH</td>
<td>44735</td>
</tr>
</tbody>
</table>
SERVICE LIST FOR: 20-aug-1998 STB FD 33388 0  CSX CORPORATION AND CSX TRANSPORTATION

D G STRUNK JR
GENERAL CHAIRPERSON UTU
817 KILBOURNE STREET
BELLEVUE OH 44811 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 GASE & COKE UTILITY
2020 N MERIDIAN STREET
INDIANAPOLIS IN 46202-1393 US

HONORABLE DAN COATS,
UNITED STATES SENATE
1150 MARKET TOWER, 10 WEST MARKET STREET
INDIANAPOLIS IN 46204 US

MICHAEL CONNELLY
CITY OF EAST CHICAGO
4525 INDIANAPOLIS BLVD
EAST CHICAGO IN 46312 3

HONORABLE PETER J. VISCLOSKY
U. S. HOUSE OF REPRESENTATIVES
215 WEST 3RD 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 48647 US

LARRY J. KARNS
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 DIVISION - GENERAL MILLS OPERATION
P.O. BOX 1113
NUMBER ONE GENERAL MILLS BOULEVARD
MINNEAPOLIS MN 55440 US

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

RICHARD E KERTH
CHAMPION INTERNAT'L CORP
101 KNIGHTSBIDGE DRIVE
HAMPTON 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

J PATRICK LATI
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 AGRIC INC
P. O. BOX 127
4743 COUNTY ROAD 28
WATERLOO IN 46793-0127 US

WILLIAM A BCN, GENERAL COUNSEL
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
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 30050
LANSING MI 48933 US

BYRON D OLSEN
FELHABER LARSON FENLON & VOGT PA
601 SECOND AVENUE SOUTH 4200 FIRST BANK PLACE
MINNEAPOLIS MN 55402-4302 US

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

RICHARD A GAVRIL
16700 GENTRY LANE NO 104
TINLEY PARK IL 60477 US
SERVICE LIST FOR: 20-aug-1998 STB FD 33388 0

CSX CORPORATION AND CSX TRANSPORTATION

WILLIAM F. COTTRELL
ASS'T. ATTORNEY GENERAL
100 W RANDOLPH ST - 12TH FLOOR
CHICAGO IL 60601 US

THOMAS J. LITTLER
OFFICE OF ATTORNEY GENERAL
180 N STETSON AVE 45TH FLOOR
CHICAGO IL 60601 US

WILLIAM C. SIPPEL
OFFICE OF ATTORNEY GENERAL
180 N STETSON AVE TWO PRUDENTIAL PLAZA 45TH FLOOR
CHICAGO IL 60601 US

KEVIN B. BAKER
ENVIRONMENTAL LAW AND POLICY CENTER OF THE MI
203 NORTH LASALLE ST, SUITE 1390
CHICAGO IL 60601 US

RICHARD F. FRIEDMAN
INTERNATIONAL PORT DISTRICT (PORT F CHICAGO)
111 W WASHINGTON STREET SUITE 1700
CHICAGO IL 60602 US

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

RICHARD F. FRIEDMAN
INTERNATIONAL PORT DISTRICT (PORT F CHICAGO)
111 W WASHINGTON STREET SUITE 1700
CHICAGO IL 60602 US

ROGER A. SERPE
INDIANA HARBOR BELT RR
175 WEST JACKSON BOULEVARD SUITE 1460
CHICAGO IL 60604 US

SANDRA J. DEARDEEN
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 62703-455 US

IAN MUIR
BUNGE CORPORATION
P O BOX 26500
ST LOUIS MO 63146 US

HENRY T. DART
PLAINTIFF MANAGEMENT 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

MICHAEL P. FERRO
MILLENNIUM PETROCHEMICALS, INC.
P O BOX 2583
HOUSTON TX 77252-2583 US

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

08/20/1998
On August 12, 1998, Providence and Worcester Railroad Company (P&W) filed a petition to stay the implementation of the transaction we authorized in Decision No. 89, served July 23, 1998, pending judicial review of that decision. P&W states that it is seeking a limited stay only with respect to applicants' proposed disposition of one of Conrail's terminal properties known as New Haven Station. According to P&W, it has the right to acquire New Haven Station if Conrail withdraws from, or abandons or discontinues, freight service at that location under the terms of a 1982 order of the former Special Court. P&W argues that a stay is appropriate because our decision preempting any rights it may have to New Haven Station allegedly violates the exclusive jurisdiction of the former Special Court.

P&W's stay petition is late-filed. Pursuant to 49 CFR 1115.3(f), a petition to stay was due within 10 days of service of Decision No. 89, or by August 3, 1998. Despite this deficiency, we will consider P&W's request.

In Decision No. 89, we approved, subject to conditions, the applications 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.

The Special Court was created pursuant to section 209 of the Regional Rail Reorganization Act of 1973 to handle judicial proceedings relating to properties conveyed to restructured railroads in the Northeast United States under the Final System Plan (FSP). The United States District Court for the District of Columbia now exercises the jurisdiction formerly exercised by the defunct Special Court.
To justify a stay, petitioner P&W must demonstrate: (1) it has a strong likelihood of prevailing on the merits; (2) it will be irreparably harmed in the absence of a stay; (3) other interested parties will not be substantially harmed by the stay; and (4) the public interest supports granting the stay. *Virginia Petroleum Jobbers Assoc. v. FPC*, 259 F.2d 921 (D.C. Cir. 1958); *Washington Metropolitan Area Transit Comm. v. Holiday Tours, Inc.*, 559 F.2d 841, 843 (D.C. Cir. 1977). For the reasons discussed below, we find that P&W has failed to meet these requirements.

**Likelihood of prevailing on the merits.** P&W contends that our preemption of its rights to New Haven Station is in direct conflict with the exclusive jurisdiction of the Special Court to review, approve, and implement supplemental transactions under the Northeast Rail Service Act of 1981 (NERSA). P&W argues that, even if the Board has authority under 49 U.S.C. 11321(a) to preempt an order of the Special Court, our finding that New Haven Station is an integral and necessary part of the CSX/NS/CR transaction is contrary to the facts and not supported by the record. According to P&W, the station is an isolated and marginal appendage to the Conrail system, and the facility or P&W’s rights under the Special Court’s order were not mentioned in the application.

Even if we assume for the sake of argument that a mere transfer of this station to CSX could be construed to be an abandonment or discontinuance of use of that station, which seems doubtful, P&W has failed to show that it will likely prevail on the merits of its case. Notwithstanding what we said in passing with regard to this issue in Decision No. 89 at 106, we now believe that we are not barred from taking actions that affect orders of the Special Court. In a 1982 decision in *Consolidated Rail Corp. v. Delaware & Hudson Ry.*, 543 F. Supp. 1079 (Sp. Ct. RRRA 1982), the Special Court rejected a similar claim that a matter pertaining to rights conveyed under the FSP was within that court’s exclusive jurisdiction and found the proceeding to be properly before the Interstate Commerce Commission (ICC). The Special Court held that there was no blanket requirement that railroads seeking to alter property relationships established under the FSP obtain a supplemental transaction order from that court. Instead, the court ruled that the

---

4 In its reply, CSX maintains that, according to the Special Court, the term “New Haven Station” refers to all of the rail properties of Conrail within the corporate limits of New Haven plus a portion of nearby Cedar Hill Yard. CSX refers to these properties as the “New Haven Properties.”

movant carrier could present a reciprocal switching request before our predecessor, the ICC, which, like the Board, had plenary authority over properties used to provide rail service in interstate commerce. Id. at 1085.

In any event, our preemption of any rights P&W may have in New Haven Station was an appropriate precaution because CSX has shown that the facility is an integral and necessary part of the CSX/NS/CR transaction. The override was necessary to ensure that nothing would interfere with the goal of dividing Conrail’s assets and operations among CSX, NS, and the continuing Conrail, to carry out the transaction we approved in the public interest. According to CSX, Conrail’s facilities in New Haven and the nearby Cedar Hill Yard are an integral part of Conrail’s New York City to New Haven operations, and an override was necessary to transfer and vest Conrail’s operating rights in the line. CSX also states that New Haven Station is necessary for continued freight service to local New Haven industries from the north and west, on the Albany-Boston Line via a connection with Connecticut Southern Railroad. Thus, we find that it is unlikely that P&W will prevail on the merits of its case.

Irreparable injury. P&W argues that, unless a stay is granted, there is a substantial risk that its interests will be harmed once CSX assumes control of the station and that it will have insufficient time to seek judicial review of its contentions. Although applicants have not announced when they will implement the division of Conrail’s operations and begin their respective operations, i.e., Day One, it is apparent that this will not occur for some time. CSX states that P&W’s fears that it will be irreparably harmed are pure speculation and that there is nothing in CSX’s operating plans to indicate that its operation of the facility would be significantly different from Conrail’s current operations. In these circumstances, P&W has not shown that it will be irreparably harmed by a lack of a stay.

Harm to other parties. P&W maintains that a stay to prevent a transfer of New Haven Station to CSX would not substantially harm CSX and would have no appreciable impact on the successful implementation of the overall transaction. However, applicants have expressed the commitment to making every effort to ensure that the division of Conrail’s operations are effected smoothly. Because New Haven Station is an integral and necessary part of the CSX/NS/CR transaction, delaying its integration into CSX would adversely affect the transaction as a whole. We therefore conclude that P&W has failed to show that a stay would not harm applicants.

Public interest. The public interest does not support a stay. P&W contends that the public interest would be served by staying that portion of Decision No. 89 relating to New Haven Station until a court can resolve the apparent conflict with the exclusive jurisdiction of the Special Court over such matters. As indicated above, however, the Special Court itself has ruled that its

---

6 Our authority to adjudicate the conditions and compensation in reciprocal switching agreements is set forth at 49 U.S.C. 11102(c).
jurisdiction is not exclusive of ICC action taken under appropriate statutory authority. Staying the transaction pending resolution of P&W's private dispute has not been shown to be in the public interest. Accordingly, the petition will be denied.

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

It is ordered:

1. The stay petition filed by the Providence and Worcester Railroad Company is denied.

2. This decision is effective on its service date.

By the Board, Chairman Morgan and Vice Chairman Owen.

Vernon A. Williams
Secretary
SERVICE LIST FOR: 21-aug-1998 STB FD 33388 O
CSX CORPORATION AND CSX TRANSPORTATION

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

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

J OHN R NADOLNY
BOSTON AND MAINE CORPORATION
IRON HORSE PARK
NORTH BILLERICA MA 01862 US

JAMES E HOWARD
90 CANAL STREET
BOSTON MA 02114 US

HON. EDMOND M KENNEDY
UNITED STATES SENATE
2400 JOHN F KENNEDY FEDERAL BLDG
BOSTON MA 02203 US

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

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

KAREN E SONGHEST
STATE OF VERMONT
133 STATE STREET
MONTPELIER VT 05633-5001 US

JAMES F SULLIVAN
CT DEPT OF TRANSPORTATION
P O BOX 317546
2900 BERLIN TURNPIKE
NEWINGTON CT 06113 US

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

RICHARD C CARPENTER
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 07094-1568 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

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 RIVERON
1220 BANNARD STREET
CINNAMINSON NJ 08077-1802 US

TIMOTHY G CHELIUS
10 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

08/21/1998
SERVICE LIST FOR: 21-aug-1998 STB FD 33380

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

JAMES W HARRIS
THE METROPOLITAN 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

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 200
ALBANY NY 12205 US

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

HONORABLE ALFONSE M. D'AMATO
UNITED STATES SENATE
LEO O'BRIEN OFFICE BUILDING, ROOM 420
ALBANY NY 12207 US

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

ANGEL 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

HONORABLE ALFONSE D'AMATO
UNITED STATES SENATE
111 W. HURON STREET, ROOM 620
BUFFALO NY 14202 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 15229 US

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

RICHARD R WILSON
1126 EIGHT AV STE 403
ALTOONA PA 16602 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

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

DAVID W. DONLEY
3161 STAFFORD ST
PITTSBURGH PA 15204-1441 US

JOHN A. VUONO
VUONO & GRAY
2310 GRANT BUILDING
PITTSBURGH PA 15219 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
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Role</th>
</tr>
</thead>
<tbody>
<tr>
<td>KURT W CARR</td>
<td>BUREAU FOR HISTORIC PRESERVATION P O BOX 1026 HARRISBURG PA 17108-1026 US</td>
<td>HONORABLE THOMAS J RIDGE GOVERNOR, COMMONWEALTH OF PENNSYLVANIA 225 MAIN CAPITOL BUILDING HARRISBURG PA 17120 US</td>
</tr>
<tr>
<td>KRISTOPHER MICHAEL KLEMICK</td>
<td>RR#3 BOX 101-15 JERSEY SHORE PA 17740-9309 US</td>
<td>BELNAP FREEMAN BELNAP FREEMAN 119 HICKORY LANE ROSEMONT PA 19010 US</td>
</tr>
<tr>
<td>D J O'CONNELL</td>
<td>GENERAL CHAIRPERSON UTU 410 LANCASTER AVE STE 5 HAVERTYFORD PA 19041 US</td>
<td>JOHN J GROCKI GRA INC 115 WEST AV ONE JENKINTOWN STA JENKINTOWN PA 19046 US</td>
</tr>
<tr>
<td>HARRY C BARBIN</td>
<td>BARBIN LAUFFER &amp; O'CONNELL 608 HUNTINGDON PIKE ROCKLEDGE PA 19046 US</td>
<td>G CRAIG SCHELTER PHILADELPHIA INDUSTRIAL DEVELOPMENT CORPORATION 2600 CENTRE SQUARE WEST 500 MARKET ST PHILADELPHIA PA 19102 US</td>
</tr>
<tr>
<td>WILLIAM R THOMPSON</td>
<td>CITY OF PHILADELPHIA LAW DEPT 1600 ARCH ST 10TH FLOOR PHILADELPHIA PA 19103 US</td>
<td>JOHN J EHLINGER JR OBERMAYER REBMAN MAXWELL &amp; HIPPEL 1617 JOHN F. KENNEDY BLVD ONE PENN CENTER-19T PHILADELPHIA PA 19103-1895 US</td>
</tr>
<tr>
<td>DAVID BERGER</td>
<td>BERGER AND MONTAGUE, P. C. 1622 LOCUST ST PHILADELPHIA PA 19103-6305 US</td>
<td>JOHN J COSCIA, EXECUTIVE DIRECTOR DELAWARE VALLEY REGIONAL PLANNING COMMISSION 111 SOUTH INDEPENDENCE MALL EAST PHILADELPHIA PA 19106 US</td>
</tr>
<tr>
<td>JOHN K. LEARY, GENERAL MANAGER</td>
<td>SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTH 1234 MARKET STREET 5TH FLOOR PHILADELPHIA PA 19107-3780 US</td>
<td>ERIC M ROCKY GOLLATZ GRIFFIN Ewing 213 WEST MINER STREET WEST CHESTER PA 19381-0796 US</td>
</tr>
<tr>
<td>HON JOSEPH R BIDEN, JR.</td>
<td>UNITED STATES SENATE 844 KING STREET WILMINGTON DE 19801 US</td>
<td>J E THOMAS HERCULES INCORPORATED 1313 NORTH MARKET STREET WILMINGTON DE 19894 US</td>
</tr>
<tr>
<td>E C WRIGHT</td>
<td>RAIL TRANSPORTATION PROCUREMENT MANAGER 1007 MARKET STREET DUPONT BLDG 3100 WILMINGTON DE 19898 US</td>
<td>FREDERICK H SCHRANCK PO BOX 778 DOVER DE 19903 US</td>
</tr>
<tr>
<td>TERRENCE D JONES</td>
<td>KELLER &amp; HECKMAN 1001 G ST NW STE 500 WEST WASHINGTON DC 20001 US</td>
<td>MARTIN W BERCOCVICI KELLER &amp; HECKMAN 1001 G ST NW SUITE 500 WEST WASHINGTON DC 20001 US</td>
</tr>
<tr>
<td>JAMES HOWARD</td>
<td>COALITION OF NORTHEASTERN GOVERNORS 400 NORTH CAPITOL STREET, SUITE 382 WASHINGTON DC 20001 US</td>
<td>PETER A GILBERTSON REGIONAL RRS OF AMERICA 122 C ST NW STE 850 WASHINGTON DC 20001 US</td>
</tr>
<tr>
<td>BRUCE KNIGHT</td>
<td>NATIONAL CORN GROWERS ASSOCIATION 122 C ST NW SUITE 510 WASHINGTON DC 20001-2109 US</td>
<td>RICHARD G SLATTERY AMTRAK 60 MASSACHUSETTS AVENUE N E WASHINGTON DC 20002 US</td>
</tr>
<tr>
<td>DONALD F GRIFFIN</td>
<td>BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES 10 G STREET NE STE 460 WASHINGTON DC 20002 US</td>
<td>JOSEPH GUERRIERI, JR. GUERRIERI, EDMOND, ET. AL 1331 F STREET N W, 4TH FLOOR WASHINGTON DC 20004 US</td>
</tr>
<tr>
<td>Name</td>
<td>Firm</td>
<td>Address</td>
</tr>
<tr>
<td>---------------------------</td>
<td>-----------------------------</td>
<td>----------------------------------------------</td>
</tr>
<tr>
<td>Debra L. Wilen</td>
<td>Guerrieri, Edmund &amp; Clayman PC</td>
<td>1331 F Street NW, 4th Floor</td>
</tr>
<tr>
<td>Patrick R. Plummer</td>
<td>Guerrieri, Edmund &amp; Clayman PC</td>
<td>1331 F Street NW</td>
</tr>
<tr>
<td>Dennis G Lyons</td>
<td>Arnold &amp; Porter</td>
<td>555 Twelfth Street NW</td>
</tr>
<tr>
<td>Drew A. Harker</td>
<td>Arnold &amp; Porter</td>
<td>555 Twelfth Street NW</td>
</tr>
<tr>
<td>George W. Mayo Jr</td>
<td>Hogan &amp; Hartson L P</td>
<td>555 Thirteenth Street NW Columbia Square</td>
</tr>
<tr>
<td>Mary Gabrielle Sprague</td>
<td>Arnold &amp; Porter</td>
<td>555 Twelfth Street NW</td>
</tr>
<tr>
<td>William M. Millar</td>
<td>American Public Transit Association</td>
<td>1201 New York Ave., NW</td>
</tr>
<tr>
<td>Kevin M. Sheys</td>
<td>Oppenheimer Wolff &amp; Donnelly &amp; Bayh LLP</td>
<td>1350 Eye Street, N.W., Ste 200</td>
</tr>
<tr>
<td>Rose-Michele Weinryb</td>
<td>Weiner Brodsky Sidman &amp; Kider</td>
<td>1350 New York Avenue NW</td>
</tr>
<tr>
<td>Daniel Duff</td>
<td>American Public Transit Association</td>
<td>1201 New York Ave., NW</td>
</tr>
<tr>
<td>L. John Osborn</td>
<td>Sonnenschein Nath &amp; Rosenthal</td>
<td>1301 K Street NW Ste 600 East</td>
</tr>
<tr>
<td>Karl Morell</td>
<td>Ball Janik LLP</td>
<td>1455 F Street NW Suite 225</td>
</tr>
<tr>
<td>Clark Evans Downs</td>
<td>Jones Day Reavis &amp; Pogue</td>
<td>1450 G Street NW</td>
</tr>
<tr>
<td>Paul H. Lambeley</td>
<td></td>
<td>1350 Eye Street, N.W., Ste 200</td>
</tr>
<tr>
<td>Jeffrey O. Moreno</td>
<td>Donelan Cleary Wood Maser</td>
<td>1100 New York Avenue N W, Suite 750</td>
</tr>
<tr>
<td>Frederic L. Wood</td>
<td>Donelan Cleary Wood &amp; Maser P C</td>
<td>1100 New York Avenue NW Suite 750</td>
</tr>
<tr>
<td>William A. Mullins</td>
<td>Troutman Sanders LLP</td>
<td>1300 I Street NW Suite 500 East</td>
</tr>
<tr>
<td>Fritz R. Kahn</td>
<td></td>
<td>1100 New York Avenue NW Suite 750 West</td>
</tr>
<tr>
<td>Karyn A. Booth</td>
<td>Donelan, Cleary, Wood &amp; Maser, P.C.</td>
<td>1100 New York Ave NW Suite 750</td>
</tr>
<tr>
<td>Nicholas J. Dimichael</td>
<td>Donelan Cleary Wood &amp; Maser PC</td>
<td>1100 New York Avenue NW Ste 750</td>
</tr>
</tbody>
</table>
SERVICE LIST FOR: 21-aug-1998 STB FD 33388-0 CSX CORPORATION AND CSX TRANSPORTATION

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

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

ROBERT P VON LIGGEN
HOPKINS AND SUTTER
888 16TH STREET NW STE 700
WASHINGTON DC 20006 US

ANDREW R. PLUMP
ZUCKERT, SCOTT & RASENBERGER, LLP
888 17TH STREET 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

FRANCIS G. MCKENNA
ANDERSON & PENDLETON
1700 K ST NW SUITE 1107
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
2000 PA AV NW
WASHINGTON DC 20006-US

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

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

CHARLES A SPIRULNIK
HOPKINS & SUTTER
888 SIXTEENTH ST NW
WASHINGTON DC 20006-4103 US

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

SHERRI LEHMAN DIRECTOR OF CONGRESSIONAL AFFAIRS
CORN REFINERS ASSOCIATION
1701 PA AV NW
WASHINGTON DC 20006-5805 US

ROBERT G. SZABO
V. NESS FELMAN & ASSOCIATES
1050 THOJEFFERSON STREET NW
WASHINGTON DC 20007 US

DAVID K MONROE
GALLAND KARASCH & GAFINKLE P.C
1054 THIRTY-FIRST STREET NW
WASHINGTON DC 20007 US

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

EDWARD D GREENBERG
GALLAND KARASCH & GAFINKLE P.C
1054 THIRTY-FIRST STREET NW
WASHINGTON DC 20007-4492 US

MICHAEL F McBRIE
LEBOEUF LAMB GREENE & MACRAE
1875 CONNECTICUT AVENUE NW
WASHINGTON DC 20009 US

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

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

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

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

C MICHAEL LOFTUS
SLOVER & LOFTUS
1224 SEVENTEENTH STREET, NW
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 ASSOCIATION
1110 17TH STREET NW
WASHINGTON DC 20036 US

JUDY CALDWELL
OPEHEIMER WILSON & DONNELLY
1020 NINETEENTH ST NW STE 400
WASHINGTON DC 20036 US

08/21/1998
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>City, State, Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stephen H Brown</td>
<td>Vorys Sater Seymour and Pease</td>
<td>Washington DC 20036</td>
</tr>
<tr>
<td>Christopher A Mills</td>
<td>Slover &amp; Loftus</td>
<td>Washington DC 20036</td>
</tr>
<tr>
<td>Kelvin J Dowd</td>
<td>Slover &amp; Loftus</td>
<td>Washington DC 20036</td>
</tr>
<tr>
<td>Paul A Cunningham</td>
<td>Harrins Cunningham</td>
<td>Washington DC 20036</td>
</tr>
<tr>
<td>John M Cutler Jr</td>
<td>McCarthy Sweeney Harkaway PC</td>
<td>Washington DC 20036</td>
</tr>
<tr>
<td>William L Slover</td>
<td>Slover &amp; Loftus</td>
<td>Washington DC 20036</td>
</tr>
<tr>
<td>Edward J Fishman</td>
<td>Oppenheimer Wolff &amp; Donnelly</td>
<td>Washington DC 20036</td>
</tr>
<tr>
<td>Arvid E Roach II</td>
<td>Covington &amp; Burling</td>
<td>Washington DC 20036</td>
</tr>
<tr>
<td>Thomas A. O'Brien</td>
<td>US Department of Agriculture</td>
<td>Washington DC 20036</td>
</tr>
<tr>
<td>Judge Jacob Leventhal</td>
<td>Office of Hearings</td>
<td>Washington DC 20036</td>
</tr>
<tr>
<td>Hon John Glenn</td>
<td>United States Senate</td>
<td>Washington DC 20510</td>
</tr>
<tr>
<td>Hon. Joseph Biden, Jr.</td>
<td>United States Senate</td>
<td>Washington DC 20510</td>
</tr>
<tr>
<td>Honorable Richard Lugar</td>
<td>United States Senate</td>
<td>Washington DC 20510</td>
</tr>
<tr>
<td>Keith G O'Brien</td>
<td>Rea, Cross and Auchincloss</td>
<td>Washington DC 20036</td>
</tr>
<tr>
<td>Richard S Edelman</td>
<td>O'Donnell Schwartz &amp; Anderson PC</td>
<td>Washington DC 20036</td>
</tr>
<tr>
<td>William G. Mahoney</td>
<td>Highsmith, Mahoney &amp; Clarke</td>
<td>Washington DC 20036</td>
</tr>
<tr>
<td>Peter A Greene</td>
<td>Thompson Hine Flory</td>
<td>Washington DC 20036</td>
</tr>
<tr>
<td>L Pat Wynns</td>
<td>Suite 210</td>
<td>Washington DC 20036</td>
</tr>
<tr>
<td>John L Oberdorfer</td>
<td>Patton Boggs LLP</td>
<td>Washington DC 20037</td>
</tr>
<tr>
<td>Eileen S Stommes</td>
<td>Director T&amp;M Division</td>
<td>Washington DC 20090</td>
</tr>
<tr>
<td>Richard E Sanderson</td>
<td>Office of Federal Activities</td>
<td>Washington DC 20460</td>
</tr>
<tr>
<td>Hon. Barbara A. Mikulski</td>
<td>United States Senate</td>
<td>Washington DC 20510</td>
</tr>
<tr>
<td>Hon. Dan Coats</td>
<td>United States Senate</td>
<td>Washington DC 20510</td>
</tr>
<tr>
<td>Honorable Alfonse M D'Amato</td>
<td>United States Senate</td>
<td>Washington DC 20510</td>
</tr>
<tr>
<td>Service List For: 21-Aug-1998 STB FD 33388 0</td>
<td>CSX Corporation and CSX Transportation</td>
<td></td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>-----------------------------------------</td>
<td></td>
</tr>
<tr>
<td>HONORABLE J. ROBERT KERRY</td>
<td>HON MIKE DEWINE</td>
<td></td>
</tr>
<tr>
<td>UNITED STATES SENATE</td>
<td>U.S. Senate</td>
<td></td>
</tr>
<tr>
<td>WASH DC 20510 US</td>
<td>WASHINGTON DC 20510 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE BOB GRAHAM</td>
<td>HON. ROSA L DELAURIO</td>
<td></td>
</tr>
<tr>
<td>UNITED STATE SENATE</td>
<td>U.S. House of Representatives</td>
<td></td>
</tr>
<tr>
<td>WASHINGTON DC 20510 US</td>
<td>WASHINGTON DC 20510 US</td>
<td></td>
</tr>
<tr>
<td>HON. JOSEPH I LIEBLERMAN</td>
<td>HON. CHARLES ROBB</td>
<td></td>
</tr>
<tr>
<td>UNITED STATES SENATE</td>
<td>UNITED STATES SENATE</td>
<td></td>
</tr>
<tr>
<td>WASHINGTON DC 20510 US</td>
<td>WASHINGTON DC 20510 US</td>
<td></td>
</tr>
<tr>
<td>HON WILLIAM V. ROTH JR</td>
<td>HON. JOHN W. WARNER</td>
<td></td>
</tr>
<tr>
<td>U.S. Senate</td>
<td>U.S. Senate</td>
<td></td>
</tr>
<tr>
<td>WASHINGTON DC 20510-0001 US</td>
<td>WASHINGTON DC 20510-0001 US</td>
<td></td>
</tr>
<tr>
<td>HON CHRISTOPHER J DODD</td>
<td>HONORABLE DANIEL P. MOYNIHAN</td>
<td></td>
</tr>
<tr>
<td>UNITED STATE SENATE</td>
<td>UNITED STATES SENATE</td>
<td></td>
</tr>
<tr>
<td>WASH DC 20510-0702 US</td>
<td>WASHINGTON DC 20510-0903 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE CONNIE MACK</td>
<td>HONORABLE JOHN BREAUX</td>
<td></td>
</tr>
<tr>
<td>UNITED STATES SENATE</td>
<td>UNITED STATES SENATE</td>
<td></td>
</tr>
<tr>
<td>WASH DC 20510-0904 US</td>
<td>WASHINGTON DC 20510-1803 US</td>
<td></td>
</tr>
<tr>
<td>HON ARLEN SPECTER</td>
<td>HON RICK SANTORUM</td>
<td></td>
</tr>
<tr>
<td>UNITED STATES SENATE</td>
<td>UNITED STATES SENATE</td>
<td></td>
</tr>
<tr>
<td>WASH DC 20510-3802 US</td>
<td>WASHINGTON DC 20510-3804 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE JOHN H. CHAFEE</td>
<td>HON JACK REED</td>
<td></td>
</tr>
<tr>
<td>UNITED STATES SENATE</td>
<td>U.S. Senate</td>
<td></td>
</tr>
<tr>
<td>WASH DC 20510-3902 US</td>
<td>WASHINGTON DC 20510-3903 US</td>
<td></td>
</tr>
<tr>
<td>SENATOR ROBERT BYRD</td>
<td>HON. LEE N. HAMILTON</td>
<td></td>
</tr>
<tr>
<td>UNITED STATE SENATE</td>
<td>UNITED STATES HOUSE OF REPRESENTATIVES</td>
<td></td>
</tr>
<tr>
<td>WASH DC 20510-6025 US</td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE PAUL GILMORE</td>
<td>HONORABLE CHIP PICKERING</td>
<td></td>
</tr>
<tr>
<td>U.S. House of Representatives</td>
<td>U.S. House of Representatives</td>
<td></td>
</tr>
<tr>
<td>WASH DC 20515 US</td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE JESSE L. JACKSON, JR</td>
<td>HONORABLE LUIS GUTIERREZ</td>
<td></td>
</tr>
<tr>
<td>U.S. House of Representatives</td>
<td>U.S. House of Representatives</td>
<td></td>
</tr>
<tr>
<td>WASH DC 20515 US</td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE DANNY K DAVIS</td>
<td>HON RALPH REGULA</td>
<td></td>
</tr>
<tr>
<td>U.S. House of Representatives</td>
<td>U.S. House of Representatives</td>
<td></td>
</tr>
<tr>
<td>WASH DC 20515 US</td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON SHERROD BROWN</td>
<td>HON NYDIA M VELAZQUEZ</td>
<td></td>
</tr>
<tr>
<td>U.S. House of Representatives</td>
<td>U.S. House of Representatives</td>
<td></td>
</tr>
<tr>
<td>WASH DC 20515 US</td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>SERVICE LIST FOR: 21-aug-1998 STB FD 33388 0</td>
<td>CSX CORPORATION AND CSX TRANSPORTATION</td>
<td></td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>HON ED TOWNS</td>
<td>HON LOUISE M SLAUGHTER</td>
<td></td>
</tr>
<tr>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td></td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON CHARLES SCHUMER</td>
<td>HON CHRISTOPHER SHAYS</td>
<td></td>
</tr>
<tr>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td></td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON CHARLES RANGEL</td>
<td>HON MICHAEL MCNULTY</td>
<td></td>
</tr>
<tr>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td></td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON THOMAS MANTON</td>
<td>HONORABLE JAMES MALONEY</td>
<td></td>
</tr>
<tr>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td></td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON CAROLYN B MALONEY</td>
<td>HON NITA LOWE</td>
<td></td>
</tr>
<tr>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td></td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON MAURICE HINCHLEY</td>
<td>BEN GILMAM</td>
<td></td>
</tr>
<tr>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td></td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON MICHAEL FORBES</td>
<td>HON ELIOT L ENGEL</td>
<td></td>
</tr>
<tr>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td></td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON GARY ACKERMAN</td>
<td>HON JERROLD NADLER</td>
<td></td>
</tr>
<tr>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td></td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE ROBERT W. NEY</td>
<td>HONORABLE BOB WEYGAND</td>
<td></td>
</tr>
<tr>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td></td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE TED STRICKLAND</td>
<td>HON DENNIS J KUCINICH</td>
<td></td>
</tr>
<tr>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td>UNITED STATES HOUSE REPRESENTATIVES</td>
<td></td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON. ED BRYANT</td>
<td>HON. LOUIS E. STOKES</td>
<td></td>
</tr>
<tr>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td></td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON. STEVE LATOURETTE</td>
<td>HONORABLE SAXBY CHAMBLISS,</td>
<td></td>
</tr>
<tr>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td></td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE TILLIE K FOWLER</td>
<td>HONORABLE FRANK MASCARA</td>
<td></td>
</tr>
<tr>
<td>U.S. HOUSE REPRESENTATIVES</td>
<td>U.S. HOUSE REPRESENTATIVES</td>
<td></td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td>WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>Name</td>
<td>Address</td>
<td></td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>----------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>HON. ROBERT MENENDEZ</td>
<td>U S HOUSE OF REPRESENTATIVES WASH DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON MARY CAPTUR</td>
<td>U S HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON JAMES TRAFICANT JR</td>
<td>U S HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON BOB WISE</td>
<td>U S HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE MIKE DOYLE</td>
<td>U S HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON. JOHN J. DUNCAN</td>
<td>U S HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON. JAMES L. OBERSTAR</td>
<td>U.S. HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON. WILLIAM O. LIPINSKI</td>
<td>U S HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE PETER J. VISCLOSKEY</td>
<td>U S HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON VIC Fazio</td>
<td>UNITED STATES HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON. WILLIAM J. Coyne</td>
<td>UNITED STATES HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON DAVID I HOBSON</td>
<td>U S HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE FRANK D. RIGGS</td>
<td>U S HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE JOHN D. DINGELL</td>
<td>U S HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON. ROBERT G TORRICELLI</td>
<td>UNITED STATES SENATE WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE MAJOR R. OWENS</td>
<td>UNITED STATES HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON. BARBARA B KENNELLY</td>
<td>U S HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON NANCY JOHNSON</td>
<td>UNITED STATES HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HON. BUD SHUSTER</td>
<td>ATTN: MIKE RICK WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE RONALD V. DELLUMS</td>
<td>U S HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE JOHN J. LAFALCE</td>
<td>U S HOUSE OF REPRESENTATIVES WASHINGTON DC 20515 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE ROD R BLAGOJEVICH</td>
<td>U S HOUSE OF REPRESENTATIVES WASHINGTON DC 20515-1308 US</td>
<td></td>
</tr>
<tr>
<td>HONORABLE JAMES A. BARCIA</td>
<td>US HOUSE OF REPRESENTATIVES WASHINGTON DC 20515-2205 US</td>
<td></td>
</tr>
<tr>
<td>Name</td>
<td>Position</td>
<td>Address</td>
</tr>
<tr>
<td>------</td>
<td>----------</td>
<td>---------</td>
</tr>
<tr>
<td>HON JACK QUIN</td>
<td>U.S. House of Representatives</td>
<td>Washington, DC 20515-3230, US</td>
</tr>
<tr>
<td>HON PAUL E GILLMOR</td>
<td>U.S. House of Representatives</td>
<td>Washington, DC 20515-3505, US</td>
</tr>
<tr>
<td>HONORABLE TOM DAVIS</td>
<td>U.S. House of Representatives</td>
<td>Washington, DC 20515-4611, US</td>
</tr>
<tr>
<td>MICHAEL P HARMONIS</td>
<td>Department of Justice</td>
<td>Washington, DC 20530, US</td>
</tr>
<tr>
<td>JOSEPH R. POMONIO</td>
<td>Federal Railroad Administration</td>
<td>Washington, DC 20590, US</td>
</tr>
<tr>
<td>MITCHELL M. KRAUS</td>
<td>Transportation Communications International</td>
<td>Rockville, MD 20850, US</td>
</tr>
<tr>
<td>WILLIAM W WHITEHURST JR</td>
<td>W W Whitehurst &amp; Associates Inc</td>
<td>Cockeysville, MD 21030, US</td>
</tr>
<tr>
<td>ROBERT J WILL</td>
<td>United Transportation Union</td>
<td>Manchester, MD 21102, US</td>
</tr>
<tr>
<td>LINDA A JANEY J D</td>
<td>Maryland Office of Planning</td>
<td>Baltimore, MD 21201-2365, US</td>
</tr>
<tr>
<td>GARRET G SMITH</td>
<td>Mobil Oil Corporation</td>
<td>Fairfax, VA 22037-0001, US</td>
</tr>
<tr>
<td>PETER Q. NYCE, JR.</td>
<td>U.S. Department of the Army</td>
<td>Arlington, VA 22203, US</td>
</tr>
<tr>
<td>WILLIAM P. JACKSON, JR.</td>
<td>Jackson &amp; Jessup, P.C.</td>
<td>Arlington, VA 22210, US</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>City, State, ZIP</th>
</tr>
</thead>
<tbody>
<tr>
<td>HONORABLE RICHARD BURR</td>
<td>U.S. House of Representatives</td>
<td>Washington, DC 20515-3305, US</td>
</tr>
<tr>
<td>HONORABLE BOBBY L. RUSH</td>
<td>U.S. House of Representatives</td>
<td>Washington, DC 20515-9997, US</td>
</tr>
<tr>
<td>CONG BOB CLEMENT</td>
<td>U.S. House of Representatives</td>
<td>Washington, DC 20515-4205, US</td>
</tr>
<tr>
<td>PAUL SAMUEL SMITH</td>
<td>U.S. Department of Transportation</td>
<td>Washington, DC 20590, US</td>
</tr>
<tr>
<td>DAVID G ABRAHAM</td>
<td>7315 Wisconsin Avenue</td>
<td>Bethesda, MD 20814, US</td>
</tr>
<tr>
<td>JOHN M ROBINSON</td>
<td>9616 Old Spring Road</td>
<td>Kensington, MD 20895-3124, US</td>
</tr>
<tr>
<td>JOHN HOY</td>
<td>P.O. Box 117</td>
<td>Glen Burnie, MD 21060, US</td>
</tr>
<tr>
<td>JOHN F WING CHAIRMAN</td>
<td>Citizens Advisory Committee</td>
<td>Baltimore, MD 21201, US</td>
</tr>
<tr>
<td>CHARLES M CHADWICK</td>
<td>Maryland Midland Railway Inc</td>
<td>Union Bridge, MD 21791, US</td>
</tr>
<tr>
<td>HENRY E. SEATON</td>
<td>7700 Leesburg Pike, STE 201</td>
<td>Falls Church, VA 22043, US</td>
</tr>
<tr>
<td>THOMAS E. SCHICK</td>
<td>Chemical Manufacturers Association</td>
<td>Arlington, VA 22209, US</td>
</tr>
<tr>
<td>JENNIFER BRAUN</td>
<td>Jackson &amp; Jessup</td>
<td>Arlington, VA 22210, US</td>
</tr>
<tr>
<td>KENNETH E. SIEGEL</td>
<td>American Trucking Associations Inc</td>
<td>Alexandria, VA 22314-4677, US</td>
</tr>
<tr>
<td>Name</td>
<td>Address</td>
<td>State and City</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>------------------------------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td>Robert E. Martinez</td>
<td>VA Secretary of Transportation</td>
<td>P. O. Box 1475, Richmond, VA 23218</td>
</tr>
<tr>
<td>George A. Aspayore</td>
<td>Norfolk Southern Corp</td>
<td>Three Commercial Place, Norfolk, VA 23510</td>
</tr>
<tr>
<td>Honorable John Warner</td>
<td>United States Senate</td>
<td>P.O. Box 8817, Abingdon, VA 24210-0887</td>
</tr>
<tr>
<td>Terrell Ellis</td>
<td>CaezTV</td>
<td>P.O. Box 176, Clay, WV 25043</td>
</tr>
<tr>
<td>William T. Bright</td>
<td>200 Greenbrier Road</td>
<td>Summersville, WV 26651</td>
</tr>
<tr>
<td>Scott M. Saylor</td>
<td>North Carolina Railroad Co.</td>
<td>3200 Atlantic Av Ste 110, Raleigh, NC 27604-1640</td>
</tr>
<tr>
<td>Honorable David M. Beasley</td>
<td>Governor</td>
<td>P. O. Box 11369, Columbia, SC 29211</td>
</tr>
<tr>
<td>J. L. Rodgers</td>
<td>General Chairman UTU</td>
<td>480 Osceola Avenue, Jacksonville, FL 32250</td>
</tr>
<tr>
<td>Phillip L. Bell</td>
<td>Erie Lackawanna Railroad Co.</td>
<td>P.O. Box 1462, Tallahassee, FL 32302</td>
</tr>
<tr>
<td>James L. Belcher</td>
<td>Eastman Chemical Company</td>
<td>P.O. Box 431, Kingsport, TN 37662</td>
</tr>
<tr>
<td>J. R. Barbee</td>
<td>General Chairperson UTU</td>
<td>P.O. Box 9599, Knoxville, TN 37940</td>
</tr>
<tr>
<td>Honorable Paul E. Patton</td>
<td>Governor</td>
<td>700 Capitol Avenue, Ste. 100, Frankfort, KY 40601</td>
</tr>
<tr>
<td>F. R. Pickell</td>
<td>General Chairperson UTU</td>
<td>6797 North High St Ste 108, Worthington, OH 43085</td>
</tr>
<tr>
<td>L. P. Sing Jr</td>
<td>General Chairperson UTU</td>
<td>145 Campbell Ave SW Ste 207, Roanoke, VA 24011</td>
</tr>
<tr>
<td>Vaughn R. Groves</td>
<td>Pittsburgh Coal Company</td>
<td>P.O. Box 5100, Lebanon, VA 24266</td>
</tr>
<tr>
<td>R. K. Sargent</td>
<td>General Chairperson UTU</td>
<td>1319 Chestnut Street, Kenova, WV 25530</td>
</tr>
<tr>
<td>Frank N. Jorgensen</td>
<td>The Elk River Railroad Inc.</td>
<td>P.O. Box 460, Summersville, WV 26651</td>
</tr>
<tr>
<td>E. Norris Tolson</td>
<td>NC Dept of Transportation</td>
<td>P.O. Box 25201, 1 S. Wilington Street, Raleigh, NC 27611</td>
</tr>
<tr>
<td>Paul R. Hitchcock</td>
<td>CSX Transportation Law Depart</td>
<td>500 Water Street SC J-150, Jacksonville, FL 32202</td>
</tr>
<tr>
<td>J. T. Reed</td>
<td>General Chairperson UTU</td>
<td>7785 Baymeadows Way Ste 109, Jacksonville, FL 32256</td>
</tr>
<tr>
<td>Honorable Lawton Chiles</td>
<td>Office of the Governor</td>
<td>The Capitol, Tallahassee, FL 32399-0001</td>
</tr>
<tr>
<td>William L. Osteen</td>
<td>Associate General Counsel TVA</td>
<td>400 West Summit Hill Drive, Knoxville, TN 37902</td>
</tr>
<tr>
<td>Honorable Kirk Fordice, Gov</td>
<td>State of Mississippi</td>
<td>P.O. Box 139, Jackson, MS 39205</td>
</tr>
<tr>
<td>William P. Hernandez Jr</td>
<td>General Chairman</td>
<td>P.O. Box 180, Hillyard, OH 43026</td>
</tr>
<tr>
<td>Thomas M. O'Leary</td>
<td>Ohio Rail Development Commission</td>
<td>50 W Broad Street 15th Floor, Columbus, OH 43215</td>
</tr>
</tbody>
</table>

08/21/1998
<table>
<thead>
<tr>
<th>Name</th>
<th>Title/Company/Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Doreen C Johnson</td>
<td>Chief Antitrust Section</td>
</tr>
<tr>
<td>Ohio Att'y General Office</td>
<td>30 E Broad Street 16th Floor</td>
</tr>
<tr>
<td>Columbus OH 43215 US</td>
<td></td>
</tr>
<tr>
<td>Honorable John Glenn</td>
<td>U.S. Senate Attn: Dan Emerine</td>
</tr>
<tr>
<td>200 N High Street S-600</td>
<td>Columbus OH 43215-2408 US</td>
</tr>
<tr>
<td>Robert J Cooper</td>
<td>General Chairperson Utu</td>
</tr>
<tr>
<td>1238 Cass Road</td>
<td>Maumee OH 43537 US</td>
</tr>
<tr>
<td>David Dysard</td>
<td>Tmacog</td>
</tr>
<tr>
<td>P.O. Box 9508</td>
<td>300 Central Union Plaza</td>
</tr>
<tr>
<td>Toledo OH 43697-9508 US</td>
<td></td>
</tr>
<tr>
<td>Mayor Vincent M. Urbin</td>
<td>150 Avon Belden Rd</td>
</tr>
<tr>
<td>Avon Lake OH 44012 US</td>
<td></td>
</tr>
<tr>
<td>Colette McNamee Sr</td>
<td>Cudell Improvement Inc</td>
</tr>
<tr>
<td>11500 Franklin Blvd Ste 104</td>
<td>Cleveland OH 44102 US</td>
</tr>
<tr>
<td>C L. Little</td>
<td>United Transportation Union</td>
</tr>
<tr>
<td>14600 Detroit Ave</td>
<td>Cleveland OH 44107 US</td>
</tr>
<tr>
<td>C V. Monin</td>
<td>Brotherhood of Locomotive Engineers</td>
</tr>
<tr>
<td>1370 Ontario Street</td>
<td>Cleveland OH 44113 US</td>
</tr>
<tr>
<td>David Roloff</td>
<td>Goldstein &amp; Roloff</td>
</tr>
<tr>
<td>526 Superior Avenue East Suite</td>
<td>14414 US</td>
</tr>
<tr>
<td>Cleveland OH 44114 US</td>
<td></td>
</tr>
<tr>
<td>David J. Matty</td>
<td>City of Rocky River</td>
</tr>
<tr>
<td>21012 Hilliard Road</td>
<td>Rocky River OH 44116-3390 US</td>
</tr>
<tr>
<td>C. D. Winebrenner</td>
<td>General Chairperson Utu</td>
</tr>
<tr>
<td>27801 Euclid AV RM 200</td>
<td>Euclid OH 44132 US</td>
</tr>
<tr>
<td>Charles Zumkehr</td>
<td>Roczetel &amp; Andress Co. LPA</td>
</tr>
<tr>
<td>75 East Market Street</td>
<td>Akron OH 44306 US</td>
</tr>
<tr>
<td>Charles E. Allenbaugh Jr</td>
<td>East Ohio Stone Company</td>
</tr>
<tr>
<td>2000 W Bessey St</td>
<td>Alliance OH 44401 US</td>
</tr>
<tr>
<td>Honorable Deborah Pryce</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td>500 South Front Street, Room 1130</td>
<td>Columbus OH 43215 US</td>
</tr>
<tr>
<td>James R. Jacobs</td>
<td>Jacobs Industries</td>
</tr>
<tr>
<td>2 Quarry Lane</td>
<td>Stony Ridge OH 43463 US</td>
</tr>
<tr>
<td>Robert E. Greenlese</td>
<td>Toledo-Lucas County Port Authority</td>
</tr>
<tr>
<td>1 Maritime Plaza Suite 700</td>
<td>Toledo OH 43604 US</td>
</tr>
<tr>
<td>Ron Makuda</td>
<td>Local Union 1910 WMA</td>
</tr>
<tr>
<td>R D #2</td>
<td>Rayland OH 43943 US</td>
</tr>
<tr>
<td>Charles S. Hesse</td>
<td>Charles Hesse Associates</td>
</tr>
<tr>
<td>7777 Bainbridge Road</td>
<td>Chagrin Falls OH 44023-2124 US</td>
</tr>
<tr>
<td>Anita R. Brindza</td>
<td>The One Fifteen Hundred Building</td>
</tr>
<tr>
<td>11500 Franklin Blvd Suite 104</td>
<td>Cleveland OH 44102 US</td>
</tr>
<tr>
<td>Clinton J. Miller III</td>
<td>General Counsel</td>
</tr>
<tr>
<td>United Transportation Union</td>
<td>14600 Detroit Avenue</td>
</tr>
<tr>
<td>Cleveland OH 44107-4250 US</td>
<td></td>
</tr>
<tr>
<td>Christopher C. McCracken</td>
<td>Ulmer &amp; Berne LLP</td>
</tr>
<tr>
<td>1300 East Ninth Street Suite 900</td>
<td>Cleveland OH 44114 US</td>
</tr>
<tr>
<td>Inajo Davis Chappell</td>
<td>Ashta Chemicals Inc</td>
</tr>
<tr>
<td>1300 East Ninth Street Suite 900</td>
<td>Cleveland OH 44114-1538 US</td>
</tr>
<tr>
<td>Michael J. Garrigan</td>
<td>BP Chemicals Inc</td>
</tr>
<tr>
<td>4440 Warrensville CTR Rd</td>
<td>Cleveland OH 44128 US</td>
</tr>
<tr>
<td>Gary A. Ebert</td>
<td>City of Bay Village</td>
</tr>
<tr>
<td>350 Dover Center Road</td>
<td>Bay Village OH 44140 US</td>
</tr>
<tr>
<td>Sylvia R. Chinn-Levy</td>
<td>NEFCO</td>
</tr>
<tr>
<td>969 Copley Road</td>
<td>Akron OH 44320 US</td>
</tr>
<tr>
<td>Randall C. Hunt</td>
<td>Kruulik, Wilkins, Griffiths &amp; Dougherty Co.</td>
</tr>
<tr>
<td>P.O. Box 36963</td>
<td>4775 Munson St NW</td>
</tr>
<tr>
<td>Canton OH 44735-6963 US</td>
<td></td>
</tr>
</tbody>
</table>

08/21/1998 Page 12
SERVICE LIST FOR: 21-aug-1998 STB FD 33388

D G STRUNK JR
GENERAL CHAIRPERSON UTU
917 KILBOURNE STREET
BELLEVUE OH 44811 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 RONALS WALKER
CITIZENS GAS & COKE UTILITY
2020 N MERIDIAN STREET
INDIANAPOLIS IN 46202-1393 US

HONORABLE DAN COATS,
UNITED STATES SENATE
1180 MARKET TOWER, 10 WEST MARKET STREET
INDIANAPOLIS IN 46202-1393 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 DON CENTER
MIDLAND MI 48647 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 DIVISION - GENERAL MILLS OPERATION
P.O. BOX 1113
NUMBER ONE GENERAL MILLS BULEVARD
MINNEAPOLIS MN 55440 US

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

RICHARD E KERTH
CHAMPION INTERNAT'L CORP
101 KNIGHTSBRIDGE DRIVE
HAMILTON OH 45020-0001 US

FAY D MURPIS
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

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

HAMILTON L CARMICHE, 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 EMPLOYEES
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 30050
LANSING MI 48933 US

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

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

08/21/1998
SERVICE LIST FOR: 21-aug-1998 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATION

WILLIAM F. COTTRELL
ASST. ATTORNEY GENERAL
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

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

KEVIN BRUBAKER
ENVIRONMENTAL LAW AND POLICY CENTER OF THE MI
203 NORTH LASALLE ST, SUITE 1390
CHICAGO IL 60601 US

RICHARD F. FRIEDMAN
INTERNATIONAL PORT DISTRICT (PORT F CHICAGO)
111 W WASHINGTON STREET SUITE 1700
CHICAGO IL 60602 US

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

R A GRICE
GENERAL CHAIRPERSON UTU
11017-F GRAVOIS INDUSTRIAL PLAZA
ST LOUIS MO 63128 US

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

MIKE SPAHIS
FINA OIL & CHEMICAL CO.
6350 NORTH CENTRAL EXPRESSWAY, STE. 1620
DALLAS TX 75206 US

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

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

DENNIS A. GUTH
WEST LAKE GROUP
2881 POST OAK BLVD
HOUSTON TX 77056 US

MONTY L PARKER
C & C STEEL GROUP
P O BOX 911
SEGUN TX 78156 US
This decision addresses the petition by APL Limited (APL) (designated as APL-26) filed on July 31, 1998, seeking to stay the implementation of the transaction that we authorized in Decision No. 89, served on July 23, 1998, pending our clarification and/or reconsideration of Decision No. 89, or the completion of judicial review. In support of its petition, APL states that it expects to prevail both in having Decision No. 89 clarified and in having the decision overturned with respect to our provision for a limited override of antiassignment clauses in rail transportation contracts. APL maintains that it will suffer irreparable harm if we do not stay the division of Conrail pending its appeal, that such a stay will not harm CSX or NS, and that the public interest supports a stay. CSX and NS filed separate replies in opposition to the stay petition (designated as CSX-159 and NS-70, respectively).

To justify a stay, petitioner APL must demonstrate: (1) it has a strong likelihood of prevailing on the merits; (2) it will be irreparably harmed in the absence of a stay; (3) other interested parties will not be substantially harmed by the stay; and (4) the public interest supports granting the stay. Virginia Petroleum Jobbers Assoc. v. FPC, 259 F.2d 921 (D.C. Cir. 1958); Washington Metropolitan Area Transit Comm. v. Holiday Tours, Inc., 559 F.2d 841, 843 (D.C. Cir. 1977). For the reasons discussed below, we find that APL has failed to meet these requirements.

1 In Decision No. 89, we approved, subject to conditions, the applications 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.

2 While seeking to stay the implementation of the transaction, APL also states that it does not seek the stay of the effectiveness of Decision No. 89 insofar as it permits applicants' joint control of Conrail.
Likelihood of prevailing on the merits. APL contends that it will succeed in having Decision No. 89 clarified because our discussion of the contract override provision is alleged to be internally inconsistent and does not return shippers like APL to the same position they were in prior to the 180-day override period we imposed in the decision. APL also avers that it will likely prevail in overturning this portion of our decision on the asserted grounds that we have no jurisdiction over intermodal contracts and we may not use section 11321 to override the provisions of a rail transportation contract.

APL has failed to show a need to clarify our decision. We find no ambiguity or inconsistency in our provision for a limited override of antiassignment clauses. See Decision No. 90, served on August 7, 1998, where, in denying APL’s request for an extension of time to file a petition for clarification and/or reconsideration, we reached the same conclusion. While we discuss this provision at various places in Decision No. 89, there is nothing in our discussion that alters the terms of, or is contrary to, the override condition we formally imposed in this proceeding. See Ordering Paragraph 10, Decision No. 89, slip op. at 175. Our override ruling is unambiguous. On Day One, antiassignment clauses in Conrail’s transportation contracts are overridden for 180 days, and CSX and NS may allocate contracts between them pursuant to section 2.2(c) of the CSX/NS/CR transaction agreement. After the 180-day period, the shipper may elect to continue the contract until its expiration under the same terms with the same carrier, or the shipper may invoke any antiassignment provision and be free of the section 2.2(c) allocation by terminating the contract. See Decision No. 89, slip op. at 73. Contrary to APL’s assertions, Decision No. 89 does not suggest that, absent invocation of the National Industrial Transportation League (NITL) agreement provisions, shippers such as APL have the right to choose between CSX and NS during their contract terms without terminating their underlying contracts. With respect to APL’s assertions challenging our override authority, we have already addressed these claims that section 10709 was intended to foreclose use of the exemption authority under section 11321. The Supreme Court has held that we have broad authority to override contracts as necessary to permit a transaction authorized in the public interest to be carried out. Norfolk & W. Ry. v. American Train Dispatchers Ass’n, 499 U.S. 117 (1991); Schwabacher v. United States, 334 U.S. 182 (1948). APL has not persuaded us that section 10709(c)(1) was intended to be an exception to this rule. The contract interests that APL asserts are extremely important, but we are not persuaded that they are more important than the interests of securities holders or the interests of employees in their collective bargaining agreements, which the Supreme Court has held must yield to the public interest. Moreover, we do not find convincing APL’s argument that we would have to revoke the intermodal exemption in order to apply the section 11321 exemption to these contracts. Such a revocation is

3 Although applicants sought a permanent override of antiassignment clauses in Conrail’s transportation contracts, we limited the override of such clauses to a 180-day period following Day One, i.e., the date of applicants’ division of Conrail’s operations and commencement of such operations. See Decision No. 89, slip op. at 73-74.

4 Specifically, our override extends to antiassignment and other similar clauses. For purposes of our discussion here, we will refer to all such provisions as antiassignment clauses.
appropriate where continued regulation under our statute is required, not where an impediment to the carrying out of a merger is being removed.

Irreparable injury. According to APL, it will suffer irreparable harm if we do not stay the transaction because CSX will have the incentive to use its increased market power to divert APL’s intermodal traffic to CSX’s affiliates, Sea-Land and CSX Intermodal, Inc. (CSXI). APL argues that our override decision forces it either to deal with CSX and CSXI, thus ensuring that its $1.00 per year lease of the South Kearny Terminal continues; or to deal with NS, which would mean terminating its existing contract and giving up the use of its strategically situated South Kearny Terminal and APL’s $25 million investment in that facility.

Throughout this proceeding, APL’s position has been that it should not be bound by the terms of its existing transportation contract with Conrail, but instead should have the opportunity to negotiate new rail service terms with both CSX and NS. Decision No. 89 gives to APL what it had asked for, although 180 days later than it wanted. Because its rights of termination under the antiaassignment clause are preserved, we are not forcing APL into an unwanted relationship with any particular carrier. Moreover, APL’s option to seek a carrier change without terminating its contract is available under section II(C) of the NITL settlement agreement where it can show that service is inadequate. If there is any controversy about the meaning of APL’s lease agreement or transportation contract, arbitration procedures are available to APL under those agreements. APL’s decision whether to terminate its contract after the 180-day period may be a difficult decision, but the consequences of termination flow from a contract it freely entered. We find that APL will not be irreparably harmed by a lack of a stay.

Harm to other parties. APL maintains that a stay of the division of Conrail’s operations will not harm CSX or NS, and that a stay may indeed benefit them by avoiding the chaos that would result from varied interpretations of the override provision in Decision No. 89. As discussed above, however, APL’s varied interpretations of our decision are without merit. CSX has expressed applicants’ commitment to making every effort to ensure that the division of Conrail’s operations are effected smoothly. NS has stated that a stay would inflict financial harm on applicants, cause

5 In its reply, NS points out that the allocation of Conrail’s transportation contracts has not yet been made and, therefore, APL’s allegation of irreparable harm is too speculative to be credited. Also, in response to APL’s allegation, CSX submitted the verified statement of Lester Passa, CSXI’s president and chief executive officer, asserting that every major railroad offers intermodal services in competition with entities such as APL that purchase transportation service from those railroads. Mr. Passa indicates that CSXI regularly does business with international ocean shipping companies other than its affiliate Sea-Land and that CSXI could not maintain its level of business if it endeavored to divert its customers’ traffic to its own account, as APL fears. Mr. Passa states that CSXI considers APL a valuable customer and that APL’s concerns about possible discrimination against it by CSXI are unfounded.

6 This provision, however, does not give shippers the right to negotiate lower rates while also keeping the contract.
competitive injury by delaying what we found to be a “procompetitive restructuring of rail service,” and cause environmental injury by delaying a transaction that is expected to have a substantial net environmental benefit in terms of reduced air pollution and highway traffic congestion. APL has failed to show that a stay would not harm applicants or other parties. Indeed, the record reflects that a stay would harm the applicants and others.

Public interest. The public interest does not support a stay. APL argues that the public interest will be served by reconsideration of applicants’ intrusion into the sanctity of shippers’ contracts via our override provision and section 2.2(c). The record, however, does not support this claim. Instead, we have found that the transaction should result in quantifiable public benefits of close to $1 billion a year. Decision No. 89, slip op. at 51, 130. We have also found that applicants’ expanded rail operations will remove over 1 million truck trips a year from our nation’s highways and reduce fuel consumption by over 80 million gallons a year. Id. at 51. Staying the transaction pending resolution of APL’s private objections would be largely disproportionate to the harm from an indefinite delay of even a portion of these public benefits. Accordingly, the petition will be denied.

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

It is ordered:

1. The stay petition in APL-26 is denied.

2. This decision is effective on its service date.

By the Board, Chairman Morgan and Vice Chairman Owen.

Vernon A. Williams
Secretary
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>ZIP Code</th>
<th>Phone</th>
<th>Email</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>JOHN R MADOLHY</td>
<td>BOSTON AND MAINE CORPORATION</td>
<td>BOSTON</td>
<td>MA</td>
<td>02114</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JAMES E HOWARD</td>
<td>90 CANAL STREET</td>
<td>BOSTON</td>
<td>MA</td>
<td>02114</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HON. EDWARD M KENNEDY</td>
<td>UNITES STATES SENATE</td>
<td>AUGUSTA</td>
<td>ME</td>
<td>04333</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ROBERT D ELDER</td>
<td>MAINE DEPARTMENT OF TRANSPORTATION</td>
<td>AUGUSTA</td>
<td>ME</td>
<td>04333</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>KAREN E SONGHURST</td>
<td>STATE OF VERMONT</td>
<td>MONTPELIER</td>
<td>VT</td>
<td>05633-5001</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MICHAEL E STRICKLAND</td>
<td>TNK LINE (NORTH AMERICA) INC, SENIOR VICE PRE</td>
<td>SECAUCUS</td>
<td>NJ</td>
<td>07094-1588</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>J WILLIAM VAN DYKE</td>
<td>NJ TRANSPORTATION PLANNING AUTHORITY</td>
<td>NEWARK</td>
<td>NJ</td>
<td>07102</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PHILIP SICO</td>
<td>UNION CAMP CORPORATION</td>
<td>WAYNE</td>
<td>NJ</td>
<td>07470</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TERRY LENHART</td>
<td>CONCERNED CITIZENS OF EAST RIVERTON</td>
<td>CINNAMINSON</td>
<td>NJ</td>
<td>08077-1802</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LAWRENCE PEPPER, JR</td>
<td>817 EAST LANDS AVE</td>
<td>VINEGLEN</td>
<td>NJ</td>
<td>08360</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ANTHONY BOTTALICO</td>
<td>420 LEXINGTON AVENUE ROOM 458-460</td>
<td>NEW YORK</td>
<td>NY</td>
<td>10017</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ANTHONY P. SEMANCIK</td>
<td>347 MADISON AVENUE</td>
<td>NEW YORK</td>
<td>NY</td>
<td>10017-3706</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**SERVICE LIST FOR: 08/19/1998 STB FD 33388**

**CSX CORPORATION AND CSX TRANSPORTATION**

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>ZIP Code</th>
<th>Phone</th>
<th>Email</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>RICHARD B. KENNELLY, JR</td>
<td>CONSERVATION LAW FOUNDATION</td>
<td>BOSTON</td>
<td>MA</td>
<td>02110</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JOHN D CIRAME, ASSISTANT SECRETARY</td>
<td>COMMONWEALTH OF MASS. EXEC. OFFICE OF TRANSPT</td>
<td>BOSTON</td>
<td>MA</td>
<td>02116-3969</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WILLIAM D ANKNER PHD</td>
<td>R I DEPT OF TRANSPORTATION</td>
<td>PROVIDENCE</td>
<td>RI</td>
<td>02903</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JOHN K DUNLEAVY</td>
<td>ASSISTANT ATTORNEY GENERAL</td>
<td>MONTPELIER</td>
<td>VT</td>
<td>03635-5001</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JAMES F SULLIVAN</td>
<td>CT DEPT OF TRANSPORTATION</td>
<td>NEWINGTON</td>
<td>CT</td>
<td>06131</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RICHARD C CARPENTER</td>
<td>1 SELLICK STREET SUITE 210</td>
<td>EAST HIGHLANDS</td>
<td>CT</td>
<td>08855</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HONORABLE ROBERT G. TORRICELLI</td>
<td>UNITED STATES SENATE</td>
<td>NEWARK</td>
<td>NJ</td>
<td>07102</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>EDWARD LLOYD</td>
<td>RUTGERS ENVIRONMENTAL LAW CLINIC</td>
<td>NEWARK</td>
<td>NJ</td>
<td>07102</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MARTIN T DURKIN ESQ</td>
<td>DURKIN &amp; BOGGA ESQS</td>
<td>RIDGEFIELD</td>
<td>NJ</td>
<td>07660</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TIMOTHY G CHELIUS</td>
<td>18 N EAST AVENUE</td>
<td>VENELAND</td>
<td>NJ</td>
<td>08060</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JOHN F. MCHUGH</td>
<td>MCHUGH &amp; SHERMAN</td>
<td>NEW YORK</td>
<td>NY</td>
<td>10005</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ANTHONY P. SEMANCIK</td>
<td>347 MADISON AVENUE</td>
<td>NEW YORK</td>
<td>NY</td>
<td>10017-3706</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JAMES W HARRIS</td>
<td>THE METROPOLITAN PLANNING ORGANIZATION</td>
<td>NEW YORK</td>
<td>NY</td>
<td>10048-0043</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**08/19/1998**
SERVICE LIST FOR: 08/19/1998 STB FO 33388 0 CSX CORPORATION AND CSX TRANSPORTATION

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

HONORABLE ALFONSE M. D'AMATO
UNITED STATES SENATE
LEO O'BRIEN OFFICE BUILDING, ROOM 420
ALBANY NY 12207 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
GARNER NY 14012 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

HONORABLE ALFONSE D'AMATO
UNITED STATES SENATE
111 W. HURON STREET, ROOM 620
BUFFALO NY 14202 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

M. 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
1650 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
250 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#5 BOX 101-15
JERSEY SHORE PA 17740-9309 US
SERVICE LIST FOR: 08/19/1998 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATION

DEBRA L. WILLEN
GUERRIERI, EDMOND & CLAYMAN PC
1331 F STREET NW, 4TH FLOOR
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

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

EDWARD WYTICK, EXECUTIVE DIRECTOR
LARRY J. WILLIS, ESQ
TRANSPO TRADES DEPT AFL-CIO
1000 VERMONT AVENUE, NW STE 900
WASHINGTON DC 20005 US

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

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

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

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

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

PAUL M. LAURENZA
OPPENHEIMER WOLFF & DONNELLY 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

KARL MORELL
BALL JANIK LLP
1455 F STREET NW SUITE 225
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

NICHOLAS J. DIMICHAEL
DONELAN CLEARY WOOD & MASER PC
1100 NEW YORK AVENUE W, STE 750
WASHINGTON DC 20005-3934 US

FREDERIC L. WOOD
DONELAN CLEARY WOOD & MASER PC
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

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

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

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

ROBERT P. VOM EIGEN
HOPKINS AND SUTTER
888 16TH STREET NW STE 700
WASHINGTON DC 20006 US
SERVICE LIST FOR: 08/19/1998 STB FD 33388 O CSX CORPORATION AND CSX TRANSPORTATION

FRANCIS G. MCKENNA
ANDERSON & PENDELETON
1700 K ST NW SUITE 1107
WASHINGTON DC 20006 US

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

ERIKA Z JONES
MAYER BROWN & PLATT
2000 PA AV NW
WASHINGTON DC 20006 US

JOHN V EDWARDS, ESQ
ZUCKERT SCOTT ET AL
888 17TH STREET N W STE 600
WASHINGTON DC 20006-1882 US

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

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

DAVID K MONROE
GALLAND KHRASCH & GARFINKLE P C
1054 THIRTY-FIRST STREET NW
WASHINGTON DC 20007 US

MICHAEL F MCBRIDE
LEBOEUF LAMB GREENE & MACRAE
1875 CONNECTICUT AVENUE NW
WASHINGTON DC 20009 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 NW SUITE 1105
WASHINGTON DC 20036 US

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

JUDY CALDWELL
OPPENHEIMER WOLFF & DONNELLY
1020 NINETEENTH ST NW STE 400
WASHINGTON DC 20036 US

KEITH G O'BRIEN
REA, CROSS AND AUCHINCLOSS
1707 L STREET, N.W., STE 570
WASHINGTON DC 20036 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

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

CHARLES A SPIRNA
HOPKINS & SUTTER
888 SIXTEENTH ST NW
WASHINGTON DC 20006-4103 US

SHERRI LEHMAN DIRECTOR OF CONGRESSIONAL AFFAIRS
CORN REFINERS ASSOCIATION
1701 PA AV NW
WASHINGTON DC 20006-5805 US

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

EDWARD D GREENBERG
GALLAND KHRASCH & GARFINKLE P C
1054 THIRTY-FIRST STREET NW
WASHINGTON DC 20007-4492 US

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

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

C MICHAEL LOFTUS
SLOVER & LOFTUS
1224 SEVENTEENTH STREET, NW
WASHINGTON DC 20036 US

HAROLD P QUINN, JR
NATIONAL MINING ASSOCIATION
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

CHRISTOPHER A MILLS
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036 US
SERVICE LIST FOR: 08/19/1998 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATION

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

RICHARD S. EDELHAN
O’DONNELL SCHWARTZ & ANDERSON PC
1900 L STREET NW SUITE 707
WASHINGTON DC 20036 US

KELVIN J. DOWD
SLOVER & LOFTUS
1224 17TH STREET NW
WASHINGTON DC 20036 US

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

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

PAUL A. CUNNINGHAM
HARKINS CUNNINGHAM
1300 NINETEENTH STREET, NW STE. 600
WASHINGTON DC 20036 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 NW
WASHINGTON DC 20036-3503 US

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

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

ARVID E. RENCH II
COVINGTON & BURLING
P O BOX 7566
1201 PENNSYLVANIA AVE NW
WASHINGTON DC 20044-7566 US

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

THOMAS A. O’BRIEN
US DEPARTMENT OF AGRICULTURE
P O BOX 96456
WASHINGTON DC 20090-6456 US

EILEEN S. STOMMES DIRECTOR T&M DIVISION
AGRICULTURAL MARKETING SERVICE USDA
P O BOX 96456
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. JOHN GLENN
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. CHARLES ROBB
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. J. ROBERT KERRY
UNITED STATES SENATE
WASHINGTON DC 20510 US

HON. ROSA L DELAURRO
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20510 US

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

HON. MIKE DEWINE
U S SENATE
WASHINGTON DC 20510 US

HON. JOSEPH I. LIEBERMAN
UNITED STATES SENATE
WASHINGTON DC 20510 US
<table>
<thead>
<tr>
<th>Service List For: 08/19/1998 STB FD 33388 0</th>
<th>CSX Corporation and CSX Transportation</th>
</tr>
</thead>
<tbody>
<tr>
<td>HONORABLE RICHARD LUGAR</td>
<td>HON. DAN COATS</td>
</tr>
<tr>
<td>UNITED STATES SENATE</td>
<td>UNITED STATES SENATE</td>
</tr>
<tr>
<td>WASHINGTON DC 20510 US</td>
<td>WASHINGTON DC 20510 US</td>
</tr>
<tr>
<td>HON. BARBARA A. MIKULSKI</td>
<td>HON WILLIAM V. ROTH JR</td>
</tr>
<tr>
<td>UNITED STATES SENATE</td>
<td>U.S. SENATE</td>
</tr>
<tr>
<td>WASHINGTON DC 20510 US</td>
<td>WASHINGTON DC 20510-0001 US</td>
</tr>
<tr>
<td>HON. JOHN W. WARNER</td>
<td>HON CHRISTOPHER J DODD</td>
</tr>
<tr>
<td>US SENATE</td>
<td>UNITED STATES SENATE</td>
</tr>
<tr>
<td>WASHINGTON DC 20510-0001 US</td>
<td>WASH DC 20510-0702 US</td>
</tr>
<tr>
<td>HONORABLE DANIEL P. MOYNIHAN</td>
<td>HONORABLE CONNIE MACK</td>
</tr>
<tr>
<td>UNITED STATES SENATE</td>
<td>UNITED STATES SENATE</td>
</tr>
<tr>
<td>WASHINGTON DC 20510-0903 US</td>
<td>WASHINGTON DC 20510-0904 US</td>
</tr>
<tr>
<td>HONORABLE JOHN BREAUX</td>
<td>HON ARLEN SPECTER</td>
</tr>
<tr>
<td>UNITED STATES SENATE</td>
<td>UNITED STATES SENATE</td>
</tr>
<tr>
<td>WASHINGTON DC 20510-1803 US</td>
<td>WASHINGTON DC 20510-3802 US</td>
</tr>
<tr>
<td>HON RICK SANTORUM</td>
<td>HONORABLE JOHN H. CHAFEE</td>
</tr>
<tr>
<td>UNITED STATES SENATE</td>
<td>UNITED STATES SENATE</td>
</tr>
<tr>
<td>WASHINGTON DC 20510-3804 US</td>
<td>WASHINGTON DC 20510-3902 US</td>
</tr>
<tr>
<td>HON JACK REED</td>
<td>SENATOR ROBERT BYRD</td>
</tr>
<tr>
<td>U.S. SENATE</td>
<td>UNITED STATES SENATE</td>
</tr>
<tr>
<td>WASHINGTON DC 20510-3903 US</td>
<td>WASHINGTON DC 20510-6025 US</td>
</tr>
<tr>
<td>HON. LEE N. HAMILTON</td>
<td>HONORABLE JOHN J LAFAULCE</td>
</tr>
<tr>
<td>UNITED STATES HOUSE OF REPRESENTATIVES</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE RONALD V. DELLUMS</td>
<td>HON. BUD SHUSTER</td>
</tr>
<tr>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td>ATTN: MIKE RICK</td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td>HON. BARBARA B KENNELLY</td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td>HONORABLE MAJOR R. OWENS</td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td>UNITED STATES HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td>HON NANCY JOHNSON</td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>UNITED STATES HOUSE OF REPRESENTATIVES</td>
<td>HONORABLE PAUL GILMORE</td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td>HONORABLE CHIP PICKERING</td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td>HONORABLE JESSE L. JACKSON, JR</td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td>HONORABLE LUIS GUTIERRE</td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
<td>HONORABLE DANNY K DAVIS</td>
</tr>
<tr>
<td>WASHINGTON DC 20515 US</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
</tr>
</tbody>
</table>

08/19/1998
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>HONRALPH REGULA</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON NYDIA M VELAZQUEZ</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON LOUISE M SLAUGHTER</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON CHRISTOPHER SHAYS</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON MICHAEL MCNULTY</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE JAMES MALONEY</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON NITA LOWEY</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>BEN GILMAM</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON ELIOT L ENGEL</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON JERROLD NADLER</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Wash DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE BOB WEYGAND</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON DENNIS J KUCINICH</td>
<td>United States House Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON. LOUIS E. STOKES</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON SHERROD BROWN</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON ED TOWNS</td>
<td>U.S. House or Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON CHARLES SCHUMER</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON CHARLES RANGEL</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON THOMAS MANTON</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON CAROLYN B MALONEY</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON MAURICE HINCHEY</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON MICHAEL FORBES</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON GARY ACKERMAN</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE ROBERT W. NEY</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE TED STRICKLAND</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON. ED BRYANT</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>HON. STEVE LATOURETTE</td>
<td>U.S. House of Representatives</td>
</tr>
<tr>
<td></td>
<td>Washington DC 20515 US</td>
</tr>
<tr>
<td>Name</td>
<td>Address</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>HONORABLE SAXBY CHAMBLISS</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE FRANK MAGAERA</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON MARCY KAPTUR</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON BOB WISE</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE MIKE DOYLE</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE JOHN D. DINGELL</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON. JAMES L. OBERSTAR</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON. THOMAS C. SAWYER</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE PETER J. VISCLOSKY</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON. WILLIAM J. COYNE</td>
<td>UNITED STATES HOUSE OF REPRESENTatives</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HON ROBERT G TORRICELLI</td>
<td>UNITED STATES SENATE</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515 US</td>
</tr>
<tr>
<td>HONORABLE JAMES A. BARCIA</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515-2205 US</td>
</tr>
<tr>
<td>HONORABLE RICHARD BURR</td>
<td>U.S. HOUSE OF REPRESENTATIVES</td>
</tr>
<tr>
<td></td>
<td>WASHINGTON DC 20515-3305 US</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
SERVICE LIST FOR: 08/19/1998 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATION

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

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

JOSEPH R. POMONIO
FEDERAL RAILROAD ADMIN.
400 7TH ST SW, Rm 20
WASHINGTON DC 20590 US

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

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

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

LINDA A. JANET J O
MARYLAND OFFICE OF PLANNING
301 WEST PRESTON STREET
BALTIMORE MD 21201-2365 US

PETER O. 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

THOMAS E. SCHICK
CHEMICAL MANUFACTURERS ASSOCIATION
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

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

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

GEORGE A. ASPATORE
NORFOLK SOUTHERN CORPORATION
THREE COMMERCIAL PLACE
NORFOLK VA 23510 US
SERVICE LIST FOR: 08/19/1998 STB FD 33388 0 CSX CORPORATION AND CSX TRANSPORTATION

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

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

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

CHARLES S NESSE
CHARLES NESSE ASSOCIATES
7777 BAINBRIDGE ROAD
CHAGRIN FALLS OH 44023-2124 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 44107-6250 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 NINTH STREET SUITE 900
CLEVELAND OH 44114-1538 US

MICHAEL J GARRIGAN
BP CHEMICALS INC
4440 MARRENSVILLE 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 COLEY ROAD
AKRON OH 44320 US

RANDALL C. HUNT
KRUGLIAK, WILKINS, GRIFFITHS & DOUGHERTY CO.
P O BOX 36965
4775 MUNSON ST NW
CANTON OH 44735-6963 US

RICHARD E KERTH
CHAMPION INTERNAT'L CORP
101 KNIGHTSBRIDGE DRIVE
HAMILTON OH 45020-0001 US

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

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

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

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

3RAD F HUSTON
CYPRUS AMAX COAL SALES CORP
400 TECHNOCENTER DRIVE STE 320
MILFORD OH 45150 US
SERVICE LIST FOR: 08/19/1998 STB FD 33388 O CSX CORPORATION AND CSX TRANSPORTATION

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
MCNALLY, COOK & WELCH
320 N MERIDIAN ST 1100 CHAMBER OF COMMERCE BL
INDIANAPOLIS IN 46204 US

HONORABLE DAN COATS,
UNITED STATES SENATE
1100 MARKET TOWER, 10 WEST MARKET STREET
INDIANAPOLIS IN 46204 US

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

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

HAMITLON L CARMICHE, CORPORATION COUNSEL
CITY OF GARY
401 BROADWAY 4TH FLOOR
GARY IN 46402 US

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

JAMES E SHEPHERD
TUSCALO & SAGINAW BAY
PO BOX 550
OMOSSO MI 48867-0550 US

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

HON. JOHN ENGLER
OFFICE OF THE GOVERNOR
PO BOX 30050
LANSING MI 48933 US

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

WILLIAM D OLSEN
FELHAEBER LARSON FENLON & VOGT PA
601 SECOND AVENUE SOUTH 4200 FIRST BANK PLACE
MINNEAPOLIS MN 55402-4302 US

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

KEVIN BRUBAKER
ENVIRONMENTAL LAW AND POLICY CENTER OF THE MI
203 NORTH LASALLE ST, SUITE 1390
CHICAGO IL 60601 US

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

KEVIN BRUBAKER
ENVIRONMENTAL LAW AND POLICY CENTER OF THE MI
203 NORTH LASALLE ST, SUITE 1390
CHICAGO IL 60601 US

THOMAS J LITWILER
OPPENHEIMER WOLFF & DONELLY
180 N STETSON AVE 45TH FLOOR
CHICAGO IL 60601 US
SERVICE LIST FOR: 08/19/1998 STB FD 33388 O CSX CORPORATION AND CSX TRANSPORTATION

WILLIAM C. SIPPEL
Oppenheimer Woll & Donnelly
180 N Stetson Ave Two Prudential Plaza 45th Floor
Chicago IL 60601 US

RICHARD F. FRIEDMAN
International Port District (Port of Chicago)
111 W Washington Street Suite 1700
Chicago IL 60602 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 RMS 302
Springfield IL 62703-4555 US

IAN MUIR
Bunge Corporation
P O Box 28500
St Louis MO 63146 US

HENRY T. DART
Plaintiff Management 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

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

J. D. FITZGERALD
UTU, General Chairperson
400 E Evergreen Blvd Ste 217
Vancouver WA 98660-3264 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
Indiana Harbor Belt RR
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 Citifront 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

R. A. GRICE
General Chairperson UTU
11017-F Gravois Industrial Plaza
St Louis MO 63128 US

JOHN JAY ROSACKER
KS, Dept of Transp
217 SE 4th St 2nd Floor
Topeka KS 66603 US

MIKE SPAHIS
Fina Oil & Chemical Co.
8350 North Central Expressway, Ste. 1620
Dallas TX 75206 US

DAVID L. HAL
Commonwealth Consulting Associates
13103 FM 1960 West, Suite 204
Houston TX 77065-4069 US

STEVE M. COULTER
Exxon Company USA
P O Box 3272
Houston TX 77253-3272 US

STEPHEN M. UTHOFF
Coniglio & Uthoff
110 West Ocean Blvd Ste C
Long Beach CA 90802 US

MARK H. SIDMAN
Weiner & Brodsky, Sidman & Kider
1300 New York Ave., NW, Ste. 800
Washington DC 20005 US

Records: 364
On August 22, 1997, Track Tech, Inc. (TTI), filed a verified notice of exemption under 49 CFR 1150.31 from the provisions of 49 U.S.C. 10902 to acquire from The Burlington Northern and Santa Fe Railway Company (BNSF) and to operate approximately 19.70 miles of rail line between Creston, IA (milepost 1.45), and the end of the line at Greenfield, IA (milepost 71.15). The exemption became effective on August 29, 1997. Notice of the exemption was served and published in the Federal Register on September 12, 1997 (62 FR 48130). On May 7, 1998, the United Transportation Union (UTU) filed a petition to revoke the exemption. On May 26, 1998, BNSF moved, without objection from TTI or UTU, that the proceeding be held in abeyance to allow the parties to reach a consensus regarding the disposition of this proceeding.

By notice filed August 4, 1998, UTU advised the Board that UTU and BNSF had resolved their differences regarding the exemption and that it was withdrawing its petition to revoke.

It is ordered:

1. The request to withdraw the petition to revoke is granted.

2. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary
SERVICE LIST FOR: 08/17/1998 STB FD 33434 0 TRACK TECK, INC.—ACQUISITION AND OP

SIDNEY L STRICKLAND JR
1001 G STREET NW STE 1210-WEST
WASH DC 20001-4545 US

DANIEL R ELLIOTT III
UNITED TRANSPORTATION UNION
14600 DETROIT AVENUE
CLEVELAND OH 44107 US

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

VINCENT F PRADA
SIDLEY & AUSTIN
1722 EYE ST NW
WASHINGTON DC 20006 US

Records: 4